

Public Service Commission interview Day 2
01 November 2019
Interview of Ms Zanele Hlatshwayo

Chairperson (Mr T James): Welcome to the interview, Ms Hlatshwayo. Please relax. We are not here to put you on the spot but are here to ask you questions so that we may be comfortable that you have the requisite skills that are required for this position. Firstly, can you tell us about yourself, your background and experience and why you think you want this position of the Public Service Commission?

Ms Hlatshwayo: Morning, Honourable Members, my name is Zanele Hlatshwayo. Initially I trained as a professional nurse. That was my first profession and I enjoyed it. Then when I got married I decided to change my career and study part-time through UNISA. I did my degree and became a teacher. After that I was a teacher. After five years of teaching at Maritzburg College I was deployed to work in the municipality. After that I was deployed as the mayor. After being the mayor, I was employed by the Department of Health under the Directorate of Gender and Transformation, mainly because of my passion. The transformation of women and youth and children have always been close to my heart. So that is my background.

I am a person that always loves working with people and I think that with all that experience of working in local government and the provincial sector I have the necessary experience and skills to add value to the Public Service Commission. I believe that the Public Service Commission plays a big role in terms of enforcing and making sure that the public service is at its utmost best. We need experienced people to do that. We need people who are passionate about public service, like me. We need people who are not just rewarded by salaries or money, who just enjoy the results that they get when they work with people. For example, for me to deliver a baby as a nurse was the most humbling experience, to assist the mother to have a baby. It was not about the money. For me, as a teacher, to see my students pass well was a rewarding experience. And I have seen a lot of public servants who have a servant attitude of serving our country without looking at remuneration. We will find that one school has the same resources as another school but the results and performance depends on who is the leader and not actually about the work that they do. So I think that being part of the Public Service Commission, I will encourage that servitude in our public sector because I believe if you want a development state in South Africa to prosper and make sure that our economy grows we need a very strong public service to be in partnership in that drive to make sure that our country prospers. So that is my background basically in the public sector.

Chairperson: Thank you. The Public Service Commission has a constitutional mandate to promote the values and principles of Section 195. What is your understanding of the values and principles enshrined in Section 195 of the Constitution? Please mention a few or elaborate where you feel like elaborating.

Ms Hlatshwayo: Thank you Chair. One of the key principles, I think, in Section 195 is civic participation. Civic participation or consultation, to me, is the key to proper governance. Without us getting a mandate from our citizens, as to what they want, it is going to be very difficult for us to deliver on service delivery without getting to know what they want. So public participation, to me, is the key. For example, if you want to engage in a policy from government that needs to be implemented, there must be a process of getting a proper public hearing. There must be a process of engaging with the media on the proposed draft Bill. There must be hearings in the legislature, or parliament, for people to come and give their own input on what they think about any policy that is being made in the country. So that by the time you finalise the Bill and make it an Act the community has embraced it and they feel that they are part of the policy that is going to be implemented. So public participation to me is a key drive to the ownership and understanding of what government does.

The second one, Chair, for me is the issue of transparency. Transparency is very key. Although I don't think we are as transparent as we can be as government. We can do better. We try but I don't think we are very transparent. I'll make an example. If I am going through a website for national tender awards given to the communities and I say to them, 'Please give me a percent of how many tenders were given to women, how many tenders were given to young people, how many tenders have been given to the disabled?'. They will tell you the process of awarding the tender and the BEE compliance but getting the statistics of exactly the allocation of how many people have benefited from those resources you find very 'skatey' information. It is there on the implementation but in terms of access and transparency sometimes we are not as transparent as we should be as government – it is a challenge.

The third one, for me Chair, is accountability. We must remember as civil servants that we are tasked with the responsibility of giving our citizens a service. And we must give those services in a very ethical and professional manner. But in addition to that, you must be accountable for everything that you do. If you are given a responsibility, you are given a contract by government, you sign an agreement, this agreement makes you accountable in performing your duties and reporting on them on a quarterly basis. So that all the

time your planning and your performance is evaluated constantly in saying your job is value for money. You are doing what you are supposed to do. The assessments need improvement. Our performance agreements are not electronic at the moment. A lot of them are written by hand and paper gets lost easily and it becomes difficult to track the overall performance within the public service. But I am happy, Chair, that despite that, disclosure for civil servants has improved a lot. You've got now an electronic disclosure that has made it much easier for people to monitor the declaration of civil servants to what they do, what interests they have so that people are able to monitor whether people are doing business during working time or their interests are contradictory to the job that they are doing. And I think that must be applauded but it is not quite there yet because as much as we are doing these disclosures, the follow-up of those declarations or disclosures is still not being monitored. What I wrote this year and what I wrote last year is still in line with what is expected. Also once you disclose it should be analysed saying you should not be doing this or you shouldn't be doing that. But I must say that those three have come a long way. So Chair, these are the three that I will mention at the moment. Those are the key principles of Section 195 of the Constitution that guides the performance of the public sector.

Chairperson: What is your understanding of the function of the Public Service Commission? You can briefly tell us. You don't have to tell us all the functions.

Ms Hlatshwayo: My understanding of the responsibilities of the Public Service Commission is that it is a commission of government that is designed to be able to assist legislature, to assist National Assembly in terms of monitoring the functioning of the public service administration which is an extra arm because you find that in the Departments there are ombudsmen where communities can complain if they are not happy with the service that is being given. But the Public Commissioner is able to do an investigation, further investigation and report, on whether those services have been done or not. If I can give an example. The public might complain about a service being provided in a particular clinic or a hospital and then the people will report to the ombudsman. The ombudsman will do an investigation and maybe compensate a particular individual for disability that occurred during the delivery of a service but the Commission needs to go further than that and come up with how you redress those issues, what is causing that, what are the ethical issues that need to be addressed, what are the challenges that create that problem and come up with solutions that they can suggest to be able to redress the issue. So Commissioners are more than just investigative arms they are also supposed to come up with solutions of how to address some of the challenges. I think you have to balance delivery implementation with monitoring and strengthening the investigative arm of government.

Chairperson: Thank you, Ms Hlatshwayo. The members of this panel will ask you questions as well and they will introduce themselves as they ask questions. I, therefore, call upon Honourable Lesoma.

Ms Lesoma: Good morning, Ms Hlatshwayo, and thank you for availing yourself to allow us to know you better than on paper. My question will be a statement and then I will allow you to respond. My question is around the legislative mandate which the Chair has already alluded to in terms of Chapter 10 Section 196 in particular clause 4. The Constitution provides for much stronger role for the Public Service Commission in upholding the principles of public administration. One of the functions is to give direction for ensuring that procedures for personnel recruitment, transfers, promotions and dismissals comply with the values and principles in Chapter 10 on Public Administration. The question is what will be the best strategy in assisting the Public Service Commission to ensure that government departments appointment competent and dedicated public servants particular at senior management level.

Ms Hlatshwayo: The recruitment process is outlined very clearly in our Labour Relations Act on how you recruit and advertise posts and fill posts. The most important one, I would say, is the redress of the inequality within the public service. We all know that historically we've got disadvantaged groups. And these are being catered for when we do recruitment. Women have been disadvantaged. Disabled people have been disadvantaged and also young people have been disadvantaged, in terms of our historical background. Therefore, obviously when you do recruitment you want to redress this and therefore we will give more points to make sure that women who did not get opportunities do get opportunities to be able to meet our quota of gender equality in the public service. Having said so I don't think we are, we are doing well, but not quite well in the public sector. If you go to any provincial legislature and you look at the HODs most of them are still predominantly male. Therefore, we are not meeting our mandate of redress in recruitment of women and the disabled. But I'm not saying that nothing is being done we have come a long way. At least 30 percent in most management positions are now being filled by women. I think we should applaud that.

When we want to look at competency of management we are aware that there are those, obviously, who have got more advantage than others because of their exposure to senior management and therefore those that are coming in with less experience will not perform as well as those that have experience. If you look at just that alone and say who is the best candidate you will not be able to redress inequality within our system

and therefore competency, to me, must also address inequality and give those who did not have an opportunity a chance. Most of the people we recruit for senior positions are not failing. A lot of them are competent but it is not just about the qualification that matters the most. To me, a person can be the most qualified but if they don't have the passion and the drive for the work they are doing, the qualification alone is not a good criteria for recruiting a person. If we could have, maybe, a portfolio of a person, a history of their performance, we will find that in the interviews that when it comes to service delivery they will outshine some of those who are more qualified.

Therefore, we need to create that balance of saying what is the person's history of work and experience, but also his qualifications? Having said that there must be a minimum qualification for senior management. At the moment we are not having that and I think the country needs to move towards a minimum qualification. I do not believe that anyone should be in senior management without a degree. A lot of our municipalities have collapsed because some of the municipal managers do not have the necessary qualification to run a municipality. A lot of CFOs in the municipalities don't even know how to balance the books because they don't have the necessary qualification to do accounting or work in financial offices. So to me, we need to create a balance of saying these are the minimum requirements, which address the imbalances of the past inequality, and make sure that everybody has got an equitable attempt at a management position but at the same time choose the best candidate. To me, more than just choosing a candidate it is about their performance. The performance of the person and the work that they do, to me, is more important than how they are appointed because if you do performance management you are able to say to the person you are not able to do this job.

Another issue that is a challenge for us is that most of the senior management posts we have made five year contracts and with five year contracts it does not give you enough time for a person to be able to do strategic planning, to be able to do the planning properly and then implement, to be able to see their performance properly. Therefore, even if you do the five year contract maybe it should be renewable based on their performance for another five years. I think as government we would be able to see better results when a person gets a sense of security to say I am here to make a difference and I believe the five years is too short a period and therefore they want to do things unplanned. That makes a hindrance to service delivery because things are done haphazardly under pressure. That is just my opinion of saying that it's a process that can be evaluated but we should look at minimum qualifications for senior management.

Ms Lesoma: My last question is around the developmental state. The National Development Plan emphasised that South Africa needs to build a state that it is capable of playing its developmental role and transformative role. What are the challenges that hinder public administration in potentially realising its developmental role? Second, what sort of public service is required by South Africa to achieve its developmental objective?

Ms Hlatshwayo: Let me first talk about what is a developmental state, in my understanding. A developmental state, according to our NDP, is a state of government that focuses on economic development of the state. It controls legislation and it controls and has a relationship with the free market, in terms of how they want to see the country develop and grow. Our country, as we know it, has got historical imbalances and, therefore, our country is a developmental state. It's got strong legislation to help the relationship between us and the private sector must be managed such that our revenue addresses those imbalances of the country. South Africa needs to focus a lot on education, on health, on a lot of social ills. We have to be able to develop and boost our economic growth. We can only say we are a developmental state if we are focusing on economic development. If you look at countries that have done this very well, in the world, you can look at Japan, you can look at Korea. They have done very well in where they were and they are similar to South Africa in terms of their challenges but they have come a long way in developing from being a developmental state, to where they are now in economic growth.

As South Africa, if we look at those other countries, I believe that if we invest our resources in the right place we will come out of our mutual current background and be able to have a future that embraces everybody in South Africa to prosper and be able to enjoy being a South African and be able to have access to service delivery like everyone else. Challenges that hinder public service in achieving that? At the moment, I will say our public service has not been transformed. We are trying to work with transformation but it is not there yet. The challenge is transformation but also I think our public service is top heavy. In the Health Department when a child has a big head and a small body we say it is unable to walk because the head is too big. We don't want a state that is too heavy at the top. We want to turn it upside down and make sure that the bottom, the core phase of delivery, is the one that gets the most resources because they are closer to the communities and have a lean-mean management system that makes sure things get done. If it gets too bulky at the top you will find that there is a lot of bureaucratic tape that happens and it slows down service delivery but also if you get top heavy you will find that people work inside that mentality. They try to protect

their position and make sure to be seen to be useful where they are. You will find very little integration between our services which make people unable to work as a team and for me those are the biggest challenges facing us as the public service.

Also we do have challenges of corruption in the public service. We do have challenges of people, not just being corrupt but, wanting to get paid without working. The people come to work but loiter around and to me that is worse than corruption. At least with corruption you can point out and say to a person you have done ABC. When people are moving from office to office and not doing much, it is not seen as a bad thing, but for me it is worse because you are not doing what you're employed to do. Therefore, if the bulk of the people are doing what they're employed to do you'll find that a lot will get done but people need motivation. We need to identify what are the things that demoralise people in the workplace. Most of them you will find have been employed for twenty years. They don't see themselves progressing; they feel demoralised. They don't see any value to the work that they do. I believe that people are dreaming to work by seeing themselves make a difference in their workplace. Satisfaction comes from making a difference more than the salary. When people feel every day 'I have a purpose being here, by being here I'm making a difference'. You'll find them motivated to work more than when they feel they're running in circles. The leadership they have is not giving them direction as to where we are going. What is our vision in the next two years or the five years to come? There is nothing driving them in the morning saying I want to achieve this. That sense of achievement needs to be rebuilt into the public service. You will find people are going to perform better if you share the same vision.

I always wish I could take everyone to China because when I went to China five years ago it was bad, it was dirty, it was like the worst place but when I went there two years ago I couldn't believe the change. South Africa will get there and take some lessons from other countries. I think South Africa is capable of doing that transformation but we need to sing from the same book. NDP must not be a bible that only a few people can read. NDP must be a booklet that is simplified to a point where anybody in the country is able to say South Africa is going in this direction in five or 10 years. If you go to China anybody can process what Xi Jinping has said, from national to provincial to local, they say the same thing 'this is our goal this year'. If the goal is to eliminate toilets that are not flushable, that was the goal for the whole year, and everyone was saying having access to toilet facilities and sanitation is the goal for the year. If the goal for the previous year was cleaning the city, we want to make gardens, we want to make this area very nice you'll see even at night people planting and making sure that the gardens are looking nice. So we need to identify one area in our country that's going to drive and make people excited about seeing the development in your area. If we say this year we want to see clean cities and then just make that a mandate for a year. Don't give a lot of things just give one issue saying we are cleaning up, we are starting gardens and we want South Africa to look nice and everybody buys into that agenda, you begin to have that simple idea being implemented and you will see the city changing. Look at Rwanda, the cleanest country in Africa because of leadership and vision. South Africa can learn from countries like that.

Mr Sibisi: Effective governance in the public sector encourages better decision-making and the efficient use of resources. How would you define good governance? Second, what are the five main principles of good governance within the context of a democratic government and efficient public service?

Ms Hlatshwayo: Good governance comes from a very strong principle that guides the public service. The first one is access. Access, efficiency, value for money, accountability and redress. What makes good governance in my understanding is using resources in a very efficient and economic manner. For example, you find that people waste resources. I mentioned earlier that we have limited resources because we are not a very well developed economy. We cannot afford to be wasteful as a country. We may be able to achieve a lot of things by adhering to our district planning. District planning is going to make our government efficient and economical in the sense that we are going to cut down on wasting resources. We are going to be able to go to our communities and not consult them ten or twenties times. We are going to go there as one government to one district and talk about all that needs to be addressed in that community. Previously we found that we are not efficient as government because one department does not know what the other department is doing in the same community and they go there and consult and do the programmes differently, using the same government. To me that is a waste of resources. We are not being economical. District planning is going to make us govern better.

Having said that, we have four spheres of government and to me that is a waste. You've got national, you've got provincial, you've got district and you've got local. By the time you come to local the person at national does not know what is happening at a local level. To me that is a waste of resources. We are not being economical but I think the districts will help us to become more efficient economically. Access to public service and everybody in the South Africa nation has access to education, to health, to all the services you provide, to safety and security and if you deprive a person access then that is not good governance. Nobody

should not be discriminated when they go to a particular facility based on skin colour or whether they are disabled or women or men. There are challenges with access, especially for disabled people. There are challenges with access in physically being able to get into the facility because there are no ramps in our facilities. Access to health facilities for a person, for example, who is disabled, who is blind or who is deaf and is raped, there is no assistance in terms of taking the statement that is disabled-friendly. To me, those are the types of things that need to be looked at that hinder access to our services. I am working with someone who is blind and I have learned a lot from this person. She can hear me walking past her office and say 'Morning Ms Hlatshwayo'. She said I can hear your steps you all walk differently. I said if she can identify me and others using the way we walk and the heaviness of our step, a person that is blind can identify a rapist without having seen the rapist. Most of the time the people who abuse the blind or disabled, are family members or neighbours, they are people that they know. If you get somebody who is blind to say from the footsteps or voice who that person is they are able to say who is the victim. But we don't give them access to that kind of service and therefore we disadvantage them. So access needs to be addressed and many, many others that are making us poor in terms of government.

On value for money, if, for example, I am getting a government service, be it medical service or education or training, will that training or qualification or skills certificate that I get be value for money if I were to take it to the private sector? Most of our qualifications get questioned in terms of their value depending on which university or which school you went to. There are universities, in our country, that 'privatise' students that come from certain schools. There are jobs that are reserved for graduates from certain universities. Somebody will tell you that if you've got a degree from a particular university your chance of getting a job will be firm because they privatise and put value to education systems of certain individuals from certain universities that are historically more advantaged than others. Therefore, when you say value for money we need to make sure that whatever we do it can be challenged. A child that gets a matric from a certain school must be able to compete with a child who gets matric from any other school in the country. Therefore, we are saying then we are getting value for money as government in terms of our resources. I must say we have got a lot of schools in our townships, we have got lots of schools that are doing very well and I don't think we are giving enough credit to the work that is being done by some of the teachers. We need to think business-like as public servants. I know most of us don't think business-like in quantifying the work that we do and saying is this value for money? If somebody is paying me for this service is this value for money?

Accountability is one of the key issues of effective governance. We need to be accountable. We need to be accountable about taxpayers' money that is being used to provide our services. We need to be accountable in terms of the Public Finance Management Act. We need to be accountable in terms of the Municipal Finance Management Act. But accountability is not just about finances. It is also about human resources that government is employing to make sure the people are doing what they're supposed to do and they're accountable for their actions. My challenge that I have with governance in terms of accountability is that we don't have a uniform legislation saying you've got one public service. The public service at the moment is not going to local government. Local government is not part of the public service and that is where most of the service delivery is. As government if we want to make the district plan effective we really need to have one public service that puts everyone under one umbrella whether it is national, provincial or local government to make sure everybody is accountable and there is a similar system of accountability from national to local government.

Redress – when we have done something wrong to somebody we owe an apology as government. If we have delivered a baby and the baby has cerebral palsy because mistakes were done during its delivery, somebody must be compensated for our mistakes and we must not be shy to apologise because we are human and we make mistakes. Let us not cover up and run away from redressing and apologising for the things we are doing wrong because I think people learn from their mistakes. At the moment we are paying a lot of money to the lawyers for our mistakes. As the Department of Health we are paying a lot of money for litigation and I think that money is robbing us of service delivery because now we are paying double for not doing what we are supposed to do. So there needs to be a balance of saying, yes, redress but that cannot hinder us from doing public service. What is happening now is a lot of doctors that are specialists are running away from our hospitals because they are running away from being litigated and charged so they are scared now of working for the public sector. They are moving to the private sector because they feel that it is less challenging. I don't think there is any doctor that wakes up in the morning and say I want to go and kill a baby or make a baby disabled. It's the hours that they work; maybe they were too tired. Maybe they were working for 48 hours and out of exhaustion they made a mistake. I am not justifying the wrong that is being done but it must not chase away the practitioners that we need for public service. There needs to be a balance so, yes, redress and apologise but also don't collapse the public service. If you weaken the public service, a lot of people cannot afford the fees of the private sector.

Dr Schreiber: My question relates to the perennial issue of corruption especially in the case of public

servants doing business with the state. So if I can ask you to zoom in on that specific issue. There is already legislation in place to prevent this from happening, however, it continues to happen. What would be your view on the role of the Public Service Commission in making sure that public servants doing business with the state comes to an end?

Ms Hlatshwayo: We are facing a problem of monitoring properly. I did mention earlier that the e-disclosure system will help a lot in identifying people doing business with the state but it can be improved more. Moving to digital monitoring is going to help us a lot and it can only get better. Also doing the lifestyle audit in addition to the e-disclosure will help us to identify who is corrupt and who is doing business with the state because a lot of people are living above their income and they should be able to explain what is the source of the money. Where did they get the income? Did they win the lotto? Did they get an inheritance? They must be able to account to us the source of the money and SARS can go a long way in identifying those lifestyle audits easily. With e-disclosures, we'll be able to identify the culprit better and be able to clamp down on corruption. Most people when they are corrupt cannot hide money, especially new money. We will see the splurging, the big cars, big houses. If it is old money, they have mastered how to hide the money. A lot of people who have new money, it is easy to identify them because they are too excited and they are unable to hide it. To me, in the Public Service Commission we can identify and look at the lifestyle audit and be able to clamp down on those. I am looking forward to the challenge but we are going in the right direction now with e-disclosures, digital access to information, putting it on websites. You should be able to go to the e-disclosures website and look at a person because they are public servants so we should have public information and it should not be hidden from anyone in the public. You should see what I have declared and what I have not declared as my interests and integrate that information. I think we will get there we just need to tighten our systems and link it to SARS.

Ms Lesoma: There is a perception that most senior management personnel are not comfortable with being vetted. What is your take on that?

Ms Hlatshwayo: I have always been vetted. I have never questioned the vetting process. It should not be an option. All of us, if we get employed as senior management, should get vetted and that should continue being done. Your appointment should wait for the feedback from the vetting process. What happens is that you are vetted after you're employed and if you are vetted after being employed it becomes difficult for you to say I cannot be employed. It is already too late. And then you get vetted every five years after that. Five years is too long to wait for the vetting process. At least every two years for the vetting process and there should be feedback from the security cluster that feeds it into your performance process so you are aware of the outcomes of the vetting. It is a routine thing. I have never heard anyone say they've been followed or investigated based on the vetting process. Vetting must happen before people get employed. It must be part of the employment process. Then you are able to identify if this person is a suitable candidate for that position. There are teachers, for example, who are found guilty of sexual abuse of children and then they move schools. They are criminals but they move schools and continue abusing the children; then they are found out and disciplined and move to another school. So they keep on roving to different school and continue with the same type of behaviour. They have not been vetted. They have criminal records but the processes are not following and somehow they think moving a sexual predator is helpful and it is not helpful. You are just moving a problem from one place to the other. We need to strengthen our vetting processes and take action especially access to criminal records of those employed in the public sector. There must be some kind of system that says this individual cannot be a public servant and be eliminated from that system.

Ms Kibi: My first question is on strengthening oversight. PSC is expected to do oversight. Can you tell us how you think PSC can strengthen its own oversight and the oversight by Parliament?

Ms Hlatshwayo: I think the Public Service Commission can strengthen its oversight by not just waiting for cases to be brought to its attention. They should be proactive and have their finger on the pulse as to where the challenges are. If you are in touch with the communities you should be able to say these particular areas and then you do a public dialogue or consultation. Ask communities how they feel about public service delivery that they are getting from the public sector. If you consult with people rather than wait for them to complain you'd be able to prevent some of the problems. Usually we wait until they come to us as the Public Service Commission. Closer consultations with communities will help us a lot to have our pulse on what is happening on the ground. That to me is critical but also the accountability to the Committee and National Assembly, Legislature and also having the ear of the President on some of the issues that need to be taken up. I think that should not be limited to once or twice a year. If, and when, there is a need to present something to the Portfolio Committee, the Commissioner should be able to say here is the challenge you are experiencing and you need to nip this in the bud. I know that you request annual reports but before you get those if there are challenges that need the Committee's attention, I think they should be brought to its attention as soon as possible. Then you can intervene before they become too big for addressing.

Ms Kibi: Thank you. For my second question I will start with a statement. During the State of the Nation Address the President applied seven priorities for the Sixth Administration. Among these is to build a capable, ethical and developmental state, which is what Chapter 10 of the Constitution envisaged. What role should the PSC play in ensuring the realisation of a capable, ethical and developmental state?

Ms Hlatshwayo: I think the first one will be to strengthen the Department's School of Government for training and empowerment. There are a lot of programmes that are being provided by the School of Government at the moment. I think once we have done a lot of empowerment there is no reason for people not to do what is expected of them because often they say: I was not trained, I was not empowered, and I do not have the necessary skills. It should be a long running programme for all people in the public sector.

If you work in the public sector: 1. You should know the NDP for example. Everybody in the Department must know where the country is going. It is compulsory. No one should say I don't know what the NDP is about. 2. Everybody should know what this country is about. Economic development, what is the President saying about economic development? Where are we going to be able to achieve the goals you want and the country being a developmental state? 3. An ethical code of conduct that is professional. A lot of people, when they are qualified, and they learn the ethics of their profession they memorise them, they pass them in the exam but practising them becomes something else.

You will find, for example, a nurse who says I do not do termination of pregnancy but in the Bill of Rights, in our access to health, we are saying everybody irrespective of race, colour or creed or religion should have access to our health services. It doesn't say if I am a Christian I cannot do termination of pregnancy. I do not pick and choose my patients as a public servant. Maybe if I am in the private sector I can say please go to somebody else to do that because I'm a Christian I cannot do ABC but as a public servant you cannot pick and choose who you provide service to and who you don't provide service to. Your ethical code, as a professional, binds you to provide a service to everybody. You will find that discrimination of people who are gay, who are lesbian, in our health services. They are not provided with the necessary assistance that they need. You'll find that, for example, a person that is blind cannot access medication that's in Braille. They've got to depend on somebody else to read the treatment for them. Can you imagine how embarrassing that is, for somebody else to monitor your taking of tablets three times a day? Therefore, I cannot give you medication because you might mix them up but if your label is in Braille, it gives you independence, it gives back your dignity. I can touch the Braille on my medication and know this is Panado. I am having independence in taking medication. Simple things like that bring dignity back and make us more sensitive to our code of conduct as professionals. Put yourself in the patient's shoes and ask how can I provide this service in a dignified manner that protects my profession, that makes me ethical and leaves that person feeling good about the service you have provided. So ethics are built into most professions for that reason of treating people equally and not discriminating. Make sure that you remember that you are dealing with a human being because sometimes you get so busy people stop being human and they treat people like they're robots and the humanness leaves the public service.

To me, servitude goes a long way towards making sure that part of the practices that you have instilled, that contribute to the public service, must respect our ethical code. You must be able to understand where the National Development Plan is taking us and what it is that you are doing. Anybody that is working in government must be able to ask you what the President said about the plan of the country and you must be able to say ABC because you are part of the public service. People forget that they are leaders in their communities and some people look up to them if they are a nurse or a teacher. They must know these things. If they ask them and they don't know – but you work for government? That attitude of I don't know what government is doing but I am part of the public service must come to an end. I think by training, by empowering, by social media. We are very good at social media when that does not require us to do our work better. When it comes to government, I don't want to criticise government communications, but I think they can do better in using social media to promote some of these things that we need to know as public servants. Promote it in a way that is palatable and easier to read. Not too academic or too legal. Simplify so that people who just go to social media can read and know what government is doing. It is cheaper and people have time to read Facebook, WhatsApp. Let us use those avenues to empower our communities and also empower our public servants on the information they need to have to present government in a positive way. So that people see government as a government that they can own, that belongs to them. When you grew up people did not associate themselves as a part of government and I think that is the mentality that we are still having in our society. That government is separate from us. We are not government. Therefore, we are not seeing that I am part of this government and I am also part of the implementation of things that I want from government. I always say when you say government must do this, what are you doing? Because you are also government. Ekurhuleni is you.

Ms Ntuli: My question will be on financial disclosures. I will give you the background and then ask one question. The financial disclosure framework is aimed at preventing conflicts of interest by requiring members of the senior management service to disclose their financial interests. Provide an explanation of how financial disclosure works.

Ms Hlatshwayo: The financial disclosure is done every year by all members of senior management. We are supposed to explain in the form over the past financial year this is what I have received in financial income that has got nothing to do with my salary. You disclose the car you have; your assets; everything, is in that form. You have to write everything that you have whether a car, a house or any outside income whether it is an investment, inheritance, extra income. You describe and explain it on the electronic form and submit that and then it is monitored every year. The form is electronic and is submitted to provincial and then to national. The challenge is that it's only for senior management. A lot of work is done at middle management. If you submit your documents, you submit to middle management, who will allocate and categorise according to the criteria. During that process of middle management sorting out those documents, some of the documents disappear because they are paper; others go through a shredder. Because they know that they are not part of the e-disclosure, they can influence the process as to who gets employed, who gets tenders and who doesn't get tenders. For me, focusing on senior management is not enough. It needs to go down to middle management and begin to tighten the process there because that is where the bulk of processes are happening. If we don't follow the process from the beginning to the end, we'll never find out where the problem is. It is not a problem at the top only because at the top they only authorise what has been sifted already. If it looks good on paper and people look like they have complied with the legislation, the senior manager will sign the document. They do not know what was done before the process came to the senior manager. Those are the weaknesses that you have at the moment with the e-disclosure. It is good. It is electronic. But it needs to go to the next level so all of us are able to account and disclose all our income.

Chairperson: I have two questions. The power to appoint in South Africa is assigned by section 3(7) of the Public Service Act. Ministers or MECs can delegate the power to the officials within the department. What are the major obstacles in the recruitment system in the public sector? Is the public sector recruitment system effective in ensuring a professional and capable state? What can be the role of the Public Service Commission in eliminating unethical practices in the recruitment system to ensure public servants are appointed based on merit?

Ms Hlatshwayo: I alluded to recruitment earlier on and the system currently being used is not sufficient to be able to make sure that we have capable management 100% because of the need to redress imbalances but I think we'll get there. Once we reach our equity – to have everyone exposed to what it is like to be in senior management, there must be a place where people learn. Having said that, the delegation of officials by Ministers is not a problem most of the time because the officials are still accountable to the Minister. They are still accountable to Cabinet for their performance. The challenge with the recruitment system currently is that there are no minimum requirements in place saying you must have so many years of experience and you must have such qualifications. If we look at the adverts they vary from province to province. They vary from government level to government level. You'll find that most of the time an advertised job is somebody has looked at somebody's CV and then advertised the post according to that individual's CV. By the time you look at the advertisement, you have an idea of who is the candidate that meets the criteria. This is a weakness disadvantaging others; looking at what it is that others may not have. To me that is corrupt. That is not equitable; that is not giving everybody access to that employment or recruitment process easily as it is too narrow in approach. You should have a template that is uniform for anybody that is in senior management – that they have so many years of experience, such a minimum qualification, and then we look at equity in giving more points to the previously disadvantaged. As we are one state; we are one public service so why should it differ from one department to the other? The only thing that will differ, is if a specialist is required in that field; but minimum requirements and years of experience is the same.

Dr Schreiber: In your CV, ma'am, you describe yourself as a political deployee and you also say that you have always been a political activist. From your CV it is clear that you are highly politically exposed and connected. Now given that the Constitution states that Public Service Commissioners may not be members of a political organisation and given that the Public Service Commission must always be seen to be totally politically independent. Would your appointment not amount to political cadre deployment and thus undermine the independence of the Public Service Commission?

Ms Hlatshwayo: Yes, I am an activist and I have always been an activist but that has never affected the service that I have provided to the community. When I was mayor of the city I understood that you are a mayor we don't just provide service only to a party. I can state on record when I serve my community I serve them equally without asking which political party you belong to. Even now, in the Department of Health, my political background does not affect the public service that I give. I never favour people based on their

political party. I treat everybody that comes for my service equally without asking what political party you belong to; what religion you belong to and what creed you belong to. This is because I believe that I am the servant in that position of mayor, in that position of director. I am just a servant of the people of South Africa and I must treat them equally. No one has said I have did not get service because I belong to a political party. Yes, my background is political but in my service to the community I am not political and I will always be like that.

Dr Schreiber: My follow up is that the Public Service Commission is an independent body that is not part of the rest of the public service, it is supposed to exercise oversight. Being a mayor is indeed a political decision and therefore there is no issue there. My question is, given that the Public Service Commission is totally independent and it should be seen to be totally independent at all times, and in fact the law says members of political organisations cannot be Commissioners, does not your candidature create an impression that undermines the political independence of a body where politics should never be in the equation, and never be seen to be in the equation?

Ms Hlatshwayo: I think I have responded to the question. I have never been partial in my service that I provide. I have been in the public service for more than 30 years and I don't have any record of discriminating against anybody based on their political party and even now if I am appointed as Commissioner I will continue serving people equally, without being influenced by politics. But I cannot say to you that I will stop being political. Where I am supposed to be impartial, I will be impartial and I have practiced that all my life. There is a place for politics and there is a place where you are not political and you are just performing your duty of being independent and I have a track record of having done that in the public service up till now.

Chairperson: Is there any question you would like to put to the Committee or comment?

Ms Hlatshwayo: I would just make a comment and say, Chair, thank you very much for giving me this opportunity of an interview. To me, it is an honour just to be shortlisted and being asked to do this interview. I believe that I am still have the energy. I still have the passion of serving my country and sharing the experiences that I've had in the public service with other members of the public sector. Hopefully before I retire I can add value to my country and serve to the best of my ability. Thank you.

Chairperson: Thank you very much Ms Hlatshwayo. You will be informed of the outcome of this interview in writing once we conclude interviewing all candidates. Thank you very much for coming.