Review and Recommendation Report of the Portfolio Committee on Women, Youth and Persons with Disabilities, Dated 20 October 2023.

The Portfolio Committee on Women, Youth and Persons with Disabilities, having considered the annual and financial performance of the Department of Women, Youth and Persons with Disabilities on 10 October 2023, and the Commission for Gender Equality on 13 October 2023 and the National Youth Development Agency on 17 October 2023, reports as follows:

1. Introduction

The Portfolio Committee on Women, Youth and Persons with Disabilities (hereafter the Committee) as it approaches the end of the 6th Parliamentary term considers this Budget Review and Recommendation's Report (BRRR) for 2023 a particularly important one as it begins to reflect on the term that has past and what still needs to be done by the entities it oversees. To this end, the Committee has assessed each of the annual reports for the Department of Women, Youth and Persons with Disabilities (hereafter the Department), the Commission for Gender Equality (CGE) and the National Youth Development Agency (NYDA) in light of each of the respective Strategic Plans and prior BRRRs.

The financial year 2022/23 saw the repeal of the transitionary COVID-19 measures by the Minister of Health Joseph Phaahla. The wearing of masks was no longer mandatory so to were the limitations on gatherings and international travel. All positive signs that the country had come through surviving a pandemic. Notwithstanding that, unemployment remained high in the country, the economy was still in recovery and the scourge of gender-based violence continued unabated. It was also a financial year in which the country experienced several natural disasters such as the floods in KwaZulu-Natal that were considered to be the most catastrophic yet recorded for the province. The 26th June 2022 was another sad day in South Africa, the Enyobeni Tavern tragedy in which 21 young people died.

Currently, women constitute more than half of the South African population and the youth unemployment rate is the highest it has even been since the advent of democracy despite somewhat of an improvement. Gender-based violence and femicide remains as the silent pandemic. It is within this context that the Budget Review and Recommendations Report (BRRR) 2023 is compiled. The review and assessment of the Annual Reports for the Department of Women, Youth and Persons with Disabilities (hereafter referred to as the Department), the Commission for Gender Equality (CGE) and the National Youth Development Agency (NYDA) has this been considered against that backdrop.

With a change in administration, the Department has seen the appointment of a new minister and deputy minister. Another key significant change for the Department was the change to its mandate as it became what it refers to as a regulator. Moreover, by the introduction of the Annual Performance Plan 2022/23 the Department had also decreased its programmes from five to four with the merger of disability and youth into one.

On the 10th October 2023, the Committee was briefed by the Department on its Annual Report for 2022/23, as well as by the Auditor General of South Africa (AGSA) and the Audit and Risk Committee (ARC). The Commission for Gender Equality (CGE) briefed the Committee on the 13th October 2023 and the National Youth Development Agency (NYDA) on the 17th October 2023 along with their respective ARC's.

2. Strategic Overview

2.1. Mandate and Purpose of the Department

The Department of Women, Youth and Persons with Disabilities derives its mandate from section 9 (3) of the Constitution. Department has shifted its mandate from that of being a facilitation department to that of being a regulator. As such, the mandate of the Department is to regulate the socio-economic transformation and implementation of the empowerment and participation of women, youth and persons with disabilities. Furthermore, it will also create and facilitate a socioeconomic internal and institutional environment that will enable it to perform its function as a regulator. Its ultimate vision is one in which the rights of women, youth and persons with disabilities are realised and the mission is to regulate the right of women, youth and persons with disabilities. Subsequently, the Department has reverted back to its initial mandate as articulated in the APP of 2023/45. For the purposes of assessing the year under review 2022/23, the mandate as regulator will be considered.

As stated in the Estimates of National Expenditure (ENE) for 2022, the Department received its transfer from National Treasury via Vote 20, which at the time was inclusive of five programmes

namely; Programme 1: Administration; Programme 2: Mainstreaming Women's Rights and Advocacy; Programme 3: Monitoring, Evaluation, Research and Coordination and Programme 4: Mainstreaming Youth and Persons with Disabilities Rights and Advocacy.

The Department notes as its outcomes as follows:

- The socio-economic empowerment of women, youth and persons with disabilities through the development and implementation of regulatory frameworks,
- The rights of women, youth and persons with disabilities realised through the development and implementation of legislation, and
- The development and implementation of a stakeholder framework.

In the 2022/23 Annual Performance Plan for the Department, the Minister also noted that:

- The regulatory mandate of the Department requires the department to provide directives and regulations to inform the implementation of the country's commitments on equality, empowerment, participation and benefits for women, youth and persons with disabilities.
- The development of regulations should be based on relevant and current legislative prescripts.
- The location of the department at the Presidency is vital and provides an opportunity for it to advocate for and enforce the development of gender responsive policies, youth inclusive policies and disability friendly policies and plans through the provision of specialised knowledge and skills for mainstreaming of the three sectors.
- The development of regulatory frameworks for mainstreaming women, youth and persons with disabilities is a step towards the right direction to enable the enforcement of compliance by different sectors.

2.2 Mandate of the Commission for Gender Equality

The Commission for Gender Equality (CGE) was established in 1996 according to the Commission for Gender Equality Act 39 (1996) to promote gender equality. In its efforts to monitor, lobby, educate citizens and encourage the equitable development of women and men, the CGE is compelled to undertake the following:

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

2.3 Mandate of the National Youth Development Agency

The National Youth Development Agency (NYDA) was established through the NYDA Act (No. 54 of 2008). It was established to be a single, unitary structure to deal with youth development issues at a national, provincial and local government level. The NYDA Act instructs the NYDA to promote a uniform approach to youth development by all organs of State, the private sector and non-government organisations. The NYDA derives its mandate from legislative frameworks which is inclusive of the NYDA Act (No. 54 of 2008), the National Youth Policy (2009-2014) and the Integrated Youth Development Strategy.

The NYDA Act (No. 54 of 2008) stipulates objectives of the Agency as follows:

a) Develop an Integrated Youth Development Plan and Strategy for South Africa.
b) Develop guidelines for the implementation of an integrated national youth policy and make recommendations to the President.
c) Initiate, design, co-ordinate, evaluate and monitor all programmes aimed at integrating the youth into the economy and society in general.
d) Guide efforts and facilitate economic participation and empowerment, and achievement of education and training.
e) Partner and assist organs of state, the private sector and non-governmental organisations and community-based organisations on initiatives directed at the attainment of employment and skills development.
f) Initiate programmes directed at poverty alleviation, urban and rural development and the combating of crime, substance abuse and social decay amongst youth.
g) Establish annual national priority programmes in respect of youth development.
h) Promote a uniform approach by all organs of state, the private sector and non-governmental organisations to matters relating to or involving youth development.
i) Endeavour to promote, generally, the interest of the youth, particularly young people with disabilities.

From an oversight perspective, the Committee is therefore responsible for overseeing the Department which is inclusive of the Commission for Gender Equality (CGE) and the National Youth Development Agency (NYDA).

3. Purpose of the Budget Review and Recommendations Report (BRRR)

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

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

4. Method

In order to enable the Committee to take informed decisions on the performance of the Department for the financial year 2022/23, the Committee consulted the following reports and documents: Section 32 reports of National Treasury, the Department's Annual Report 2022/23, Reports of the Auditor-General of South Africa (AGSA), Report of the Department's Audit and Risk Committee (ARC), the 2022 State of the Nation's Address, the CGE's and NYDA's Annual Report for 2022/23. All of this information assisted the Committee in providing a holistic assessment of the Department, the NYDA and the CGE's performance for 2022/23 with reflections on the 1st Quarter report of 2023/24.

In complying with Section 5 (2) of the Money Bills Amendment Procedure and Related Matters Act, (Act No 9 of 2009), the Portfolio Committee on Women, Youth and Persons with Disabilities held a meeting on the 10th October 2023 to consider the 2022/23 Annual Report of the Department of Women, Youth and Persons with Disabilities. The Office of the AGSA was invited to give input during the budget review and recommendation report process on the 13th October 20232 as well. As noted previously, the Committee was also briefed and deliberated on the quarterly reports for 2022/23 including the first quarter report for 2023/24 of the Department. As such, this report therefore includes those key issues that were identified by the Committee.

5. Outline of the Contents of the Report

This report provides an analysis of the financial and programmatic performance of the Department, the NYDA and the CGE. Cognisance is taken of the reductions imposed on the budget allocated as well as revisions made to respective Annual Performance Plans and where relevant, commentary is provided in that regard. Moreover, the report not only reflects on the Annual Reports but examines the Committee's engagement with the entities for the year under review as well as the Q1 2023/24

performance and what needs to be taken into consideration going forward. The report concludes with key observations and recommendations made by the Committee having engaged with the Department, the NYDA, the CGE, the AGSA and each of the Audit and Risk Committee's for each of the entities.

6. Overview of Key Policy Focus Areas - Strategic Priorities of Government

6.1 National Development Plan

"The NDP Vision 2030 prioritises the significant role of women, youth and people with disabilities in our society. If these three groups are strong, our whole society will be strong. These are cross-cutting focus areas that need to be mainstreamed into all elements of South Africa's developmental future and all programmes of government. They will inform interventions across the three pillars."[1]

The Department indicates that its mandate is aligned to the National Development Plan and that it was engaging with the DPME on ensuring that the 7 national priorities informs the policy priorities for gender, youth and disability and includes indicators and targets into the NDP 5-year Implementation plan and MTSF 2019-2024. In turn, this would therefore inform the focus areas in the Strategic Plan for the next five years.

Furthermore, the Department maintains that its Country Gender Indicator (CGI) Framework which is the backbone of the monitoring mechanism of the Gender responsiveness Budgeting, Planning, Monitoring, Evaluation and Auditing (GRBPMEA) Framework has its foundation in the NDP, State of the Nation Address (SONA), Sustainable Development Goal (SDG) (5), Agenda 2063, Convention on the Elimination of all Forms of Discrimination (CEDAW), Beijing Platform of Action (BPfA), Solemn Declaration on Gender Equity in Africa, Protocol on Gender and Development, National Policy Framework for Women Empowerment and Gender Equality (NPFWEGE) and other regional and international instruments on women

Thus in implementing its programmes, the Department maintains that it aligned its indicators to respond and contribute to the principles of the NDP. This BRRR also examines the extent to which the Department has been able to do this for the year under review but also has a mid-point in the five-year term.

6.2 Medium-Term Strategic Framework (MTSF)

The Medium-Term Strategic Framework (MTSF) (2019-2024) for the 6th Administration identified the following seven priorities: (a) **Priority 1:** A capable, ethical and developmental state; (b) **Priority 2:** Economic transformation and job creation; (c) **Priority 3:** Education, skills and health; (d) **Priority 4:** Consolidating the social wage through reliable and quality basic services; (e) **Priority 5:** Spatial integration, human settlements and local government; (f) **Priority 6:** Social cohesion and safe communities and (g) **Priority 7:** A better Africa and world

All of the MTSF priorities are underpinned by three pillars namely; (a) Achieving a more capable state (b) Driving a strong and inclusive economy (c) Building and strengthening the capabilities of South Africans. The MTSF 2019-2024 aims to address the challenges of unemployment, inequality and poverty through three pillars outlined above. Moreover, the MTSF has also identified cross-cutting focus areas for women, youth and persons with disabilities which are implicitly linked to the National Development Plan (NDP). "Cross-cutting focus areas: The NDP Vision 2030 prioritises the significant role of women, youth and people with disabilities in our society. If these three groups are strong, our whole society will be strong. These are cross-cutting focus areas that need to be mainstreamed into all elements of South Africa's developmental future and all programmes of government. They will inform interventions across the three pillars."[2] The Department provided specific commitments with respect to each of the MTSF priorities identified and presented these to the Committee in May 2020. To this end, the Departments indicated that its outcomes are aligned to Priority 1, 2, 5 and 7 and that its core work lies in promoting mainstreaming of women, youth and persons with disabilities' issues across the work of different sectors across all three spheres of government, within the private sector, and in civil society. The Department states in the annual report under review that "Departmental Strategic Planning Sessions were held with all managers to ensure that the Annual Performance

[1] Department of Planning, Monitoring and Evaluation, Republic of South Africa (2019) Medium Term Strategic Framework 2019-2024.
[2] Department of Planning, Monitoring and Evaluation, Republic of South Africa (2019) Medium Term Strategic Framework 2019-2024.

Plans align with the MTSF 2019-2024, DWYPD Strategic Plan 2020-2025 and the Minister's Performance Agreement."[3]

6.3 State of the Nation Address 2022

The President made reference to women and youth in the 2022 State of the Nation Address (SONA) in relation to combatting gender-based violence and economic empowerment.

With respect to gender-based violence, President Cyril Ramaphosa noted that government is intensifying the fight against gender-based violence and femicide (GBVF) through implementation of the National Strategic Plan on Gender-Based Violence and Femicide, and other measures to promote the empowerment of women. He also highlighted the signing into law three pieces of legislation, which are aimed at strengthening the criminal justice system, promoting accountability across the State and supporting survivors (i.e. the Criminal and Related Matters Amendment Act 12 of 2021, the Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Act 13 of 2021 and the Domestic Violence Amendment Act 14 of 2021. Mention was also made of progress in reducing the backlog in DNA processing, reducing it from 210 000 exhibits in April 2021 to around 58 000 as at February 2022.[4]

With respect to access to economic opportunities, the President reflected on the Presidential Employment Stimulus and youth employment. The President indicated that the first two phases of the Presidential Employment Stimulus programmes, which government launched in October 2020, have supported over 850 000 opportunities. More than 80% of participants were young people and over 60% were women. This makes it the largest youth employment programme ever undertaken in the country's history.

With respect to Government's initiatives to address youth employment, the SAYouth.mobi platform for young work seekers to access opportunities and support now has more than 2.3 million young South Africans registered. Of these over 600 000 have been placed into employment opportunities. In addition, a revitalised National Youth Service would recruit its first cohort of 50 000 young people during 2022/23, creating opportunities for young people to contribute to their communities, develop their skills and grow their employability. It must be noted that while many of the highlighted/proposed undertakings and commitments will also impact on persons with disabilities, no specific mention was made of programmes and plans to assist this marginalised group.

Outcomes and targets of the Department for the 2022/23 financial year were aligned to the areas noted by the President.

During the year under review, the Committee also requested the Department to report on progress in terms of what the President identified in its 2022 SONA and how the respective programmes were responding to these. Similarly, the CGE and NYDA were also requested to do the same in its quarterly report briefings to the Committee. Despite requests made in this regard, not much was reflected during quarterly reporting. The Department provided a progress report on the SONA 2022 commitments.

7. Department's Strategic Priorities

7.1 Strategic Priorities as per Strategic Plan 2020-2025[5]

As per the Strategic Plan (2020-2025), the Department outlines the links between the 7 MTSF priorities, the NDP and SONA priorities by highlighting the alignment through the various outcomes and five-year targets that were identified in its Strategic Plan for 2020-2025 as outlined below.

7.1.1 MTSF Priority 1: A Capable, Ethical and Developmental State
Outcomes:

- Improved governance processes and systems for DWYPD
- Government-wide planning, budgeting, M&E addresses priorities relating to women's empowerment, youth development and the rights of persons with disabilities

[3] Department of Women, Youth and Persons with Disabilities (2023) Annual Report 2022/23, p.46.
[4] Levendale, C (2023) Annual Report Overview 2022/23 Department of Women, Youth and Persons with Disabilities, Budget Overview and Programmes 1, 2 and 3. Parliament of the Republic of South Africa, Research Unit, 9 October 2023
[5] Department of Women, Youth and Persons with Disabilities (2020) Strategic Plan 2020-2025

- Gender, youth and disability rights machineries institutionalised
- Accessible and available evidence based knowledge and information on access to services, empowerment and participation for women, youth and persons with disabilities
- Revised legislative framework to respond to and enforce rights of women, youth and persons with disabilities
- Strengthened stakeholder relations and community mobilisation towards the realisation of women's empowerment, youth development and disability rights

7.1.2 MTSF Priority 2- Economic Transformation and Job Creation

- Equitable economic empowerment, participation and ownership for women youth and persons with disabilities being at the center of the national economic agenda

7.1.3 MTSF Priority 3- Education, Skills and Health

Outcomes

- Education: Improved rate of educational attendance and retention of young women and women with disabilities in public sector institutions
- Health: Improved health for women, youth and persons with disabilities
- Skills: Improved skills for women, youth and persons with disabilities

7.1.4 MTSF Priority 4 - Consolidating the Social Wage through Reliable

Outcomes:

- The Department, working with the Department of Social Development and of Health, will co-develop and ensure implementation of a core package of essential psychosocial support and norms and standards for substance abuse, violence against women and children. Through the core package the department will ensure that 90% of victims of GBVF have access by 2024.
- The Department will develop different interventions to reduce GBVF among women, youth and persons with disabilities. One of the interventions is the National Strategic Plan to end GBVF which will be accompanied by a monitoring framework to ensure its implementation.
- The actual deliverables are covered under Priority 6 and the details on the specific deliverables will be outlined in the APP each year.

7.1.5 MTSF Priority 5: Spatial Integration, Human Settlements and Local Government:

Outcomes:

- The department will lobby and support other department's infrastructure and neighbourhood development grants and tax rebates and new structures to incorporate universal design norms and standards. This will include retrofitting existing buildings, transport and Information and Communication Technology (ICT) systems and infrastructure to ensure universal design. It will also monitor compliance with the universal design, norms and standards.
- Furthermore, the department, through Programme 5 on Persons with Disabilities, will develop Frameworks on Disability Rights Awareness Campaigns.

7.1.6 MTSF Priority 6- Social Cohesion and Safe Communities

Outcomes:

- Levels of marginalisation, stigmatisation and discrimination and violence against women, girls and persons with disabilities reduced
- Equal opportunities, inclusion and redress. The department contributes to Priority 6 through the Stakeholder Coordination and Outreach (SCO) sub-programme, which is responsible for coordinating sustained and visible initiative/ campaigns on gender to contribute to the target of 30 by 2024.

7.1.7 MTSF Priority 7- A Better Africa and World

Outcomes:

- Strengthened women, youth and disability rights agenda within global, continental and regional platforms, institutions and engagements towards a better Africa and the world
- Gender equality, youth and disability agenda strengthened within multilateral institutions
- The department contributes to Priority 7 through the International Relations (IR) Directorate and the Research Policy and Knowledge Management, on international reporting

"The Department during its Strategic Planning session of the 2021 financial year and the medium term, made revisions to key elements of its Strategic Plan 2020/21-2024/25. In the financial year 2022/23 there were no changes to the Strategic Plan 2020/21-2024/25."[6]

7.2 Strategic Outcomes over MTSF Period

The Department's annual report for 2022/23 outlines in the table below the following key institutional impacts and outcomes as informed by priorities and other Government-wide outcomes:

Table 1: 2022/23 Institutional Impacts and Outcomes

IMPACT	OUTCOMES
Improved Quality of Life for Women, Youth and Persons with Disabilities It must be noted that in 2021/22 only the outcomes under this impact statement (Improved quality of life for Women, Youth and Persons with Disabilities) were identified as strategic outcomes. These outcomes have now been expanded to include those listed below. This is in alignment with the outcomes as listed in the APP.	• Improved governance processes and systems for Department of Women, Youth and Persons with Disabilities (DWYPD). • Government-wide planning, budgeting, M & E addresses priorities relating to women's empowerment, youth development and the rights of persons with disabilities. • Gender, youth and disability rights machineries institutionalized. • Accessible and available evidence based knowledge and information on access to services, empowerment and participation for women, youth and persons with disabilities. • Strengthened stakeholder relations and community mobilisation towards the realisation of women's empowerment, youth development and disability rights. • Revised legislative framework to respond to and enforce rights of women, youth and persons with disabilities • Socio-Economic Empowerment of WYPD. • Rights of Women, Youth and Persons with Disabilities realised. • Stakeholder Management.
Transformed, representative and inclusive economy which prioritises women, youth and persons with disabilities	• Equitable economic empowerment, participation and ownership for women youth and persons with disabilities being at the centre of the national economic agenda. • Socio-Economic Empowerment of WYPD.
All women and girls, youth and persons with disabilities enjoy good quality health care and better life opportunities and educational outcomes	• Improved rate of educational attendance and retention of young women and women with disabilities in public sector institutions. • Improved health for women, youth and persons with disabilities. • Improved skills for women, youth and persons with disabilities
All women, girls, youth and persons with disabilities are and feel safe and enjoy freedom and a better life	• Levels of marginalisation, stigmatisation and discrimination and violence against women, girls and persons with disabilities reduced
Africa and the world that is more responsive and inclusive to the rights of women and persons with disabilities	• Strengthened women, youth and disability rights agenda within global, continental and regional platforms, institutions and engagements towards a better Africa and the world

Moreover, the Department also notes the following as its main services:

[6] Department of Women, Youth and Persons with Disabilities (2022)

a) Coordinate the establishment of an accountability architecture (national coordinating structure) undergirded by the necessary resources to drive a multi-sectoral response to Gender-Based Violence and Femicide (GBVF).
b) Develop and implement a National Strategic Plan (NSP) on GBVF.
c) Reinvigoration, revitalisation and strengthening of the National Gender Machinery.
d) Women's empowerment and gender equality mainstreaming.
e) National Gender Machinery Coordination and Accountability Forum to support closer collaboration between government, Parliament, independent bodies, private sector and civil society.
f) Employment of Gender Focal Points in government departments as outlined in the NGPF (2000).
g) To develop intervention mechanisms for gender mainstreaming for women's socio-economic empowerment, transformation and gender equality.
h) Promote gender sensitive research and policy analysis in relation to gender equality and women's empowerment.
i) Establish a knowledge gateway for women's socio-economic empowerment transformation and gender equality.
j) Monitor and evaluate the impact of government policies and programmes on improving the socio-economic status of women, which includes facilitating stakeholder coordination (domestic, regional and international).
k) Conducting outreach initiatives, including dialogues to share and gather information to promote women's socio-economic empowerment and gender equality.

7.3 Strategic Priorities 2022/23

As per the ENE (2022) the Department that, "Over the MTEF period, the department will continue to focus on strengthening the coordination of the national response to gender-based violence; promoting more responsive planning, budgeting, monitoring and evaluation in government; protecting the rights of people with disabilities; and supporting the participation of young people in the mainstream economy. The budget structure of the department has been amended from five to four programmes, to align better with the department's mandate."[7]

In addition, other policy instruments and legislation that the Department aims to develop and implement across the next five years includes the following:

- Socio economic empowerment index policy
- WYPD Responsive planning, budgeting, monitoring and evaluation framework
- National Gender Policy framework
- WYPD mainstreaming framework
- Reasonable accommodation framework
- Universal design and access framework
- Self-representation framework
- Disability Rights Awareness Campaign framework
- Women empowerment and gender equality (WEGE) Bill
- National Council on Gender Based Violence Bill
- Disability Rights Bill
- NYDA Amendment Bill
- South African Youth Development Bill

With regards to the CGE, "Over the medium term, the commission will continue to advance legislation, policies and advocacy initiatives that contribute to the eradication of gender inequality and the empowerment of women. It plans to do this by: influencing government laws and policies through written submissions to Parliament; producing research, and monitoring and evaluation reports; investigating issues that undermine the attainment of gender equality and the empowerment of women; increasing education and awareness through outreach and stakeholder engagements; and handling gender-related complaints."[8]

With regards to the NYDA, "Over the MTEF period, it will continue to focus on providing interventions to support the creation of decent employment and the development of skills, and encourage entrepreneurship, for all young people. These interventions will take the form of financial and non-financial support to enable young people to access skills and jobs, establish and sustain enterprises, and gain access to markets.

[7] National Treasury (2022) Estimates of National Expenditure, Vote 20 Women, Youth and Persons with disabilities, p.362
[8] National Treasury (2022) Estimates of National Expenditure 2022, *Vote 20: Women, Youth and Persons with Disabilities*, p. 372

Financial support is provided through grants to township and rural enterprises run by young people, whereas non-financial support includes accounting, website development, business plan writing and marketing. Over the MTEF period, R789.5 million is allocated for developing entrepreneurial skills among young people through business management training and mentorships, and R286.7 million is allocated for helping them find employment through jobs programmes. The national youth service programme is part of the presidential employment initiative, which seeks to provide social assistance through public employment. The programme has an allocation of R498.5 million over the medium term to ensure that young people stay engaged in service to their communities and build the spirit of patriotism, solidarity, social cohesion and unity in diversity. This funding will also provide for stipends for young people participating in the programme, as well as project management costs and some training."[9]

8. Policy Priorities for 2022/23

The Department identified MTSF Priority 6 (Social cohesion and safer communities) alongside the following indicators and programmes in the ENE 2022:

Programme 3: Monitoring, Evaluation, Research and Coordination

- 2 reports on the compliance of government commitments on international and regional instruments produced per year
- 1 research report on government priorities produced per year
- 12 stakeholder engagements on the empowerment of women, youth and people with disabilities conducted per year
- 4 community mobilisation initiatives on the rights of women, youth and people with disabilities coordinated per year

Programme 4: Mainstreaming Youth and Persons with Disabilities' Rights and Advocacy

- 1 research report on the inclusion of people with disabilities produced per year

Furthermore, the Department goes on to outline in its Annual Performance Plan for 2022/23 the 5-year policy priorities as defined by the MTSF 2019/2024 as follows:

- A gender, youth and disability responsive public service.
- Transformed, representative and inclusive economy which prioritises women, youth and persons with disabilities.
- All women, girls, youth and persons with disabilities enjoy good quality health care and better life opportunities.
- Human dignity for persons with severe disabilities, women and girls' achieved through freedom of choice and decent living conditions
- Transform ownership and management patterns by supporting women-owned and led enterprises.
- All women, girls, youth and persons with disabilities are and feel safe and enjoy freedom and a better life.
- A better Africa and world for all women, girls, youth and persons with disabilities.

9. General Overview and Assessment of Financial Performance for Department

According to the Estimates of National Expenditure 2022, R987,3 million was allocated for Vote 20 for the Department of Women, Youth and Persons with Disabilities. Bearing in mind that R100,7 constituted the transfer payment to the CGE and R681,5 million to the NYDA. This amounted to R782,2 million. Hence the Department would have been left with an operating budget of R205 million to undertake its programmes and meet its targets for 2022/23. An additional R4 million was received during the year as National Treasury announced on 04 November 2022, the approval of a further allocation of R4.46 million for compensation of employees to provide for the 3% pensionable salary increase and non-pensionable cash allowance back dated from April 2022. Thus bringing the total operational budget to approximately R209 million.

As of 31 March 2023, the Department spent R983,259 million (99.1%) of its total budget R991,714 million (includes transfers). The total under-expenditure incurred was R8,455 million. With respect to the operational budget, the Department spent R201,272 million (95.9%).

[9] National Treasury (2022) Estimates of National Expenditure 2022, *Vote 20: Women, Youth and Persons with Disabilities*, p.375

The Department reports a total of R12,106 million in virements from Programmes 2, 3 and 4 to Programme 1 (Administration), 2, 3 and 4. As such R3,498 million was shifted from Programme 4 to Programme 1 for Goods and services in addition to R111 000 for Transfers and subsidies (households) and R66 000 for Machinery and equipment. Programme 1 received a further R842 000 for Goods and services from Programme 1 in addition to R58 000 for Machinery and equipment. In programme 2, R19 000 was moved to Programme 2 from Programme 4 for Transfer and subsidies whilst R65 000 was moved within the programme from Goods and services to Transfers and subsidies. A further R5,291 million was moved from Programme 2 to Programme 3 for Goods and services. For Programme 3, R1,621 million was moved from Programme 3 to Programme 4 for Compensation of employees. In addition, R479 00 was moved from Programme 4 for Goods and services and a further R56 000 for Machinery and equipment.
Hence this was an internal virement between sub-programmes and within a programme.

In summary, Programme 1 received an additional R4.575 million, Programme 2 received R19 000, Programme 3 received R5,826 million and Programme 4 received R1,621 million.

In examining the programme expenditure for 2022/23, the following table has been collated using the information the information provided in the Annual Report.

Table 2: Total vs Operational Expenditure as at 31 March 2023[10]

Programme	Total budget as per Annual Report Appropriation Statement (incl. transfer payments)	Total Expenditure Incl. transfer payments	Budget per programme excluding transfer payments (operational budget)	Actual expenditure excluding transfer payments (operational expenses) % of allocated programme budget	Programme expenditure as % of total operational expenditure
1. Administration	R 110,129m	R 105,014m	R110,129m	R105,014m *95.4%*	R105,014m 52.2%
2. Mainstreaming Women's Rights and Advocacy	R 125,334m	R 124,621m	R24,612 m (R125,334 – R100,722m CGE)	R23,899m *97.1%*	R23,899 m 11.9%
3. Monitoring, Evaluation, Research and Coordination	R49,319m	R46,699m	R49,319m	R46,699m *94.7%*	R46,699m 23.2%
4. Mainstreaming Youth and Persons with Disabilities Rights and Advocacy	R706,932 m	R706,925 m	R25,667m (R706,932m – R681,265m NYDA)	R25,660m *99.9%*	R25,660m 12.7%
Total	**R 991,174 million**	**R 983,259 million**	**R 209,727 million**	**R201,272 million**	
Total under-expenditure = R 8,455m	**Total budget expenditure = 99.1%**		**Total expenditure, i.e. operational budget = 95.9%**		

The table provides an overview of expenditure as at the end of the 2022/23 financial year. The following can be noted:[11]

[10] Levendale, C (2023) Annual Report Overview 2022/23 Department of Women, Youth and Persons with Disabilities, Budget Overview and Programmes 1, 2 and 3. Parliament of the Republic of South Africa, Research Unit, 9 October 2023
[11] Ibid

- When considering the overall expenditure of the Department based on its total appropriation of R991,714 million it appears that the Department has spent 99.1% or R983,259 million of its total budget.
- However, when considering the budget less the transfer payments to the CGE and NYDA, i.e. the operational budget (R 209,727million), the Department has spent 95.9% or R201,272 million of the operational budget. This is however an improvement from the previous FY 2021/22 where the Department underspent by more than R31 million which amounted to just under 75% of its budget.
- The bulk of the Department's operational budget was still allocated to its Administration Programme (Programme 1). This programme also consumed the largest expenditure (R105,014 m) of the Department's operational budget which amounted to 52.2%. Programme 2, accounts for only 11.9% of expenditure, while Programme 3 and 4 accounts for only 23.2% and 12.7% of operational expenditure.
- Total under-expenditure for the year amounts to R8,455 million.

The Department reports that it has requested the following roll-over funds from National Treasury:

- R 648 000 of the rollover relates to unspent funds payments for capital assets in relation to the payment of Microsoft licence fees
- R 7.864 million relates to:
  - funds that were earmarked for ICT migration on the Microsoft platform,
  - a radio show on economic empowerment, business development and doing business with the state,
  - budget for continuation of the implementation of the NSP on GBVF.

However, it is not clear how much of the R7.8 million is required for each of the above as this was not specified in the annual report 2022/23. Furthermore, the Department still awaits the outcome of these requests.

The key cost drivers were Compensation of Employees and Goods and Services. As such, 58.2% (R117,187 million) of the Department's operating budget has been spent on Compensation of Employees (CoE). This was an increase of R2,11 million from 2021/22 which is marginal. Furthermore, 38.5 % has been consumed by Goods and Services (R77,666 million) of the operating expenditure. Hence this is an increase from the 25% expenditure in 2021/22. Thus expenditure on Goods and services has increased by over R26 million. In terms of spending under Goods and services, the line items which have incurred the greatest expenditure are listed in the table below for 2021/22 and 2022/23.

Table 3: Comparison of Key Cost Drivers between 2021/22 and 2022/23

Key Cost Driver	2022/23	2021/22
Compensation of employees	R117,187 million	R115,077 million
Goods and services	R77,666 million	R50,993 million
- Property payments	R13,009 million	R21,649 million
- Travel & Subsistence	R22,054 million	R4,450 million
- Communication	R3,602 million	R4,008 million
- External Audit Costs	R4.415 million	R3,802 million
- Computer services	R8,265 million	R4,224 million
- Advertising	R2,760 million	R5,112 million
- Consultants	R7,230 million	R1,848 million
- Venue and facilities	R3,979 million	R1,110 million

Reflecting in the key cost drivers across the two financial years, 2021/22 and 2022/23 respectively, these remain fairly similar. Notwithstanding that, Compensation of Employees sees an increase from R115 million in 2021/22 to R117 million in 2022/23. There has also been a significant decrease in property payments from R19.1 million in 2020/21 to R21,649 million in 2021/22 to R13,009 million in 2022/23. This has been due to the decrease in rental as part of the relocation during October 2022. While travel and subsistence remains a primary cost driver it has seen a marked increase from R4,450 million in 2021/22 to R22,054 million. The increase is attributed to the change from virtual to physical outreach events and on international travel as part of attending meetings regarding treaties to which the Department is signatory to. The increase in computer services is linked to the signing of the new services level agreements and the implementation of the migration on the Microsoft platform to cloud. The increase in consultants: business and advisory services is due to research projects that have been undertake through the Human Science Research Council (HSRC) for the Department.

In terms of spending under Goods and Services, the main cost drivers were travel and subsistence (R22,054 million), property payments (R13,009 million), consultants (R7,230 million) expenditure for external audit costs (R4,415 million), computer services (R4,224 million), communication (R4,008 million), venues and facilities (R3,979 million) and Advertising (R2,760 million). These 7 line items consume 79.4% (R61,679 million) of the Goods and Services budget.

The Department indicated that under-spending per programme was due to following reasons as cited in the table below:

Table 4: Under-expenditure per programme for 2022/23[12]

Programme Under-Expenditure	Under-expenditure as % of total operational budget	Under-expenditure as % of programme operational budget	Reason For Under-Expenditure
P1: Admin **R5,115 million**	**2.5%**	**4,9%**	**Goods and services** – R3.510 million - Savings realised under the sub-programme Office Accommodation to fund part of the Information Communication Technology (ICT) infrastructure installation due to the relocation of the department to new premises during October 2022. **Payments for Capital Assets** – R1.535 million - Savings realised under the sub-programme Corporate Management to fund part of the ICT infrastructure installation due to the relocation of the department to new premises during October 2022. The delay in the finalisation of the above is due to challenges experiences at the State Information Technology Agency (SITA). A roll-over request has been made.
P2: MWRA **R713 000**	**0.4%**	**3%**	Not specified
P3: MERC **R2,620 million**	**1.3%**	**5.6%**	**Compensation of employees**: R2.579 million Under-spending is mainly due to the vacancies currently in the programme that are in the process of being filled. This includes but not limited to the DDG: Monitoring, Evaluation, Research and Coordination, the CD: International Relations, Stakeholder Management and Capacity Building and Dir: International Relations.
P4: MYPDRA R 7000	**Less than 0.01%**	**0.03%**	Not specified

Based on the table above, the main reasons for under-spending related to Good and Services and payment for capital assets. When considering, the under-expenditure as a percentage or proportion of the actual operational budget of R209,727 million as opposed to the total budget of R99,174 million which is inclusive of the transfer payments to the NYDA and the CGE, it is vastly different. Hence as a proportion of the operational budget, the smallest percentage of under-expenditure occurs in Programme 2 and 4 of the operational budget, while the greatest under-expenditure is in Programme 1 (R5,1115 million) and 3 (R2,620 million).

[12] Levendale, C (2023) Annual Report Overview 2022/23 Department of Women, Youth and Persons with Disabilities, Budget Overview and Programmes 1, 2 and 3. Parliament of the Republic of South Africa, Research Unit, 9 October 2023

Furthermore, the Department indicated that it utilised 116 consultants on 16 projects amounting to R6,590 million. As compared to 2021/22 when it used 39 consultants on 9 projects for R1,848 million. The Department is not able to indicate the estimated duration/work days of these consultants for the projects stated as either indefinable for the majority or ongoing in the Annual Report.

Table 5: Use of consultants for 2022/23

Project Title	Total number on consultants that worked on the project	Estimated Duration (work days)	Contract Value in Rands (R'000)
Health risk management (SOMA)	11	Ongoing	17
Competency Assessment	2	2	36
B-BBBEE Verification	1	Indefinable	46
Audit Committee	3	Indefinable	302
Participation of WYPD across Sectors	1	Indefinable	989
Project Inception Phase	7	Indefinable	943
Research Project Salary Disparity	1	Indefinable	298
Development of Disability Result	1	Indefinable	300
Development of Concept Paper	2	Indefinable	484
Qualification Verification	1	Ongoing	2
Formative Evaluation of GRPBMEAF	2	Indefinable	160
Theory of Change & Sector Data Analysis	1	Indefinable	799
Implementation of Evaluation of White Paper	4	Indefinable	666
Council Project Expenditure	3	Indefinable	247
Feasibility Study Socio Economic	1	Indefinable	750
Translators, Interpreters & Sign Language	38	Indefinable	293
Total	**116**		**R6,590 million**

9.1 Expenditure Management for 2022/23

9.1.1 Irregular Expenditure

- The Department has irregular expenditure to the amount of R41,712 million on its financial statements relating to previous financial years and that R20.4 million is currently under investigation. Foer 2022/23, R719 000 of irregular expenditure was incurred.

9.1.2 Fruitless and wasteful expenditure

- The Department has not incurred any Fruitless and Wasteful expenditure for 2021/22. However, previous expenditure (R11,787 million) is still on record and is currently with the with the State Attorney to investigate and consider possible recovery of funds.

9.1.3 Unauthorised expenditure

- The Department did not incur any Unauthorised expenditure for 2022/23. However, there is unauthorised expenditure from previous years that is awaiting authorisation. This amounts to R32,774 million.

9.1.4 Exemptions and Deviations

- The Department states that the ruling of the constitutional court on the validity of the Preferential Procurement Regulations 2017 posed a risk to the Department procurement processes in that awards and procurement request above R30 000 cannot proceed until clarity from the Constitutional court is received or a new Preferential Procurement Regulation is proclaimed, whichever comes first. Subsequently, the Department applied for an exemption to proceed with procurement. The application was approved by National Treasury during March 2022 and the new Preferential Procurement Regulations was proclaimed on 04 November 2022.
- Deviations are now reflected as "Procurement by other means" in the annual report of 2022/23.
- At the end of the 2021/22 financial year, the Department had incurred 20 deviations, amounting to R1.929 418 million. This increased in 2022/23.
- By 31 March 2023, the end of the 2022/23 financial year, the Department had a total of 37 deviations or instances of "procurement by other means", amounting to R23.394 million of which 15 were single source appointments and 22 related to obtaining less than 3 quotes for amounts more than R2000. To this end, the following was noted:
  - 8 deviations related to the Department's relocation
  - 15 related to venues and catering
  - 3 related to training
  - 2 related to emergency medical services and teleprompter services at events
  - 2 related to ICT
  - 3 related to Furniture, blinds, reasonable accommodation
- In addition to the deviations, there were also 9 instances of contract variations and expansions.

9.1.5 Contingent Liabilities

- The Department noted contingent liabilities to the amount of R15 million in 2021/22 and in 2022/23 it incurred additional contingent liabilities to the value of R7 million, bringing the total to R22.1 million. Table 5 below provides an overview of the nature of the liability incurred by the Department.

Table 6: 2022/23 Contingent Liabilities for Department

Nature of liability: Claims against the Department	Value of Liability
Civil matter between Barloworld South Africa t/a Avis Luxury Cars and DOW	R101 000
NZ Mrwetyana and 3 others v SA Post Office and 3 others	R15 million
T Mxenge vs Dept of Women, Youth and Persons with Disabilities	R7 million
Total	**R22.101 million**

In light of Table 6 above, the Department states the following in the Annual Report 2022/23:

- The matter on the Barloworld case is currently at an advance stage in court for R101 thousand. Should the department succeed in the matter, the liability might decrease to R10 thousand.
- The Department is a defendant in a case including three other defendants. As the case has not served in court yet, the liability breakdown of the R15 million linked to the department cannot be determined. As the progress of determination will be sought and provided during the case.5
- The Department is currently having a claim against the department for R7 million emanating out of a disciplinary hearing.

9.1.6 Donor funds

- For the 2022/23 year, the Department indicates that it has incurred R8.499 million for a project funded by the European Union (R109 349 182 for 2021/22 – 2023/24). Expenditure is relation to the remuneration of the consultants, travel and subsistence cost as part of monitoring and evaluation in the 3 provinces (Gauteng, Eastern Cape and KwaZulu-Natal). Expenditure also related to partial payments on 2 projects namely Gender Mainstreaming and the tools of trade in terms of laptops for the Technical Monitors and Data Capturers. The outputs as per the business case therefore had to be carried over to the 2022/23.
- The Department reports that the outputs as per the business case had to be carried over to the 2022/23 financial year as well as the requested funds of R23.214m. This was a recurrence of what transpired in the previous FY whereby funds had to be carried over. The Department

reported that it was in the process of compiling the report for the 2021/22 financial year for submission to National Treasury and the European Union.

- In its Statement of Aid Assistance Received (page 197 of the Annual report), the Department reflects a total/opening balance of R22.593 million in relation to these funds and states the following:

  "Funding for the R8.585 million has been requested during the 2022-23 financial year, but due to a delay in the process linked to reporting and challenges at National Treasury, the funding will only be transferred during the 1st quarter of the 2023-24 financial year."

9.2 2021/22 MTEF financial allocation

The Department still maintains that it is under-resourced and requires more funding in order to function more optimally as there are capacity constraints across all programmes.

9.3 Concluding comments on financial performance

The Department spent 95.9% (R201,272 million) of its operating budget (R209,727 million) and managed to achieved 95.1% () of its targets as per the revised APP reflected in the Annual Report 2022/23. The underspending decreased from R31,085 million in the previous FY (2021/22) to R8,455 million in the year under review which is an improvement.

When considering the overall expenditure of the Department based on its total appropriation of R 991.714 million, it appears that the Department has spent 99.1% or R 983.259 million of its budget. Programme 1 increases by approximately R12 million and consumes 52.5% of the operating budget. Programme 2: Mainstreaming Women's Rights and Advocacy accounts for only 11.8% of expenditure, while Programme 4, Mainstreaming Youth and Persons with Disabilities Rights and Advocacy accounts for only 12.7% of operational expenditure. Despite a sizeable portion of the operational budget being allocated to Compensation of Employees, the Department relied on consultants to deliver on targets and expenditure incurred despite a large cohort of staff within programmes. Most of the expenditure incurred as in the previous financial years was for Compensation of Employees and Goods and Services.

10. OVERVIEW AND ASSESSMENT OF SERVICE DELIVERY & FINANCIAL PERFORMANCE PER PROGRAMME FOR DEPARTMENT OF WOMEN, YOUTH AND PERSONS WITH DISABILITIES

This section provides details of annual targets as per the original APP and the revised APP for each programme as well as an indication as to which targets have been reported on in the Annual Report. An indication is also provided of whether targets have been achieved or not.

10.1 Programme 1: Administration

The purpose of this Programme is to provide strategic leadership, management and support services to the department. The purpose of each sub-programme is as follows:

- **Ministry:** The purpose of the sub-programme is to provide executive support to political principals.
- **Departmental Management**: The purpose of this sub-programme is to provide executive support, strategic leadership and management to the Department.
- **Financial Management**: The purpose of this sub-programme is to provide and ensure effective, efficient financial management and supply chain services. This includes budget planning and expenditure monitoring; and the management of procurement, acquisition, logistics, asset, and financial transactions.
- **Corporate Management**: The purpose of this sub-programme is to provide effective human capital management, facilities and auxiliary management and ICT systems enablers for the Department.

This programme planned to achieve 7 targets of which 6 (85.7%) were achieved and 1 target was not achieved as reflected in the Annual Report. The target not achieved related to the following target:

- Maintain a vacancy rate of less than 10% annually

The total allocation for this programme was R98,7 million as per the initial Estimates of National Expenditure (ENE) 2022. The programme saw a significant increase to a final appropriation of R110,129 million. Thus an increase of nearly R11,429 million from its initial budget to final appropriation. In terms of Virements, no funds were moved out of this programme but a total of R4,575 million was moved into the programme for Goods and Services, Machinery and equipment as well as Transfers and subsidies. This programme still consumed the highest proportion (52.5%) of the Department's operational budget in 2022/23. The actual expenditure was R105,079 million which amounts to 52.2% of the total operational expenditure and 95.4% of the total programme budget. An under-expenditure of R5,115 million was recorded.

The key cost drivers for Programme 1 were as follows:

- Compensation of Employees accounted for 57% of the programme budget (R59.904m)
- Goods and Services accounted for 38.8% of the programme budget (R40,795m).

With respect to the expenditure per sub-programme, the Ministry with a final appropriation of R16,416 million spent R16,414 million thus incurring an under-expenditure of R2 000. The Departmental Management had a final appropriation of R22,368 million and spent R22,361 million with slight under-expenditure of R7 000. Corporate management had a final appropriation of R31,220 million and spent R29,657 million incurring an under-expenditure of R1,563 million. Financial management had a final appropriation of R23,152 million and spent R23,090 million incurring an under-expenditure of R62 000. Office accommodation had a final appropriation of R16,973 million and spent R13,492 million incurring an under-expenditure of R3,481 million.

10.2 Programme 2: Mainstreaming Women's Rights and Advocacy

The purpose of the programme is to to promote good governance regarding the rights and transformation of the social and economic empowerment of women.

The programme consists of the following sub-programmes namely;

- **Management Advocacy and Mainstreaming for the Rights of Women**: The purpose of the sub-programme is to provide strategic leadership and management to the programme.
- **Social Empowerment of Women (SEW):** The purpose of the sub-programme is to promote good governance to further transformation, social justice and empowerment and rights for women.
- **Economic Empowerment of Women (EEW):** The purpose of the sub-programme is to mainstream and promotes good governance to further transformation, economic justice, empowerment and rights of women.
- **Commission for Gender Equality (CGE):** The department facilitates transfer payments to the Commission for Gender Equality, which promotes gender equality and respect for women's rights.

For the year under review, this programme had achieved 6 out of 11 targets and states that 2 targets were not carried out as these were amended in the addendum APP. The targets that were not met were as follows:

- 4 progress reports on implementation of the Sanitary Dignity Implementation Framework by provinces produced
- Only 17/18 Rapid Response Teams were established
- 2 reports on implementation of Comprehensive National GBVF Prevention Strategy developed

Targets not carried out:

- 4 Quarterly report on implementation of NSP on GBVF Framework developed
- 9 Provincial departments and 4 municipalities plans monitored on the implementation of NSP on GBVF

In terms of this programme's operating budget i.e. excluding the transfer (R100,722 million) to the CGE, this programme was allocated R33,5 million as per the ENE 2022. The total allocation for this programme including the CGE was R134,3 million as per the ENE 2022. The final appropriation was R125,334 million (includes CGE transfer). Excluding the CGE transfer the operating budget for this programme was R24,612 million. The programme recorded a virement of R6,191 million moving out of the programme to Programme 1 for Goods and services and Machinery and equipment as well as Programme 3 for Goods and services. Notwithstanding that, R19 000 was moved from Programme 4 into this programme for Transfers and subsidies. The actual expenditure incurred was R124,621

million (99.4%). But excluding the transfer to the CGE this programme spent R23,899 million, 11,9% of the total operational expenditure and 97.1% of the total programme budget. Thus an under-expenditure of R713 000 which amounted to 3% of the programme operational budget. The key cost drivers for this programme was as follows:

- Compensation of Employees accounted for 76.3% of the programme budget (R18,246m),
- Goods and Services accounted for 23.1% of the budget (R5,539m)

With respect to the expenditure per sub-programme, Management with a final appropriation of R3,550 million spent R3,463 million with an under-expenditure of R87 000. The Social Empowerment of Women sub-programme with a final appropriation of R14,535 million spent R13,910 million incurring an under-expenditure of R625 000. The Economic Empowerment sub-programme with a final appropriation of R6,527 million spent R6,526 million incurring an under-expenditure of R1 000.

10.3 Programme 3: Monitoring, Evaluation, Research and Coordination

The purpose of programme 3 is to ensure policy and stakeholder coordination and knowledge management for the social transformation of women in South Africa.

The programme consists of the following sub-programmes:

- **Research, Policy Analysis and Knowledge Management**: the purpose of the sub-programme is to promote the development of gender sensitive research, position the department as a hub to content relating to the socio-economic empowerment of women, and conduct policy analysis to intervene in transformation for women's socio-economic empowerment and gender equality.
- **Stakeholder Coordination and Outreach**: the purpose of the sub-programme is to conduct stakeholder engagements and outreach initiatives to promote empowerment and inclusion of women, youth and persons with disabilities.
- **International Relations**: the purpose of the sub-programme is to promote international engagements on women, as well as ensure South Africa's compliance with international treaties on women.
- **Monitoring and evaluation**: the purpose of the sub-programme is to monitor and evaluate progress on the socioeconomic empowerment of women in line with national laws, and regional and continental and international treaties and commitments.

This programme planned for 12 targets and achieved all (100%).

The programme was allocated R42,5 million as per the ENE 2022. The final appropriation was R49,319 million (23,6% of operating budget) hence an increase of R6,819 million. A virement of R1,621 million was recorded this was moved to Programme 4 for Compensation of Employees. Moreover, R5,291 million was moved from Programme 2 to Programme 3 for Goods and services in addition to R479 000 from Programme 4 also for Goods and services as well as R56 000 from Programme 4 for Machinery and equipment. Hence in total R5,826 million was moved into the programme. The actual expenditure incurred was R46,699 million which is 94.7% of the total programme budget spent and 23.2% of the operational expenditure. Notwithstanding the virement, this programme still incurred an under-expenditure of R2,579 million which was due to vacancies which includes but not limited to the DDG: Monitoring, Evaluation, Research and Coordination; the CD: International Relations, Stakeholder Management and Capacity Building and Dir: International Relations. The key cost drivers for this programme was as follows:

- Compensation of Employees accounted for 43.1% of the programme budget (R21,293m)
- Goods and Services accounted for 47.7% of the budget (R23,528m)

The Management sub-programme had a final appropriation of R1,928 million and spent R1,927 million hence a marginal under-expenditure of R1 000. Research and Knowledge Management had a final appropriation of R7,687 million and spent R7,501 million also recording a slight under-expenditure of R186 000. The sub-programme International Relations, Stakeholder Management and Capacity Building had a final appropriation of R30,018 million and spent R27,607 thereby incurring an under-expenditure of R2,411 million. The Monitoring and Evaluation Women, Youth and Persons with Disabilities with a final appropriation of R9,686 million spent R9,664 million also incurring a slight under-expenditure of R22 000.

10.4 Programme 4: Mainstreaming Youth and Persons with Disabilities Rights and Advocacy

The purpose of this programme is to promote good governance regarding the rights and transformation of the social and economic empowerment of youth and persons with disabilities.

The Sub-programmes are as follows:

- **Management**: The purpose of this sub-programme is to advocacy and mainstreaming for the Rights of Youth of Persons with Disabilities: Provides strategic leadership and management to the programme.
- **Advocacy and Mainstreaming for the Rights of Youth**: The purpose of this sub-programme is to manage advocacy for and the mainstreaming of rights for young people, their social and economic empowerment, and transformation in their interests. This sub-programme also oversees the performance of the National Youth Development Agency.
- **Advocacy and Mainstreaming for the Rights of Persons with Disabilities**: The purpose of this sub-programme is to advocate for and the mainstreaming of rights for the people with disabilities, their social and economic empowerment, and transformation in their interests.
- **National Youth Development Agency (NYDA)**: The department makes transfers to the National Youth Development Agency.

This programme planned for 13 targets and achieved 10 (77%). The targets not achieved were as follows:

- South African Youth Development Bill refined
- 2 international youth engagement reports
- 1 status report on compliance with national and international obligations on the inclusion of persons with disabilities

The programme was allocated R711,8 million as per the ENE 2022 which includes the transfer to the NYDA of R681,5 million. The final appropriation was R706,932 million hence a decrease. The operating budget for this programme was R25,667 million. In terms of Virements, R4.229 million transferred moved out of this programme to Programme 1, 2 and 3 respectively primarily for Goods and services, Transfers and subsidies as well as Machinery and equipment. Whilst R1.621 million was moved into the programme. The actual expenditure incurred was R25,660 million (excluding the NYDA transfer) of its allocated programme budget which is 12.7% of the total operational expenditure. The youth branch spent R9,4 million and the disability branch spent R15,7 million. Notwithstanding the virement, this programme incurred an under-expenditure of R7 000 (Youth R2000; Disability R5 000). The key cost drivers for this programme was as follows:

- Compensation of Employees accounted for 69.1% of the programme budget (R17.774m)
- Goods and Services accounted for 30.4% of the programme budget (R7.804m)

10.5 Human Resources

The Department notes in its Annual Report as at 31 March 2023 that it had a vacancy rate of 10.6%, thus 15 vacancies of 141 approved funded posts. Furthermore, the Department had a total of 17 employees additional to the establishment. In the year under review 10 out 17 posts additional to the establishment were in the Administration programme. Ten of these posts are on salary band 6-8, while 6 are on salary band 9-12.

In terms of gender, 85/126 staff members are female (67%) and 41 are male (33%). The majority of females (35) are in clerical positions, while 25 occupy professional positions and 21 fall within the “legislators, senior officials and managers” category. The majority of males employed in the Department are in “legislators, senior officials and managers” positions (16), followed by 11 occupying professional positions. The Department employs 5 employees are persons with disabilities (4% of staff complement).

The Department had not identified any critical occupations that need to be monitored as of 31 March 2023. By the end of the FY 2022/23, the Department had a had a turnover rate of 23.8% as compared to 9.6% in the previous FY. In terms of people leaving and joining the Department during the financial year, a total of 44 staff left the Department of which 30 of the terminations were contracted positions which expired. In addition, there were, 10 resignations, 1 retirement, 2 transfers to other public service departments and 1 other. During the year under review, there was 1 disciplinary hearing relating to gross negligence and insubordination and 8 grievances lodged of which 1 was resolved.

Out of 39 SMS members, 35 had signed performance agreements. Among the reasons cited for this are invalid/unsigned agreement being submitted, 2 late submissions (subsequently resolved) and 1 on incapacity leave and did not comply (dispute being mediated).

The majority of personnel in the Department's employ were in the Administration Programme (65), 20 posts filled in Programme 2, 23 in Programme 3 and 18 in Programme 4. The majority of employees (63) are employed in the Highly skilled supervision salary band (levels 9-12), at an average cost of R608 000 per employee. 45 employees are employed in the Senior and Top Management level (level 13-16), at an average cost of R1,248 million per employee. Furthermore, 1 staff member was promoted to another salary level, while 94 received notch progressions within their salary level. The 94 notch progressions were paid in lieu of performance rewards to qualifying employees. These pay progressions were paid to 68 staff members in salary levels 3 to 12 (71.5% of staff), and to 26 senior management service employees (65% of senior management).

A total of 103 staff members were identified as needing training during 2022/23, however on 83 underwent training (6learnerships, 51 skills programmes and other short courses, 26 other forms of training.

10.6 Concluding comments on service delivery performance

In examining the significant achievements which the Department noted in the 2022/23 Annual Report, the following have been highlighted:

- In the year 2022/23, the Department achieved 34 (79%) targets out of 43 planned targets for both original tabled and revised/addendum tabled 2022/23 APP whilst 9 (21%) targets were not achieved. The performance of the department has declined in the financial year 2022/23 compared to the financial year 2021/22 where it had achieved 95%.
- The majority of targets were achieved in the administration programme (6/7) most of which are compliance matters. 28/36 targets were met in the core programmes (2, 3 and 4).
- The development of the National Council on Gender Based Violence Bill as well as the National Youth Development Agency Amendment Bill and subsequent tabling thereof was a notable achievement.
- Several reports produced including development of the women, youth and persons with disabilities Socio Economic Empowerment Index; development of the Strategy for economic empowerment of women, youth and persons with disabilities; status report on implementation of National Gender Policy Framework (NGPF); status report on the implementation of the Regulatory Framework for women, youth and persons with disabilities mainstreaming; 2 progress reports in the piloting of the Integrated Knowledge Hub; research report on government priorities focussing on women, youth and persons with disabilities; 2 reports on compliance with international and regional instruments on women; 1 monitoring report on the empowerment of women, youth and persons with disabilities; 4 status reports on implementation of women, youth and persons with disabilities International Relations Strategy developed; 2 progress reports developed on the implementation of the women, youth and persons with disabilities stakeholder management framework; 4 National Youth Policy monitoring reports; 4 NYDA quarterly monitoring reports; 1 awareness raising report developed on the Awareness Raising Framework, the Self Representation Framework, the Reasonable Accommodation Framework and the Universal design and access framework; 1 analysis report on draft Annual Performance Plans for all national Government departments; 1 draft evaluation report on the implementation of the White Paper on the Rights of Persons with Disabilities and 1 status report on the disability rights monitoring tool
- 4 interventions to support economic empowerment and participation of women, youth and persons with disabilities
- 7 interventions to support social empowerment and participation of women, youth and persons with disabilities
- 12 national departments monitored on the implementation of the National Strategic Plan (NSP) on Gender-Based Violence and Femicide (GBVF)
- 2 Gender, youth and disability rights (GEYODI) machineries convened
- 4 interventions to support economic empowerment, participation and ownership for women, youth and persons with disabilities
- 93.75% of national departments implementing the Gender Responsive Planning Budgeting Monitoring Evaluation Auditing Framework (GRPBMEAF)
- 1 evaluation conducted on empowerment of women, youth and persons with disabilities
- 12 stakeholder engagements on the empowerment of women, youth and persons with disabilities

- 4 community mobilisation initiatives on the rights of women, youth and persons with disabilities coordinated
- 4 National Youth Machinery meetings convened

10.7 Summary: Finance and Service Delivery Performance Assessment

This section provides a synopsis of the service delivery performance against spending patterns for 2021/22 – 2022/23 as well as the 1st quarter of 2023/24 of the Department.

10.7.1 General commentary

The Department has seen a slight decrease in performance since its inception as reflected in Table 7 below. Notwithstanding that, there have been longstanding matters that have not been resolved and as such targets not achieved. Whilst several of the policies have been finalised, the implementation and popularisation in this regard has been lacking. The under-expenditure incurred has decreased but is still notable so too is the Department's heavy reliance on consultants to help achieve its core targets. Furthermore, the achievement of targets has not translated into visible, tangible differences to the lives of women, youth and persons with disabilities in the country. Developments in the policy and law reform arena for the Department is welcomed as several policy frameworks have been developed and two tabled in Parliament. Notwithstanding that, a key piece of legislation is the Disability Rights Bill for which progress in this regard has been very slow.

Table 7: Targets Achieved per programme 2019/20 – 2021/22-2021/23

Programme	2019/20	2020/21	2021/22	2022/23	
Administration	11/14 (79%)	3/7 (43%)	4/6 (66.7%)	6/7 (85.7%)	**Admin.**
STEE	5/7 (79%)	6/9 (67%)	10/10 (100%)	6/11(54.5%)	**MRWA**
PSCKM	11/12 (92%)	8/8 (100%)	13/13 (100%)	12/12(100%)	**MERC**
NYD	4/4 (100%)	2/4 (50%)	7/7 (100%)	10/13 (76.9%)	**MYPDRA**
RPD	1/3 (33%)	5/5 (100%)	5/5 (100%)		
Total	**32/40 (80%)**	**24/33 (73%)**	**39/41 (95.1%)**	**34/43 (79.1%)**	

10.7.2 Overview of performance for 2022/23

- When reflecting back on the Department's performance, 2019/20 FY until 2022/23 performance has generally improved with a marked decline between the year under review and the previous FY 2021/22.
- Programme 1 consistently consumes the greatest proportion of the operational budget.
- Not all Programmes have improved by achieving targets. Programmes 1, 2 and 4 saw a decrease in performance between this FY and last FY. A discrepancy was noted in Programme 2 in terms of the number of targets achieved. The annual report 2022/23 reflected 6 targets achieved whilst the presentation by the Department to the Committee reflected 7 targets achieved. Hence the overall achievement of what is reflected between the annual report and the presentation made by the Department.
- An under-expenditure was incurred across all programmes more so in the core programmes and of late the administration programme. Whilst budgets are spent, not all targets are achieved.
- The Department has produced a significant amount of reports undertaken outreach activities, mobilisation initiatives and even interventions for the year under review.
- Whilst the Department makes reference to advances made in the establishment of Rapid Response Teams and producing reports on the implementation of the Sanitary Dignity Framework, the impact of these initiatives have yet to be determined.
- The Department continues to rely heavily on consultants to undertake the core work and in so doing targets are achieved. 23 of the consultants listed in the annual report for 2022/23 are linked to deliverables within the core programme for a period noted as indefinable at a cost of R5.636 million. This is 85.5% of the total amount for consultancy as at 31 March 2023.

10.7.3 Overview of budget for 2022/23

- The Department started the financial year with a budget of R987,3 million (including the transfer payments to the Commission for Gender Equality and the National Youth Development Agency).
- During the 2022/23 financial year, the Department would transfer approximately R100,7 million to the CGE and approximately R681,5 million to the NYDA. This amounted to R782.2 million.

- The Department reports a total of R12,106 million in virements from Programmes 2, 3 and 4 to Programme 1-4. An internal virement had also been recorded in Programme 2 between sub-programmes.
- When considering the overall expenditure of the Department based on its total appropriation of R991,714 million, it appears that the Department has spent 99.1% or R983,259 million of its budget. However, when considering the budget less the transfer payments to the CGE and NYDA, i.e. the operational budget (R209,727 million), the Department has spent 95.9% or R201,272 million of the operational budget.
- When looking at the programme expenditure as a percentage of overall expenditure, % of the budget has been spent on the Administration programme. Programme 4, the Rights of Persons with Disabilities accounts for only 6.3% of expenditure, while Programme 4, National Youth Development accounts for only % of operational expenditure.
- The total under-expenditure for the year amounts to R8,455 million which was attributed to under-spending on various Goods and services as well as payments for capital assets.
- The key cost drivers remain Compensation of employees (R117,187 million, 58.2% of the Department's operating budget) and Good and services (R77,666 million). The latter consumes 38.5% of the operating expenditure – this is an increase from the 25% expenditure in 2021/22. Expenditure on goods and services has thus increased by over R26 million.
- No irregular expenditure was incurred for the 2022/23 financial year. Similarly, no Unauthorised Expenditure and Fruitless and wasteful expenditure was incurred for the year under review. There was however, historical debt from previous years still on record.

10.8 Overview of budget for Q1 of 2023/24[13]

- According to the National Treasury 2023 Estimates of National Expenditure (ENE) released in February 2023, the Department under Vote 20, received an annual appropriation of R1 036,4 billion. The Department also facilitates two transfer payments to the Commission for Gender Equality (CGE) and the National Youth Development Agency (NYDA) respectively. As such for the 2023/24 FY, the Department would transfer R829.3 million to the CGE and NYDA respectively. As such the Department is left with an operating budget of approximately R207,1 million to undertake its programmes and meet its targets for 2023/24.
- The Department spent R222.2 million (21%) of its R1.04 billion total available budget by the end of first quarter. Spending was R2.9 million less than the projected of R225.1 million. Under-expenditure was recorded in Programme 2 and 4.
- Programme 1 (Administration) spent the highest proportion of its programme budget R28,1 million (28.2%) as well as the overall operational budget (13.6%). Programme 2 spent R29,2 million (including the CGE transfer) amounts to 23.5% of the programme budget and 2.8% of the total budget allocation. Programme 3 (MERC) spent the smallest proportion of the operational budget, R9,5 million (4.6%). Programme 4 (Mainstreaming Youth & Persons with Disabilities Rights and Advocacy) spent R155,4 million - 20.3% of its programme allocation and 15% of total budget allocation which includes the transfer to the NYDA.
- The higher spending in Programme 1 was on was on travel and subsistence - R1.9 million for payment of foreign travel for delegates who attended the United Nations Commission of the Status of Women (UNCSW) in 2022/23. R1 million higher than projected spending was also recorded on Compensation of employees due to payment of the cost-of-living adjustment for employees in the current financial year.
- Programme 2 recorded lower than projected spending of R2.5 million at this point. The lower spending of R3 million was on consultants: business and advisory services. Some of this is intended for salaries and wages of the NCGBVF interim secretariat, will be amended in the adjustment budget.
- Programme 3 recorded higher than projected spending by R1.1 million. The higher than projected spending was on traveling and subsistence amounting to R3.1 million to settle delayed invoice for transporting public participants for the 16 Days of Activism closing ceremony in North West in December 2022.
- Programme 4 lower than projected spending was recorded on Consultants: Business and advisory services of R585 thousand due to delays in convening the one-on-one consultations with provinces on the disability automated reporting system.
- The table below outlines the Overall Financial Performance - Per Programme as at 30 June 2023.

Table 8: Overall Financial Performance - Per Programme

[13] National Treasury (2023) Standing Committee on Appropriations, 1st Quarter Expenditure Report 2023/24 Financial Year, Vote 20 Women, Youth and Persons with Disabilities, p.63-64

Programmes	Final Appropriation	Actual Expenditure as at 30 June 2023	Expenditure as % of Budget
	R'000	R'000	%
Administration	99,6	28,1	28.2%
Mainstreaming Women's Rights and Advocacy	124,5	29,2	23.5%
Monitoring, Evaluation Research and Coordination	47,8	9,5	19.9%
Mainstreaming Youth and Persons with Disabilities Rights and Advocacy	764,5	155,4	20.3%
Total	**1 036,4**	**222,2**	**21.4%**

- In Q1 of 2023/24, the Department spent 25.3% (R32,1 million) on Compensation of Employees, 21.0% (R16,1 million) was spent on Goods and services and 13.2% (R500 000) on Payments for capital assets in terms of available budget as reflected in the table below.

Table 9: Overall Financial Performance - Economic Classification (Q1 2023/24)

Economic Classification	Main Appropriation	Actual Expenditure as at 30 June 2023	Expenditure as % of Budget
	R'000	R'000	%
Current payments	203,4	48.2	23.7%
Compensation of Employees	126,9	32,1	25.3%
Goods & Services	76,5	16,1	21.0%
Transfers & Subsidies	829,3	173,5	20.9%
Payment for Capital Assets	3,8	0,5	13.2%
Total Appropriation	**1 036,4**	**222,2**	**21.4%**

11. COMMISSION FOR GENDER EQUALITY (CGE)

The CGE briefed the Committee during all the quarterly reports on its finances. A Commissioner's report was submitted to the Committee at every quarter.

Based on its constitutional mandate, the CGE's vision is 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". Its values are independence; professionalism; accountability; ethical behaviour; and teamwork.

The Commission's Strategic Framework translates its constitutional mandate into four strategic outcomes as outlined hereafter. In summary, the CGE set out to achieve 26 targets and achieved 12 (46.1%).

11.1 Strategic Outcome 1 (SO1)

The purpose of SO 1 is to evaluate legislation, policies, practices and mechanisms and make recommendations to bring about continuous improvements to advance gender equality. These has been achieved through the following sub-strategies:

(i) To monitor and evaluate the promotion of gender equality and any relevant policies and practices of the public and private sector and report to Parliament.
(ii) To initiate and review for the improvement of the legislative framework in all spheres of government that impacts on priority areas of gender equality.
(iii) To conduct periodic performance assessments of priority Ministries, State institutions, Government departments, political parties and the private sector on the implementation of applicable legislation and policies that impact on gender equality.
(iv) To evaluate the implementation and the effectiveness of the national justice facilities for gender discrimination.
(v) To convene direct dialogues with relevant policy makers at national and provincial level on recommendations to promote gender equality contained in research reports and research activities.

According to the Annual Report 2022/23, this SO planned for 6 targets and only 2 were achieved (33.3%). The targets not achieved has been cited below

- 40 courts monitored
- 144 SAPS and TCCs monitored
- 1 CGE Act Amendment Bill
- 1 CGE initiated Bill

11.2 Strategic Outcome 2 (SO2)

The purpose of this SO is to evaluate legislation, policies, practices and mechanisms and make recommendations to bring about continuous improvements to advance gender equality. This SO has the following sub-strategies:

- To timeously investigate complaints of violations of gender rights and identify appropriate redress.
- To initiate investigations of systematic violations of gender rights in the public and private sector and identify appropriate redress.
- To develop a coordinated programme to promote equality.
- To initiate intervention for sustainable development and promotion of gender equality by addressing violations in the social cultural, political and economic security and human rights dimension.
- To collaborate with organs of state, civil society and other institutions for the effective development, protection, promotion and attainment of gender equality.

According to the Annual Report 2022/23, this SO planned to achieve 5 targets of which only 2 were achieved and targets not met are cited below.

- 720 stakeholders reached through Gender and Development Workshops and a report
- 540 000 people reached through community radio education and outreach and a report
- 4 30 people reach through public education outreach and a report

11.3 Strategic Outcome 3 (SO3)

The purpose of this SO 3 is to transform behaviour to respect and uphold gender equality and to further ensure effective and efficient social justice for victims of gender violations.
This has been achieved through the following sub-strategies:

- To conduct annual reviews and audits of state compliance with obligations under the conventions, covenants and charters and to report a regular basis to Parliament and the Office of the Speaker of Parliament.
- To interact with and report to national, regional and international bodies on state compliance with conventions, covenants and charters acceded to or ratified.

According to the Annual Report 2022/23, this SO planned to achieve 4 targets and achieved all.

11.4 Strategic Outcome 4 (SO4)

The purpose of this SO 4 is to build and sustain an efficient organisation, to effectively promote and protect gender equality.

According to the Annual Report 2022/23, this SO planned to achieve 11 targets and 4 (36.3%) were only achieved, targets not met are cited below.

- 75% implementation of defined organisation effectiveness
- 100% audit action plan of the previous FY
- 1 costed business plan submitted to National Treasury for funding
- 100% risk mitigation plan implemented
- 75% implementation of the business model

- 100% expenditure on planned improvement initiatives
- 100% compliance with legislative requirements identified in the compliance universe

11.5CGE'S BUDGET FOR 2022/23[14]

For the 2022/23 financial year, the CGE receives an allocation of R100,7 million through the transfer payment via the Department of Women, Youth and Persons with Disabilities.[15] Notwithstanding that, the CGE's total revenue income amounted to R102 166 967 million on account of the transfer from the Department plus R1 266 717 million accrued from interest and sundry income in addition to R178 259 from public contributions and donations.

Approximately 58.4% of the budget is allocated for on Compensation of Employees, while 33.7% was allocated towards Goods and Services. The Commission has repeatedly reiterated that it is a "human capital driven" institution, with its employees carrying out the bulk of its services, and as such the bulk of its funding is allocated for compensation of employees. SO 4, which is the outcome focusing on the operations and systems of the Commission, receives the largest proportion of the budget (42.4%).

For the year under review, the CGE spent R94 865 629 million (92.8%) of its budget and thus incurred an under-expenditure of R7 301 347 million (7.1% of the annual budget). Compared to the previous FY in which the CGE incurred an under-expenditure/surplus of R14.2 million (15.4% of the annual budget). The under-expenditure has slightly improved. The reasons noted for under-expenditure were as follows:

- An under expenditure on personnel costs due to positions that were vacant and not filled in the year under review, including Commissioners four positions vacant for four months when the old term ended in October 2022 and new appointments started in March 2023.
- Other vacancies include: Head of Legal Department, Head of Parliamentary Liaison Unit, Chief Financial Officer, Head of Public Education and Information, Head of Research and a middle manager position that were vacant in the first quarter of the financial year.
- In addition, interest and surplus earnings, as well as donor funding contributed to increased revenue.

The CGE spent R6 170 977 on Commissioners and Governance; R28 362 926 on Corporate Support Services and R50 400 895 on Service delivery. This amounts to 92.8% (R94 865 629m) of the total revenue (R102 166 976m) for the year under review.

The CGE had 101 funded positions for the year under review and a total of 87 employees as at the end of March 2021.

The Key Cost drivers at the end of the FY were as follows:

- Local Travel (R5 657 342)
- Legal fees (R 5 592 151)
- Conference and seminars (R4 473 027)
- External Auditing Fees (R2 885 299)
- Report writing, printing and publishing (R 2 999 609)
- Office cleaning, Maintenance, Plants and Security (R2,439 672)

Together the aforementioned cost drivers amounted to R19 737 978 million (58.9%) of the total Goods and Services expenditure. The Commission also reports that in terms of spending on Consultants, the following was incurred for Consulting and professional fees for 2022/23,
R1 937 346 million. These are mainly short term, less than 12 months as per assignment/ need, such as co-sourced internal audit services, Sage financial system support, ESS (Leave management system) support services and professional design of formal reports.

In terms of irregular expenditure, the Commission recorded R 1 002 420 million for the 2022/23 in contravention of the PFMA. The greatest amounts are as a result of the following:

- Salaries for Commissioners' PAs - incurred in contravention of Recruitment Policies (R508 391).
- Legal Panel-Awards made to legal panel members in contravention with PPPFA regulation (R327 205).

[14] Levendale, C (2023) Commission for Gender Equality 2022/23 Annual Report Overview and Analysis, Parliamentary Research Unit, 12 October 2023
[15] Ibid

Investigations are currently underway to determine liability and effect additional measures to strengthen systems of internal controls in a manner of enabling the commission to fulfil its obligations

The Commission recorded R1 450 468 million in its financial statements with regard to Fruitless and Wasteful expenditure which related to the following:

- R1 012 273 million was incurred in the current year in respect of payments made to Part-time Commissioners as retainer with no timesheets submitted to vouch for actual time of the remuneration. The amount was reclassified in the previous year from irregular expenditure to fruitless and wasteful expenditure. Management obtained a legal opinion from an independent party to confirm the assessment and classification. Management is awaiting an assessment outcome from National Treasury-Office of the Accounting General.
- R205 600 was incurred as a result of a policy change on Medical Subsidy for staff not communicated to payroll office due to exit in management.
- R58 236 was incurred as a result of a policy change on Housing Subsidy for staff not communicated to payroll office due to exit in management.
- R132 400 was incurred as a result of staff member who incurred an accident on the 17th of August 2022 from a hired motor vehicle to attend the SALGA event as per invite and third party liability was imposed to the Commission

With regards to the above, the Audit and Risk Committee notes the following:
These findings were reported as recurring pointing to a slow response in preventing the cause of Fruitless and Wasteful and Irregular Expenditure at the CGE. The CGE had not addressed the irregular expenditure on the award of contracts that were unduly split to avoid procurement regulations, and the payment of salaries to employees who were appointed contrary to recruitment policies. Other instances of non-compliance involving failure to pay a signed contract and failure to obtain the required number of quotations were identified and these led to irregular expenditure.

In terms of spending in the Commissioners Programme, R7.822 million was spent on salaries and wages.

11.6 Human Resources

The CGE had a total of 96 employees as at the end of March 2023, of which 4 were temporary or intern positions. It indicates 110 funded posts and 16 vacancies, resulting in a vacancy rate of 15 percent. The vacancy rate has increased from 19% to 15% year on year. Furthermore, the CGE reports only 1 post that is unfunded and additional to the establishment – in 2020/21 there were 8. In addition, 4 staff members are employed on a temporary or internship basis. 30 appointments were made during the 2022/23 financial year, while 19 staff left the Commission. Five of these relate to resignations, while 8 contracts expired. Moreover, the Commission reports that in terms of skills development, 33 staff members received training during this financial year. This is an improvement from the 18 staff in 2021/22. With respect to Performance bonuses: A total of 60 staff members received performance related rewards in 2022/23, amounting to R 2.29 million.

12. NATIONAL YOUTH DEVELOPMENT AGENCY (NYDA)[16]

For the year under review, the NYDA briefed the Committee on all 4 quarterly reports. The quarterly reports included a focus on programme performance and financial health of the entity. Moreover, the NYDA tabled its Annual Report on time and briefed the Committee with its Audit Committee on 17 October 2023.

In the period under review the NYDA had 29 targets of which all were achieved. This amounts to a 100% achievement of the planned targets in its Annual Performance Plan. The performance of the NYDA has remained fairly consistent over the last nine years. The next section examines the performance of the NYDA for each Programme in light of the Annual Report 2022/23.

12.1 Performance per Programme
12.1.1 Programme 1: Administration

[16] Matthews, T (2022) National Youth Development Agency (NYDA) Annual Report 2021/22 Review, Parliament Research Unit

The purpose of this programme is to enable effective and efficient Agency capabilities for good governance and ethical leadership to support service delivery. Its key outcome is an efficient and effective Agency characterised by good corporate governance and ethical leadership.

This programme achieved 11 targets of which 3 targets were met and exceeded. The achievements were as follows:

1. 4 NYDA Quarterly Management Reports
2. Reviewed and Implemented Annual Workplace Skills Plan
3. R 150 million in funds sourced from the public or private sectors to support youth development programmes
4. 6 SETA5 partnerships established
5. 2 partnerships signed with technology companies
6. Review and implement ICT Strategic Plan indicating 75% achievement of ICT targets in the plan by end of the financial year
7. Review and implement Integrated Communication and Marketing Strategy
8. Produce and approve the NYDA Strategic Risk Register by Ops Exco
9. Reviewed annual SCM Procurement Plan and produced quarterly reports
10. Annual Report on partnerships established with Disability organisations to promote youth development
11. 100% implemented and monitored ERP (enterprise resource planning) modules in all NYDA platforms

12.1.2 Programme 2: Programme Design, Development and Delivery (PDDD)

The purpose of the programme is to enhance the participation of young people in the economy through targeted and integrated economic programmes, including skills and education programmes, and national youth services. Facilitate and co-ordinate the effective and efficient implementation of the Nation Youth Service Programmes across all sectors of society.

This programme achieved 14 targets of which 12 targets were met and exceeded. The achievements were noted as follows:

1. 2000 youth owned enterprises supported with financial interventions
2. 25 000 youth supported with non-financial business development interventions
3. 6200 jobs created and sustained through supporting entrepreneurs and enterprises
4. 1000 beneficiaries supported with business development support services offered to young people by NYDA
5. Participate on the National Pathway Management Network to facilitate youth job placement opportunities
6. 75 000 young people capacitated with skills to enter the job market
7. 10 000 young people placed in jobs
8. 60 organisations and departments lobbied to implement NYS
9. Produce an annual report on the NYS Programme
10. 11 000 young people participating in NYS Expanded Volunteer Projects
11. 7 000 young people participating in CWP (Community Work Programme) programmes
12. 35 000 young people securing paid service opportunities
13. 20 000 young people who have completed planned service activities
14. 7 000 young people transitioning out of the National Youth Service (NYS) into other opportunities

12.1.3 Programme 3: Integrated Youth Development

The purpose focuses on fostering a mainstreamed, evidence based, integrated and result oriented youth development.

This programme achieved all 4 targets. The achievements were noted as follows:

1. 4 impact programme evaluations conducted
2. Produce annual report on Integrated Youth Development Strategy
3. 3 youth status outlook reports produced
4. Develop a status of the Youth Report in the country

12.2 NYDA's Budget for 2022/23[17]

[17] Matthews, T (2023) National Youth Development Agency (NYDA) Annual Report 2022/23 Review, Parliament Research Unit, 16 October 2023

According to the ENE 2022, the original budget allocation was for R752 million which the NYDA would have received via a transfer from the Department under Vote 20. During Quarter three, the NYDA had secured additional donor funding to support the internship programme in partnerships with the Public Services Seta, the Department of Public Services and Administration, the CWP Agrarian revolution projects, the FoodBev, Jobs fund and FASSET, increasing donor funding from R74 million to R154 million. The National Treasury has approved the prior year rollover funds of R420 million. The overall adjusted annual budget has subsequently increased to R1.2 billion. As such that included the Departmental transfer of R481 million, Interest income of R16 million, donor income of R161 million, the Presidential Youth Employment Fund Income (PYEI) of R200 million and the prior year roll-over of R420 million.

The NYDA had a total expenditure of R1 190 478 billion with a deficit of R378 073 million.

In terms of key expenses for the 2022/23, these related to the following as outlined in the table below.

Table 10: NYDA expenditure as at 31 March 2023

Expenditure	R'000
Administration and overheads	59 514
Communications and Public Relations	9 394
Employee Costs	210 437
Information Technology	25 723
Audits	6 266
Capacity Building	13 239
Legal fees	3 638
Risk	1 946
Travel	46 840
Workshops	19 112
Interest Paid	63
Project Disbursements	41 879
Impairment, write off, depreciation, amortisation	23 884
Donor funded expenditure	113 595
Project disbursements – PYEI – NYS	141 052
Project disbursements – PYEI – NYS Rollover	384 812
Total	**1 190 478**
Capital expenditure	**30 071**
Contingency reserve	**-**
Gross expenditure	**1 220 549**

The key cost drivers were thus Employee costs, Project disbursements, Donor funded expenditure, grant disbursements and administration and overheads.

The NYDA did not incur nor identify any irregular expenditure during the 2022/23 financial year.

12.3 Human Resources

The NYDA had a staff compliment of 515 employees, 503 (97.7%) were permanent and only 12 temporary employees as per the Annual Report of 2022/23. The majority of staff, 37.9% (195) fell within the skilled technical occupational level with only 18 employees in the Executive and Senior management category. In terms of gender ratio, the NYDA has a dominant female work force 62.3% (321) and 194 males (37.7%).

According to the annual personnel cost by programme, of the 515 people employed by the NYDA, 373 employees are receiving an average R360 000 per annum for 2022/23. 7 employees in the Executive Chair and Deputy Chair's Office earned an average salary of R1,528 million per annum for the year under review. Within the CEO's office there ae 28 employees with an average personnel cost per employee of R706 000. The HR and Legal Services have 13 employees with an average salary of R967 000.

During the year under review a total of 186 employees left the NYDA, 159 employees left due to the expiry of contracts, 1 was dismissed, 24 resigned and 2 retired.

In terms of the bursary programme, during the period under review, a total of Eighty-one (81) employees were funded in the NYDA bursary programme for undergraduate and postgraduate studies in the 2022 academic year. In support of diversity, inclusion, and transformation imperatives of the NYDA, 47 black

females, one (1) coloured female, one (1) white male, three (3) coloured males and 29 black males benefited from the programme.

13. FINDINGS OF THE AUDITOR GENERAL OF SOUTH AFRICA (AGSA)

The Department has received an unqualified audit opinion from the Auditor-General of South Africa (AGSA), with findings on expenditure management and compliance with legislation, specifically in relation to consequence management and internal control deficiencies. To this end, the AGSA highlighted the following key concerns with regards to the Department:

13.1 Expenditure management

- The Department materially underspent the budget by R8,4 million.

13.2 Internal Control Deficiencies

- The AGSA noted senior management has not adequately or properly monitored compliance with laws and regulations relating to consequence management.
- In addition, there was not adequate oversight responsibility in relation to compliance and internal controls.

13.3 Consequence management

- The AGSA noted a lack of sufficient appropriate audit evidence to indicate that disciplinary steps were taken against officials who had incurred irregular expenditure.
- The AGSA noted an overall slow response by management in addressing and effecting consequences.
- The AGSA found proper and complete records were not maintained by the Dept. to conduct investigations into some irregular expenditure.

With regards to the CGE, it received an unqualified audit opinion from the AGSA. However, findings have been raised on non-compliance with legislation, as well as on internal control deficiencies. Internal controls were deficient - Leadership exercised inadequate oversight responsibility regarding related internal controls. The following matters were raised by the AGSA:

13.4 Non-compliance with legislation

- No change in overall outcomes, however, there is an increased number of compliance findings for the CGE.
- There were inadequate systems and policies to collate evidence that supports what was reported on, thus the credibility of the Commission is compromised if they are unable to produce quality performance reports that reflect its transparency and accountability on the reported performance targets.

13.5 Internal control deficiencies

- There was overall weakness in the control environment due to management instability
- There was inadequate consequence management, as some of the findings were repeat.
- Overall, there were weaknesses in internal control environment at the CGE, which requires intervention, this can be attributed to:
  - Instability at management level
  - Lack of consequence management
  - Inadequate reviews on the application of laws and regulations relating to procurement and contract management

13.6 Key areas of concern

The AGSA states in the Annual Report that:

- The financial statements submitted for auditing were not prepared in accordance with the prescribed financial reporting framework as required by section 40(1) (b) of the PFMA.
- Effective and appropriate steps were not taken to prevent irregular expenditure.
- Effective steps were not taken to prevent fruitless and wasteful expenditure.
- AGSA was unable to obtain sufficient appropriate audit evidence that public money was spent with the approval of the accounting officer.
- AGSA was unable to obtain sufficient appropriate audit evidence that disciplinary steps were taken against officials who had incurred irregular expenditure, as well as those who incurred fruitless and wasteful expenditure.

- Some of the contracts were awarded to bidders based on evaluation/adjudication criteria that differed from those stipulated in the original invitation for bidding as required by Treasury Regulation.
- Some of the deviations and procurement by other means are not in line with the circumstances provided in the SCM policy under which the procurement can occur as required by PFMA.
- Some of the tenders which failed to achieve the minimum qualifying score for functionality criteria were not disqualified as unacceptable in accordance with 2017 Preferential Regulation.
- Leadership exercised inadequate oversight responsibility regarding financial reporting pertaining to statutory receivables, financial instruments and irregular expenditure disclosures as well as related internal controls.
- Insufficient oversight responsibility was exercised by management with regards to compliance and related internal controls, particularly in the area of expenditure management. This was due to inadequate record keeping, as the commission did not have the proper recording system to ensure that documents were kept and were available for audit purposes. This resulted in public monies being spent without the approval of the accounting officer.
- Management did not implement adequate internal controls to ensure that investigations were performed relating to irregular, fruitless and wasteful expenditure incurred in the prior year and to ensure that disciplinary steps were taken against officials who had incurred or permitted the expenditure. This was due to vacancies and challenges in other administrative matters that would allow for a proper investigation and adequate disciplinary steps against officials who had incurred or permitted the expenditure. This resulted in non-compliance on matters related to consequence management.
- Insufficient oversight responsibility was exercised by management with regards to compliance and related internal controls surrounding procurement and contract management. This was due to non-adherence with the supply chain management policy and legislation applicable to the constitutional institution which resulted in the numerous material non-compliances reported in the current year.

Overall there has been a significant decline in the compliance and governance environment of the Commission for Gender Equality during 2022/23.

With regards to the NYDA, it received 9th clean audit opinion from the AGSA. Notwithstanding that, the following matters were raised by the AGSA:

13.7 AGSA Findings for NYDA

- The NYDA received a ninth consecutive clean audit outcome from the Auditor General of South Africa with zero unauthorized, irregular or fruitless and wasteful expenditure reported or detected. All of which can be attributed to good internal controls regarding reporting on financial information as well as performance information while ensuring that the agency adheres to all relevant frameworks, laws and regulations.
- The Auditor General's report stated, no material findings in the agency's compliance with legislation and the AGSA did not identify any significant findings in the internal controls of the entity.
- From the various reports by the Internal Auditors, the Management Reports and Audit Report by the Auditor-General of South Africa, it is noted that there has been a stabilisation in the internal controls environment which has culminated in the NYDA sustaining the clean audit for the 2022/23 financial year.
- In our review of the Annual Report, including the Performance Information and Financial Statements, the Audit and Risk Committee is satisfied with the content and quality of Annual Report prepared. Noting that there has been a significant improvement in the compilation thereof.

13.8 AGSA Recommendations

The AGSA have considered the Annual Reports of the Department, the CGE and the NYDA recommended the following to the Committee:

a) Financial management and reporting matters are prevalent at the CGE as well as non-compliance matters with laws and regulations. Oversight intervention is required to ensure stability at the Commission and adequate control measures are implemented, including consequence management.
b) Oversight intervention is required to ensure stability at the Commission and adequate control measures are implemented, including consequence management.
c) Stability in leadership level that will improve the overall control environment. (CGE)
d) Enhanced monitoring and oversight on compliance with laws and regulations. (CGE)

e) Monitor implementation of consequence management. (CGE & DWYPD)
f) Strengthened internal control reviews by Internal audit

14. FINDINGS OF THE AUDIT AND RISK COMMITTEE (ARC)

The next section is a reflection of the findings of each of the Audit and Risk Committee's for the Department, the CGE and the NYDA.

14.1. ARC Department

The Audit and Risk Committee (ARC) of the Department of Women, Youth and Persons with Disabilities noted the following findings and recommendations as contained in the Annual Report for 2022/23:

"The Audit and Risk Committee has reviewed the Annual Financial Statements and the Annual Performance Information for the year ended 31 March 2023 and duly recommended them for the Accounting Officer's approval prior to submission to the AGSA for audit. The Committee commends Management on the actions taken to improve financial and performance reporting which has resulted in the department receiving an unqualified audit opinion with no material findings in these areas."

14.1.1 Effectiveness of Internal Controls

- The Audit and Risk Committee (ARC) concludes that the system on internal controls for the reporting period was generally adequate and effective.

14.1.2 Internal Audit

- The ARC is not satisfied with the human resource capacity within the Internal Audit Unit. It notes that capacitation within the Unit must be prioritised to ensure a wide risk and audit coverage in the Department. Failure to do so may have a negative effect on the effectiveness of the internal Audit function.

14.1.3 ICT

- The ARC noted that inadequate human and financial resources remained a challenge that prevents the ICT unit to function at a level that adequately supports the Department to achieve its programmes.

14.1.4 In-Year Management and Quarterly Reports (IYMQR)

- The ARC reviewed the quarterly reports prepared and issued by the Accounting Officer of the Department during the year under review, and was satisfied with the quality of reports presented/submitted.

14.1.5 Staff shortage

- In addition, management reported to the Audit and Risk Committee that the Department is seriously short staffed across all the programmes and this situation has an adverse impact on the ability to adequately execute the mandate of the Department as well as the implementation of governance processes. These challenges were also highlighted during 2021/22.
- The ARC acknowledged Management's concerns about the shortage of staff within the Department across all programmes which in turn has an adverse impact on the ability to adequately give effect to the mandate of the Department including governance processes. To this end, the ARC stated that it hoped that the revised organisational structure would receive the concurrence from the Department of Public Service and Administration and the funding from the National Treasury in order to fill the proposed vacancies.

14.1.6 AGSA Report

- The ARC concurred with and accepted the findings of the AGSA on the AFS and Performance Information of 2022/23 for the Department.

14.1.7 Audit Action Plan

- The ARC also monitored the implementation of the action plans to address matters arising from the Management Report issued by the AGSA for the 2021/22 financial year. The Committee is generally satisfied with the progress made in resolving audit findings, but remains aware of the following findings that were not resolved:

(i) Gap on the segregation of duties in the ICT unit due to inadequate human resources.
(ii) Conclusion of irregular expenditure consequence management application for condonation and removal of irregular expenditure not done within the financial year.

- The ARC will monitor the implementation of the Audit Action Plan by Management as per the audit findings identified during the 2022/23 FY.

14.2 ARC CGE

With respect to the CGE, its ARC noted the following:

14.2.1 Key issues of concern

- The recurring irregular, fruitless and wasteful expenditure and other non-compliance events detected by the audit are concerning.
- The audit committee notes the consistent inability at the CGE to produce credible quarterly reports on performance information. Internal audit had in the year under review, performed audits to verify the accuracy, validity and completeness of actual performance reported against selected indicators. The pervasive audit findings in these reports were the failure by management to provide evidence supporting the actual performance reported, in other instances management had reported actual performance that did not accurately reflect on the source document.
- The ARC notes a further a control breakdown in leadership, which hindered the works of the audit committee to oversee the organizational performance management in quarter three and quarter four. The Audit committee was unable to review and obtain responses from management in the assessment of quarter two given the responsible official was not present at the meeting. The audit committee was further unable to follow up on the third quarter report and review the 4th quarter report since the then CEO did not submit to the committee the report for the fourth quarter.
- The ARC notes a deficiency in the planning, performance & reporting on strategic objectives linked to the mandate of the CGE, which are included in the APP.

14.2.2 ARC Recommendations for CGE

In terms of recommendations to improve audit outcomes on predetermined objectives, as well as general performance, the ARC recommends:

- A review of the selection criteria applied in the appointment of the person occupying the position of CEO. The appointment process to be undertaken should enable the CGE to select a person with the requisite appreciation of the regulatory systems governing the works of the CGE and the nature of the commission as a chapter 9 institution in the constitution of the republic of South Africa. A person with an appreciation of the strategic roles and responsibilities of the CEO, and who will cascade a culture of excellence and mentoring to ensure that the CGE profits from the talents of the many dedicated members of staff in the organization.
- A need to strengthen coordination of performance reporting, to ensure that internal checks are regularly performed on all accountability documents. The CGE should assign a dedicated person who will facilitate performance planning and reporting. The person shall perform checks on the quality of information submitted, completeness of reports and in year consistency of reported performance. The responsibility to deliver performance on operational targets included in the APP should be assigned to the executive management under the leadership of the CEO.
- Review the remuneration basis applied for compensating the works carried by commissioners, rewards must be consistent with their duties and the applicable legislation, be competitive to attract and retain skilled individuals and where the remuneration includes a variable element linked to performance, conditions for the variable element should be stipulated in an approved policy or procedure document

14.3 ARC NYDA

With respect to the NYDA, its ARC noted the following:

- The Audit and Risk Committee is satisfied that it has fulfilled its responsibilities as per the Audit and Risk Committee Charter, by inter alia, playing the necessary prescribed oversight on the maintenance of a sound internal control and risk management systems within the NYDA.

15. COMMITTEE'S OBSERVATIONS

Having interacted with the Department, the AGSA, the NYDA and the CGE, the Committee made the following observations:

Observations with respect to the Department of Women, Youth and Persons with Disabilities

15.1 General

a) The Committee commends the Department, the NYDA and the CGE for tabling the Annual Reports within the specified time.

b) The Committee observed that the Annual Report reflects 34/43 targets met which is a 79% overall achievement. A slight decrease in performance was noted from 95% in the previous FY 2021/22 to 81% in 2019/20 which was noted with concern.
c) The Department spent 95.9% (R201,272 million) of the budget (i.e. its operating budget of R209,727 million) with a surplus/under-expenditure of R8,455 million. This underspending decreased from R31 million in the previous financial year 2021/22 to R8,455 million in the current FY. Whilst the decrease in under-expenditure is acknowledged, the recurrence of under-spending is concerning.
d) The Committee observed that of the total appropriation as per Vote 20 (R991.714 million) which included the transfers to entities, 99.1% (R983.259 million) was spent.
e) A decline in the performance of Programme 2 was noted with concern for the Committee. The majority of the targets met in Programme 1 relates to compliance matters in terms of the development and submission of reports, however, it remains a concern that it continuously consumed the largest proportion of the Department's operational budget and staff compliment.
f) The Committee noted with concern the Department's continued reliance on consultants.
g) The Committee concurred with all of the findings and recommendations of the AGSA and the ARC.
h) The Committee observed that the Department was not effectively implementing the AGSA recommendations and those of the ARC, hence the repeat findings. The Committee raised this as a major concern.

15.2 Mandate, Mission and Vision

a) *Mandate*: The Committee questioned how the Department's new mandate as a Regulator was given effect to in 2022/23 and how this related to visible change on the ground for women, youth and persons with disabilities. Moreover, the Committee questioned how the Department contributed towards eliminating poverty, reducing inequality and unemployment with particular attention to women, youth and persons with disabilities for the year under review.
b) *Strategic Priorities*: The Committee noted that the Department did not reflect on what progress it has made in light of the goals outlined in its Strategic Plan given that it was coming to the end of a 5-year term. There was little to no information provided by the Department in this regard in the Annual Report for 2022/23. Whilst the reflections of the Department's intent for 2023/24 outlined in the Annual Report was noted, this information was best placed for the next Annual Performance Plan. The Committee observed what was missing was a holistic assessment of the Department's progress insofar as the goals are concerned as outlined in its Strategic Plan.
c) *Policy imperatives*: The Committee asked what was the Department's assessment of how Government has performed insofar as the various goals and targets related to women, youth and persons with disabilities as outlined in the NDP, MTSF, SDG 5 and Agenda 2063. Even though reference is made to the aforementioned in the Annual Report 2022/23 it is only limited to providing a policy context but what was not evident is the Department's assessment of what progress Government has made in this regard.
d) *Visibility of Department*: The Committee was concerned about the effectiveness of the Department's Communication Unit as the Department's website had been down. This hindered the availability and accessibility of information to the public which was concerning to the Committee.

15.3 Policy and Law Reform

a) The Committee welcomes the review of the NGPF which is an important overarching framework for the country.
b) The Committee observes that the Disability Rights Bill is long overdue and has been in development for the entire 6th administration which was concerning.
c) The Committee observed the lack of progress made regarding the South African Youth Development Bill. To date the Committee received one briefing on this Bill.

15.4 Performance of Programme 1: Administration

15.4.1 Overview of Programme 1 Performance

a) The Committee observed that in Programme 1, 85.7% (6/7) of its targets were achieved and 95.4% of its budget was spent.
b) This programme continued to have the largest staff cohort within the Department – 65 posts filled with 10 posts additional to the establishment and 9 vacancies.

15.4.2 Human Resources

a) *Skilled personnel vs Lack of capacity*: The Committee observed that of the 126 filled posts in 2022/23, 45 officials are in senior management, while 56 fell within the highly skilled production and 63 within highly skilled supervision category. As such, 164 employees within the Department, are meant to have the requisite skills to function at a high end level given their employment ranking to be able to give effect to the Department's mandate and achieve the goals it has set out. However, the Department maintains that it has a lack of capacity, and is reliant on consultants, yet continues to underspend on Compensation of employees by not filling vacancies. Furthermore, the Committee observed that 1 staff member was promoted to another salary level while 94 received notch progressions within their salary level. These pay progression were paid to 68 staff members in salary levels 3-12 which amounts to 71.5% of staff and to 26 senior management service employees (65% of senior management).
b) *SMS cost*: The Committee observes that for the year under review, Senior Management constituted 48% (R56,221 million) of the personnel cost and the highly skilled supervision (levels 9-12) 32.7% (R38,302 million).
c) *Gender parity*: The Committee observed that despite a predominantly large female workforce (67%, 85/126), the majority of women (35) are in clerical positions, while 25 occupy professional positions and 20 fall within the "legislators, senior officials and managers" category. Furthermore, the majority of males employed in the Department are in "legislators, senior officials and managers" positions (17), followed by 12 occupying professional positions.
d) *Use of consultants*: The Committee noted that the Department continued to procure the services of consultants (116) during the year under review for 16 projects amounting to R6,590 million. This was concerning given that the Committee consistently discouraged the Department from using external service providers given its limited budget. This was up from 33 consultants in the previous financial year for 8 projects. What this demonstrates is the Department dismissing the recommendation from the Committee in this regard. The reliance on service providers is disconcerting for the Committee given the large number of highly skilled professionals and senior managers (164 in total) in the Department as noted previously. The Committee noted with concern that the projects doubled, triple the number of consultants were utilised most for an indefinable period and at 3.5 times the cost as compared to the previous FY. Moreover, 23/116 consultants worked on projects related to the core programmes for which there are personnel employed be it limited. Furthermore, the Committee also noted with concern that despite the explanation provided by the Department for why the services of consultants were procured there was no indication of what transfer of skills took place, if any, to capacitate Department officials within these projects.
e) *Vacancies*: The Department observed a vacancy rate of 10.6% which was slightly more than the targeted 10%. The increase in the vacancy rate from the previous FY was noted with concern. The Committee notes the Department's reference to 18 additional posts that were identified to be created and filled from the increased allocation. To this end, the Committee observed that the Department had not identified any critical occupations that need to be monitored as of 31 March 2023 which is concerning given the concerns raised by the ARC and the AGSA w.r.t critical vacancies in Internal Audit, Risk Management and ICT. The Committee also reiterated the importance of labour representation within the recruitment process.
f) *Disciplinary cases*: The Committee noted that there was 1 disciplinary hearing initiated and 8 grievances lodged of which only 1 was resolved.
g) *HR policies*: The Committee sought clarity about the Department's policies related to contract work, reasonable accommodation and outstanding policies as well as the involvement of unions in the review processes. The Committee noted the progress made but urged HR to finalise these policies and ensure that staff are made aware of them.

15.4.3 Financial performance

a) *Under-expenditure*: The Committee noted with concern the R8,512 million under-expenditure for a department with a small operational budget claiming it is underfunded. Whilst noting the reasons for the under-expenditure for each programme, the Committee remained resolute that surplus for the Department was significant given its limited budget, the lack of visibility on the ground and questionable impact on the lives of the most vulnerable in the country. Furthermore, having assessed the Department's Q1 performance for 2023/24 whilst slight improvement was noted the continued under-expenditure in certain programmes is of particular concern.
b) *Roll-over funds*: The Committee notes the Department's request to National Treasury for a total R8,512 million in roll-over of funds related to fund payments for capital assets, ICT migration, a radio show and continuation for the implementation of the NSP on GBVF.
c) The Committee observed that the *Irregular Expenditure* incurred to the amount of R41.712 million related to previous financial years and that the Department was currently investigating R20,4 million of the expenditure incurred. The Committee noted with concern that R719 000 of Irregular Expenditure was incurred for the year under review. This was related to an award for a

bid that was not approved by the delegated official. The Committee observed that the Department indicated that an internal control checklist will be reviewed to strengthen the verification of transactions on award. However, the Department stated in its previous annual report for 2021/22 that new policies on irregular, wasteful and fruitless expenditure were developed and approved during November 2021 to enhance compliance and prevent the occurrence of irregular expenditure. Hence this demonstrates that despite the development of policy, internal control measures are still weak which is concerning.

d) The Committee commends the Department for not incurring any *Fruitless and wasteful expenditure* during 2022/23. However, the Committee observed previous expenditure of R11,787 million is still on record and is currently with the State Attorney to investigate and consider possible recovery of funds.

e) The Committee observed that the Department did not incur any *Unauthorised expenditure* during 2022/23 which is commendable. However, there is unauthorised expenditure from previous years that is awaiting authorisation. This amounts to R32.774 million.

f) *Virements*: The Committee observed virements totalling R12,106 million of which R4,575 million was shifted into Programme 1, R19 000 into Programme 2; R5,826 million into Programme 3 and R1,621 million into Programme 4. Furthermore, R6,191 million was moved out of Programme 2 to Programme 1 and 3 for Goods and services and machinery and equipment. R1,621 was moved out of Programme 3 into Programme 4 for Compensation of employees. R4,229 million was moved out of Programme 4 to Programme 1, 2 and 3 for Goods and services, Transfers and subsidies and machinery and equipment.

g) *Deviations*: The Committee noted with concern the 37 deviations by 31 March 2023 reflected as "procurement by other means" amounting to R23,394 million. This was a marked increased as compared to the previous FY 2021/22 where the Department had 20 deviations, amounting to R1,929 418 million. Of these deviations 15 were single source appointments and 22 related to obtaining less than 3 quotes for amounts more than R2000. Of these 15 related to venues and catering, which points to poor planning as the Department should be aware at the start of the FY which activities will be taking place when and where in order to plan in advance. In addition to the deviations, there were also 9 instances of contract variations and expansions which was concerning. The Committee also observed that only 8 of the Department's deviations were recorded with the Office of the Chief Procurement Officer, and none of its. contract variations or expansions. In addition, of the 8 recorded deviations, 2 were not recorded in the Annual Report. These relate to vehicle insurance for 6 BMW motor vehicles. In addition, no start or end dates for contracts are recorded. The deviation relating to the HSRC also indicates that there were no reasons provided for the deviation. The Committee raised these matters as a concern with the Department.

h) Donor funding: The Committee observed that the Department received R23,214 million from the European Union of which it spent R621 000. This donation forms part of a total funding amount of R109,349 182 million that has been allocated from 2021/22 to 2023/24. The Committee sought clarity about how the donor expenditure was audited against the required deliverables. Furthermore, the nature of the donor funding from the EU was to secure additional resources – equipment and personnel - but it is unclear how this was not a duplication of services and if not, how sustainability will be ensured beyond the funding period stipulated.

15.4.4 Investigations & Consequence Management

a) The Committee noted with concern the AGSA and ARC repeat findings regarding consequence management. The AGSA noted that it was unable to obtain sufficient appropriate audit evidence that disciplinary steps were taken against officials who had incurred irregular expenditure. This was attributed to a lack of proper and complete records being maintained by the Department to conduct the investigations into irregular expenditure.

b) In light of the concerns raised by the Committee in the previous financial year more specifically the BRRR 2022, whereby Committee reiterated that it was the role of the DG to ensure consequence management was implemented and that she would be held to account accordingly for failing to perform her duties if this was not attended to, the failure of implementing consequence management is of serious concern and requires urgent attention.

15.4.5 Supply Chain Management (SCM)

a) The large number of deviations are a cause of concern and points towards poor planning in supply chain- this despite the Committee being reassured in the previous FY that a new SCM policy was developed and approved.

15.4.6 ICT

a) The Committee noted with concern the ARC's finding that inadequate human and financial resources remained a challenge that prevents the ICT unit to function at a level that adequately supports the Department to achieve its programmes.
b) The Committee also notes with concern the unresolved audit finding regarding the gap on the segregation of duties in the ICT unit due to inadequate human resources.
c) The Committee notes a roll-over request was made for R1 million on the support and maintenance project for Microsoft, R600 000.00 for the payment of the Microsoft License and R1.767 million for the installation of the Information Communications Technology (ICT) infrastructure as part of the relocation of the Department to the new premises.

15.5 AGSA & ARC

15.5.1 AGSA Findings and Recommendations

a) The Committee concurred with the findings and recommendations of the AGSA.
b) The Committee notes the AGSA section in the AR for the Department had typographical errors i.e. references to pages incomplete (e.g. pages xx-xx cited on p.110).
c) *Repeat findings*: The Committee noted with concern the repeat findings by the AGSA and the repeated calls by the Committee itself for the Department to address particular matters. This was unacceptable and required urgent attention.
d) *Compliance*: The Committee noted with concern the repeat finding of non-compliance with legislation as identified by the AGSA as well as those related to internal control deficiencies.
e) *Lack of consequence management*: The Committee noted with concern the AGSA and ARC finding which relates to the lack of consequence management. This too is a repeat finding.
f) *Scope of audit*: The Committee welcomes the audit of Programme 2 and 4 of the Department. The concern of the Committee related to the nature of the audit and the enforcement of recommendations as both the findings and recommendations are a repeat of the previous financial years which points to little to no improvement by the Department in this regard.
g) *Relationship with ARC*: The Committee enquired about the working relationship of the AGSA and the ARC's of the Department, NYDA and the CGE. Given the various concerns raised by the Committee and repeat findings with lack of implementation of particular recommendations, the Committee was concerned that the enforcement by the AGSA and ARC on its recommendations was not strong enough.
h) *Outcomes of Performance Audit*: Based on the AGSA's audit of the entities in the portfolio, the Committee acknowledged the AGSA's opinions expressed regarding the impact of the Department, the NYDA and the CGE in light of the targets achieved and budget spent for the FY under review. However, the Committee questioned the AG's finding regarding the instability of management within CGE and requested clarity on the matter. The Committee queried what actions were taken against people who were responsible for irregular expenditure as the concern was that nothing was done to address these issues. As such, the Committee was concerned about about the prevention of irregular expenditure and that there were no steps taken to prevent this issue as in the case with the CGE. The Committee was concerned that the AGSA had an opinion on senior management of the CGE however this was not the case with the Department of Women, Youth and Persons with Disabilities or the NYDA. Hence the Committee questioned whether the tool utilised to conduct an audit on the Department and entities is the same. To this end, the Committee was not sure whether AGSA indicated that the Department was doing well at senior management when in fact it was reported that the Department awarded contracts without following proper processes and there was a DDG who was paid but not performing the required duties in the Department all of which points to concerns pertaining to management. The Committee was also concerned that some deviations made by the Department were not registered with the Office of the Chief Procurement Officer (OCPO), National Treasury and enquired whether the AGSA checked these during the audit process.
i) *Donor funding*: The Committee noted with concern the lack of information from the AGSA regarding donor funding received by Department, NYDA and CGE and expenditure in this regard. The Committee indicated that an assessment of donor funding was important given that it was linked to almost all of the core programmes.
j) *Whistle-blower allegations regarding the NYDA's CEO*: The Committee noted that the AGSA was appraised on the matter, that it formed part of the audit and awaited the outcome of the investigation.

15.5.2 Audit and Risk Committee (ARC)

a) The Committee acknowledges the findings and recommendations of the ARC and that it concurs with that of the AGSA.

b) **Internal Control**: The Committee notes the contradiction between the AGSA finding pertaining to "significant internal control deficiencies that resulted in the basis for the opinion and, the material finding on compliance with legislation" and that of the ARC finding that the system on internal controls for the reporting was generally adequate and effective. This brought into question how the ARC and the AGSA reconciles on matters. Furthermore, given that the ARC proposed in the previous FY that monitoring of compliance with applicable laws and regulations, specifically on investigating the irregular expenditure incurred in the previous financial years required improvement along with budget monitoring and ICT (service continuity and security controls), it raises questions about the enforcement of the recommendations proposed as these matters have still not been resolved.

c) **Internal Audit:** The Committee notes the repeat finding of the ARC regarding limited human resource capacity of the Internal Audit Unit and that it should be addressed as a matter of priority. Despite the call from the ARC that it should be prioritised by the Department this has not been done which is concerning.

d) **Risk management:** The Committee notes the repeat finding by the ARC that the Risk Management was under-resourced.

e) **IYMQR**: The Committee notes that ARC satisfaction with quality of the monthly and quarterly reports and the suggestions for improvements in relation to these and ICT.

f) **AFS and API**: The Committee notes the ARC commended Management on improving financial and performance reporting which in turn resulted in an unqualified audit opinion with no material findings in this regard.

g) **Compliance with legislation:** The Committee notes the ARC concern that even though the Department complied with the applicable legislative framework, it did not request condonation and removal of irregular expenditure incurred in the prior financial years from National Treasury by 31 March 2023. Furthermore, the Committee notes that the ARC's concern that even though the Department implemented consequence management against officials there were still outstanding transactions where the determination of facts could not be performed because the records could not be traced within the Department. The issue of lack of records has been an ongoing area of concern since the onset of the investigation. The ARC has also acknowledged that the Department has committed to apply to National Treasury for condonation and removal of the aforementioned transactions in line with the PFMA Compliance Reporting Framework of 2022.

h) **ICT**: The Committee notes the ARC concern regarding inadequate human and financial resources within the Department and that it remained a challenge that prevents the ICT Unit to function at a level that adequately supports the Department to achieve its programmes. Furthermore, the Committee notes that the ARC received assurances from Management that this area was receiving urgent attention within the budget constraints. However, this is a repeat finding as this is a longstanding matter that has not yet been resolved which is concerning. In addition, the ARC does not specify within the Annual Report what mitigation actions the Department has agreed to in order to hold them to account within a specified time-frame.

i) **Consequence management**: The Committee noted this lack of consequence management as repeat finding and is considered to be a major area of concern. It reflected weak leadership and management to take corrective action. Whilst the ARC makes reference to where consequence management was implemented by the Department, the ARC appears to be silent in areas with repeat findings and where recommendations have not been implemented for a consecutive year in a row.

j) **Audit Action Plan**: The Committee concurs with the ARC recommendation that the Accounting Officer develops an audit action plan to resolve the audit findings identified during the 2022/23 financial year. Furthermore, the Committee noted with concern that the audit action plan and risk mitigating actions for 2021/22 were not fully implemented by the Department. These two findings related to firstly, a gap in the segregation of duties in the ICT unit due to capacity constraints and the conclusion of irregular expenditure consequence management – application for condonation and removal of irregular expenditure not done within the FY. As noted in the previous FY, the Committee remains concerned about how effective the ARC's monitoring is over the Department and what remedial action was implemented if the Department did not comply with reporting requirements and the recommendations proposed by the ARC. This too was a repeat finding of the previous FY.

k) **Concern about staff shortage**: Whilst the Committee acknowledged the ARC concern and that expressed by the Department regarding staff shortages across programmes which impacts on the Department's ability to implement its mandate effectively, and despite the hopes for a revised organisation structure, the Committee remains resolute that existing vacancies have not been filled. Furthermore, capacity constraints for Internal Audit, Risk Management and ICT are longstanding matters that have not been addressed.

l) **Relationship with AGSA**: The Committee noted that the ARC's findings do not always reconciles with the AGSA audit findings as was the case whereby the ARC indicated the internal controls for the Department were adequate by the AGSA did not.

15.5.3 Outstanding Audit Findings and Risk Mitigation Actions for Department

- *Audit Findings*: The Committee observed that 5/19 findings (ICT, HRM, SCM, Finance, Internal Audit) for 2021/22 were still not resolved by the end of the 2022/23 FY which was concerning.

15.6Core Programmes

15.6.1 Overview of performance for core programmes

a) *Targets and expenditure*: The Committee commends the Department for achieving all 28 targets in its core programmes during the year under review. The key concern noted by the Committee was the under-expenditure incurred by the core programmes.

b) *Policy and Law Reform*: The Committee commends the Department for finalising and for tabling the NYDA Amendment Bill and the National Council on GBVF Bill. However, the Committee notes with concern that the Department has yet to introduce Bills it has proposed such as the WEGE Bill, the South African Youth Development Bill and the Disability Bill.

c) *Reports:* The Committee acknowledges the reports submitted as evidence of the work achieved for the year under review. However, several reports are outstanding and have yet to be submitted nor are these available on the Department's website. To this end, the Committee has repeatedly indicated that reports should be submitted for consideration at least one month after being finalised and published. Oversight is weakened when the Committee is not privy to products yielded by the Department as evidence of targets met.

15.6.2 Programme 2: Mainstreaming Women's Rights and Advocacy (MWRA)

a) The Committee observed that the Department achieved 6/11 targets in this programme as per the Annual Report 2022/23. However, a discrepancy was noted in the presentation to the Committee in which the Department reflected 7 targets achieved.

b) **Rapid Response Teams**: The Committee requested clarity on whether there are 17 or 12 RRTs established as the Committee noted that it received reports for 12 RRTs that were established. Hence, the Committee queried how many provinces established the RRTs as the oversight visits undertaken by the Committee to several provinces revealed challenges in that regard with NGOs being largely responsible for the establishment, management and funding through donors as government via municipalities were not coming on board to absorb these teams and take on the financial responsibility to ensure their sustainability in the long run.

c) **GBV Donor Funding**: The Committee noted that the Department received donor funding from the European Union amounting to R109 million for a 3-year period towards a gender-based violence project and only R9 million was used. The Committee enquired about the status of the project and the progress made given that so little was spent for the FY under review which was concerning given the scourge of GBVF in the country. Hence, the Committee enquired about the implications for the R100 million that was not utilised given that 2023/24 is the final year of allocation. To this end, the Committee noted with concern that the Department complains of a lack of funding to undertake initiatives in this regard on such an important matter yet it is unable to spend the donor funds optimally within the allocated period. Furthermore, the Committee questioned how the donor funder was monitoring the funding expenditure and whether the Department complied with the monitoring and reporting requirements in this regard.

d) **Sanitary Dignity Programme**: The Committee noted several matters of concern as follows:

- **SABS compliance**: The Committee observed that the Department kept having product safety and standards workshops with SABS on annual basis but the issues remained pervasive as was discovered during oversight. Despite the repeated workshops, the Committee questioned whether the SABS developed standards for the development of sanitary products in the country.
- **Provincial Sanitary Dignity Committees**: The Committee's oversight revealed the lack of established Provincial Sanitary Dignity Committees and therefore put to question how many were established and operational in 2022/23.
- **Beneficiaries**: The Committee queried how many girls benefitted from the SDP per province against the target met since its inception. In addition, the Committee enquired about how much was spent versus that which was allocated per province for the SDP for 2022/23 as the oversight visit revealed poor outcomes in this regard. To this end, the Committee was concerned that many girls who were meant to receive sanitary products were not and sought an explanation from the Department in this regard based on its monitoring and evaluation.

- **Remedial action**: The Committee questioned how the Department was addressing the challenges faced by the Sanitary Dignity Programme (SDP) as the remedial strategy provided appeared to be inadequate.
- The Committee noted with concern that the target on SDP was not achieved yet it was set by the Department.
- The Committee questioned if the Department was satisfied with the performance of the SDP given the numerous concerns noted and alleged matters of corruption within particular provinces.

e) Women's Economic Empowerment: The Committee enquired about the relationship between the NEF and or the Department of Small Business and the Department of Women, Youth and Persons with Disabilities insofar as women empowerment is concerned given that one the Department's targets achieved related to training but no mention was made of any stakeholders. The Committee also enquired whether the Department has a programme to assist women to access support from the Department of Small Business.

15.6.3 Programme 3: Monitoring, Evaluation, Research and Coordination

a) The Committee commends the Department for producing several research reports and undertaking monitoring and evaluation but remained concerned about the over reliance on consultants to do this with no medium to long term plan to capacitate existing staff to acquire the requisite skills and to fill the required vacancies.

15.6.4 Programme 4: Mainstreaming Youth and Persons with Disabilities' Rights and Advocacy

a) The Committee commends the Department for the improvement of performance in terms of targets achieved.
b) The Committee welcomes the Draft evaluation on the implementation of the White Paper on the Rights of Persons with Disabilities and the Status report on compliance with national and international obligations but emphasises the importance of making the findings known and ensuring that the recommendations are implemented.

Observations with respect to the Commission for Gender Equality (CGE)

15.7 CGE Matters

Notwithstanding the fact that the CGE is a Chapter 9 Institution, it only accounts to Parliament vis-a-vis the Portfolio Committee on Women, Youth and Persons with Disabilities Presidency and that the Department merely transfers its funds, the Committee deemed it important to note the following observations:

15.7.1 General

a) The Committee welcomed the tabling of the Annual Report 2022/23 by the CGE within the required time frame.
b) The Committee noted with concern targets which were not met by the CGE and the decline in performance of the CGE for 2022/23 (12/26 achieved, 46.1%).
c) The Committee welcomed the report and asked why the CGE has not included how much was allocated to each Strategic Outcome and how much was spent. The lack of detailed information in this regard impeded oversight as this was important for the Committee to assess what the financial performance was for each SO.
d) The Committee enquired about the key drivers of success for each of the CGE's Strategic Outcomes for 2022/23. In addition, the Committee further enquired what were the key challenges or barriers the CGE identified that hindered achieving these strategies outcomes. The Committee asked what would be required to address these challenges or potential barriers. To this end, the Committee also wanted to know whether there are risks mitigating measures currently in place to address the challenges and if not, why not and if yes, what are these.
e) The Committee asked for the CGE's assessment of how the country is performing in terms of achieving the NDP, SDP and Agenda 2063 goals for 2022/23 based on the work the CGE has done in 2022/23. This overall assessment was lacking in the annual report. To this end, the Committee was interested in understanding based on the CGE's assessment of Government's performance, what the key challenges were, how these can be addressed and what needs to be prioritised for the rest of the MTSF period.

15.7.2 Governance

a) The Committee observed that policy to regulate the interface between Commissioners and staff or the role of a company secretary was not reported on in the Annual Report as was the case in the previous FY which was concerning.
b) The Committee acknowledged the Commissioners Handbook that was submitted but noted the track changes in the document and questioned the status of the document. To this end, the Committee was satisfied with the explanation provided by the CGE that the document was in the process to be finalised and would be sent to the Committee for consideration once approved.
c) The Committee noted its discontent with the CGE's lack of enforcement of internal controls and consequence management.
d) The Committee observed that the Commission for Gender Equality's Audit and Risk Committee agreed with the findings of the AGSA, that some were repeat and or new findings.

15.7.3 Performance of Commissioners

a) *Meeting attendance*: The Committee noted once again the matter pertaining to non-attendance of a Commissioner at a Committee meeting without an apology. This has been a repeated concern raised by the Committee and the importance of attending Portfolio Committee meetings insofar as it pertains to oversight.
b) Accounting of Commissioners performance was raised as an area that required review. The Committee reiterated that without the requisite policies in place that clearly outlines standard operating procedures problems would arise. The Committee was concerned that SOPs were not in place and adequately enforced and thereby raising questions around how Commissioners account for their time and get paid. To this end, the Committee queried whether all Commissioners had declared their disclosure of interest so as to indicate if a Commissioner was employed elsewhere other than the CGE. Complaints in this regard have been brought to the attention of the Chairperson of the Portfolio Committee.

15.7.4 Human Resource

a) The Committee noted the staff turnover, particularly resignations, and enquired about the challenges related to staff retention. To this end, the Committee asked about mitigation strategies to ensure institutional memory. The Committee recalled that it had previously recommended to the CGE to conduct exit interviews and questioned whether this was implemented.
b) The Committee remains concerned about the suspension of a Commissioner that has been longstanding with cost implications and still not resolved. The Committee remains concerned about the internal processes within the CGE to deal with matters connected therewith.

15.7.5 Finance

a) *Underspending*: The Committee noted with concern the under-spending (R7.3 million) and requested an explanation in that regard. Given the importance of the work rendered by the CGE, the Committee deemed it unacceptable that funds are not utilised optimally particularly for an institution that claims it is under-resourced and requires more funding.
b) *Fruitless and Wasteful Expenditure*: The Committee noted with concern the Fruitless and Wasteful expenditure (R5,694 008) incurred by the CGE of which R2, 753 340 related to the 2020/21 FY payment of Part-time Commissioners without time sheets. However, for the 2022/23 FY an amount of R 1, 450 468 in fruitless and wasteful expenditure was incurred.

15.7.6 Payment of Commissioners

a) *Payment of part-time Commissioners*: The Committee noted with serious concern the 2022/23 FY Fruitless and Wasteful expenditure incurred of R 1, 450 468. The bulk of FEW (R 1, 012 273) was attributed again to the payment of part-time Commissioners without the requisite time sheets.
b) *Variations in Salaries*: The Committee observed related to different claims by part-time Commissioners in relation to hours worked as well as for subsistence and travel.

15.7.7 SO 1

a) **Court monitoring**: The Committee questioned how the CGE monitored courts given that the target was not achieved yet it was done in previous years. Furthermore, the Committee noted with concern that the target was not achieved yet there were 7 Commissioners at the CGE during the year under review. Given the challenges within the criminal justice system, lack of adequate monitoring by the CGE in this regard was unacceptable.

b) **SAPS and TCCs**: The Committee notes with concern that this target was not achieved. Given the scourge of GBVF in the country lack of monitoring in this regard by the CGE was unacceptable.
c) **Research reports (Teen pregnancy)**: The Committee was concerned that the learner pregnancy programme refers only to young girls and excludes young boys. The Committee also enquired whether the CGE has programmes that focus on young school girls as underage pregnancies was concerning.
d) **Research on Initiation**: The Committee welcomed the report. The Committee noted with concern the deaths amongst initiates on an annual basis and several other challenges that emanated particularly the matter raised by Chairperson Mogale that related to gender-based violence. As such, the Committee enquired about the relationship between the CGE and the Department of Social Development (DSD) insofar as the challenges identified in its report on the initiation of young boys.
e) **Forced sterilisation**: The Committee commended the CGE on the force sterilisation research project that will continue in 2024.

15.7.8 SO2

a) **Case management**: The Committee noted with concern that cases closed were less in 2022/23 as compared to the previous FY even though more cases were opened. The Committee asked how many of the 494 pending cases from 2021/22 were closed in 2022/23 and also how many were rolled over from 2021/22 to 2022/23. The Committee remains concerned with the large volume of cases that were pending by 31 March 2023. It was concerning to note that there was no target related to case management in the Annual Report nor was any disaggregated information made available within the report on the cases for the year under review. This directly impedes oversight for the Committee.
b) **Gender mainstreaming**: The Committee enquired how SDGs were localised through gender mainstreaming and what has been the impact as this was not made apparent in the CGE's annual report.
c) **Community Radio and Education Outreach**: The Committee commended the CGE on the community radio campaign and enquired how the CGE determined its success. The Committee also queried what languages are used to communicate with the community. The Committee enquired whether CGE engaged provinces to deal with the challenges faced by communities especially rural communities to access social media due to the absence of wi-fi in their areas.
d) The Committee notes with concern that Strategic Outcome 2, which deals with education and information sharing to create public awareness and understanding has performed poorly again for this FY.

15.7.9 SO3

a) **Illegal mining**: The Committee queried whether there is a report on the implementation of the recommendations of the report on illegal mining as this was an important matter.
b) **NGPF**: The Committee queried whether the CGE assessed the reviewed National Gender Policy Framework by the Department as this is a key overarching policy for the country. The CGE had made no reference to this in its annual report which was concerning.

15.7.10 SO4

a) **Visibility**: The Committee queried what the CGE will do to increase its visibility and impact to achieve its Strategic Outcomes as this has always been a concern of Members.
b) **Legal Practice Council**: The Committee asked what the legal standing of the CGE is and what is the way forward to resolve the matter given that it is nearly a year since the CGE engaged with Legal Practice Council and subsequently with the State Law Adviser. In the absence of the CGE not being recognised by the LPC as a legal entity it directly impacts on legal services rendered to the public which is concerning. The Committee questioned how the CGE has resolved the matter with Legal Practice Council and its standing as a legal entity. The Committee also asked how many litigation cases the CGE dealt with in collaboration with the SAHRC currently and how many there were in the year under review 2022/23.
c) **Internal control**: The Committee was also concerned about the lack of internal control measures within the CGE and the lack of compliance with legislation on supply chain management.
d) **Turnaround strategy**: The Committee questioned whether the turnaround strategy was in place to deal with the matters raised by the AGSA. The Committee was concerned that the targets that were planned by CGE were not met.

e) **Use of consultants**: The Committee was concerned that the CGE spent R1,9 million on the use of consultants and professional fees. To this end, the Committee questioned what the consultants were used for. The Committee was concerned that CGE used consultants to write research reports despite having a budget and officials to do that.
f) **Internal controls**: The Committee queried how the CGE will strengthen internal controls to avoid fruitless and wasteful expenditure. The Committee also wanted to know what is the plan to deal with risks mitigating factors as this was an important matter that must be acted upon.

15.7.11 CGE and AGSA

a) The Committee was concerned about the audit outcomes of the CGE for 2022/23 and asked how the CGE should deal with issues identified.
b) The Committee questioned who should be accountable for the fruitless and wasteful expenditure incurred.
c) The Committee also questioned whether AGSA has powers to conduct investigations given the nature of concerns raised in the CGE.
d) The Committee noted with concern the lack of proper documents received for the audit.
e) The Committee questioned how the AGSA compared the issue of 100-hours payment to part-time Commissioners compared to other Chapter 9 institutions for the year under review and what standards are applied when conducting the audit.
f) The Committee was satisfied with the explanation provided by the AGSA on the process for auditing the 100-hour payment made to part-time Commissioners which was identified by the CGE's Internal Audit unit in the AFS. In addition, the Committee concurred with the AGSA recommendation that the CGE needs to ensure that the audit action plan and related mitigating actions i.t.o consequence management needs to link directly to the audit findings. This will enable the prevention of repeat findings finding expression in the next annual report and audit.

15.7.12 CGE's ARC

a) The Committee requested clarity on the issue that the CEO does not have powers to take actions against the employees as the Plenary has more powers as compared to the CEO. The Committee was concerned about the lack of consequence management for transgressors, how this is managed and implemented within the CGE. The Committee noted that Commissioners have their own Handbook on how to deal with governance issues.
b) The Committee was concerned that it has not received a policy from the CGE with regards to the 100-hours payment to the part-time Commissioners as this was an issue that emanated in the previous FY in which clear recommendations were outlined by Members.
c) The Committee questioned whether there is procedure to be followed when implementing consequence management as the lack of consequence management is a repeat finding which appears not to be addressed by the CGE.
d) The Committee was concerned with the fruitless and wasteful expenditure finding as it relates to the payment of part-time Commissioners given the lengthy explanation provided by the Chairperson Mogale. To this end, the Committee enquired how the ARC was dealing with the matter and what was required to rectify the fruitless and wasteful expenditure incurred for 2022/23.
e) The Committee noted with concern the findings by ARC on the internal controls of the CGE.
f) The Committee questioned what happened between April – October 2022 regarding the submission of time sheets by part-time Commissioners given that some Commissioners did not submit reports for a quarter or did not report against a Strategic Objective/Outcome. To this end, the Committee questioned how the CGE justifies remunerating Commissioners when no reports were submitted and what are the consequence management implemented for Commissioners who have not done their work.

15.8 Observations with respect to the National Youth Development Agency

15.8.1 General

a) The Committee welcomed the report and noted improvements in the report presented to the Committee. The Committee also commended the Agency for receiving another clean audit for 2022/23.
b) The Committee concurred with the AGSA and Audit Committee's findings and recommendations. To this end, the Committee agreed that whilst the majority of targets were reached and often exceeded these should be reassessed to determine whether these are too low and should be set higher.
c) **Strategic priorities**: The Committee asked what the NYDA's assessment was of Government's progress with regards to MTSF priorities, SDGs and Agenda 2063. This was

asked in light of the fact that the 6th Administration is nearing its end and this was not apparent in its annual reporting. Furthermore, the Committee enquired about the NYDA's assessment of what the key challenges are and what should be prioritised for the 7th Administration.

d) **Youth unemployment**: The Committee remained concerned with the high rate of unemployment of young people and that it appears to be increasing and whether the NYDA was monitoring the issue.
e) **Youth in rural areas**: The Committee was also concerned that young people in rural areas are not considered by the NYDA at the scale they should be.

15.8.2 ARC

a) The Committee welcomed the report and observed improvements in the reporting by the ARC.
b) The Committee noted that the Agency incurred a fruitless and wasteful expenditure of R93 000 where a service provider did not deliver goods to two grant beneficiaries and enquired what measures were implemented by the ARC in this regard to prevent such issues from recurring. The Committee also enquired whether this was attributed to administrative error from NYDA to pay a service before a service is provided and sought more clarity in this regard.
c) The Committee noted the ARC's findings in terms of the financial performance at 71%; a slight regression in performance of the NYDA from 100 to 93% but was satisfied with the explanations provided.

15.8.3 Programme 1 Administration

a) **Finance**: The Committee commended the NYDA for not incurring irregular or wasteful expenditure for the year under review. The Committee enquired about the financial performance at 71% and how this could be improved. The Committee noted the austerity measures within Government and asked whether the NYDA had been affected by the budget cuts.
b) **Consultants:** The Committee queried whether the NYDA utilised consultants to do their work and if so how many are used and at what costs. The Committee was pleased to hear that the NYDA do not procure the services of consultants to undertake its core business.
c) **Fruitless and Wasteful Expenditure**: The Committee noted with concern the FEW incurred on account of non-delivery by a service provider post payment. As such, the Committee queried at what stage of the procurement process did the NYDA identify that the goods paid for were not delivered. The Committee also wanted to know what happened to grant beneficiaries whilst NYDA was recouping the funds as the concern was that youth beneficiaries should not suffer as a result. The Committee also enquired about how far the NYDA was in recouping the money back and what else the NYDA has done besides recoup the money to prevent such a matter for recurring. The Committee was pleased to hear that youth beneficiaries were not disadvantaged and Members were satisfied with the processes instituted by the NYDA to recoup the money and blacklist the service provider.
a) **Loans written off**: The Committee enquired about the total amount of loans was written off by end of 2022/23 financial year as this was longstanding matter which the NYDA inherited.
b) **HR**: The Committee questioned the employability for the 159 (CWP) whose contract expired. The Committee was pleased to hear that all of these youth were absorbed in COGTA and remained employed. The Committee observed a discrepancy in terms of the number of employees reflected within the Annual Report between different tables and that which was presented to the Committee in a presentation during the meeting on 17 October 2023.
c) **Vacancy rate**: The Committee commended the NYDA improving the vacancy rate in the Agency and enquired about the current status vacancies.
d) **Disability Employment Equity Targets**: The Committee queried how many persons with disabilities are employed within the NYDA. The Committee was concerned that there was no disaggregated data provided on the employment for persons with disabilities in the recent Annual Report as was noted in the previous FY.

15.8.4 Performance of the Board

a) The Committee observed the improved working relations amongst Board members and was pleased with that.
b) The Committee commended the reports by the Chairperson and Deputy Chairperson of the Board.
c) The Committee also requested a progress report on the assistance offered to young farmers who are farming cannabis/hemp by the NYDA as this was an initiative suggested by the Committee.
d) The Committee enquired about the key outcomes of the Nelson Mandela Youth Dialogue and how many young people attended as this was a welcomed initiative.

e) The Committee also enquired about the key challenges identified by the Board for 2022/23 to understand what support and interventions are required going forward. To this end, the Committee asked what will the Board be doing differently if anything for the next financial year.
f) **Time management and contributions**: The Committee asked how are Board Members managing their time between contributing towards the goals of the NYDA versus their own personal initiatives outside of the organisation. The Committee also questioned how the contribution of each Board member is assessed quarterly and annually. This was important in light of attendance at Portfolio Committee meetings and an observation that not all non-executive Board members accrued the same amount of working hours and therefore were remunerated accordingly. However, it was unclear to the Committee how this was accounted for notwithstanding the fact that Board members have made various contributions to the NYDA during 2022/23.
g) The Committee reiterated the attendance of all Board members at Portfolio Committee meetings as this was an important measure for ensuring accountability. Given the concerns raised about attendance, participation and contribution of Board members and measurements to assess this fairly, the Committee proposed that these matters are considered in the NYDA Amendment Bill.

15.8.5 Programme 2: Programme Design, Development and Delivery

a) The Committee enquired about what the NYDA contributes to the success of its partnership with the private sector and SETAs.
b) **SDP**: The Committee queried whether the NYDA was able to offer non-financial business development interventions for the beneficiaries in the Department's Sanitary Dignity Programme and how many young people were assisted in this regard in 2022/23 as this was not explicitly reported in the annual report.
c) The Committee asked what has led to the success in exceeding the target for capacitating 83 923 youth with skills as this was commendable. To this end, the Committee also enquired about the number of youth e that were skilled and have subsequently been able to secure work opportunities as this would point to the impact of the initiative.
d) The Committee also requested the Agency to assist young graduates with employment opportunities as the concern was that this cohort of unemployed youth was growing.
e) **NYS**: The Committee commended the NYDA for achieving the target but noted with concern that only 20 governments departments were on board in 2022/23. As such, the Committee sought clarity in this regard as the National Youth Service is a flagship programme of Government and a slow up take in this regard by national and provincial departments was unacceptable.
f) The Committee acknowledged the success of the KZN Public Works Department initiative with the NYDA and enquired whether the NYDA could replicate this to other Provinces.
g) **Homelessness and youth living on the streets**: The Committee noted with concern the large numbers of youth living on the street and enquired whether the NYDA had a programme to address this issue. The Committee acknowledged the efforts of the NYDA in this regard and urged that a programme is implemented to help these young people.
h) **PYEI**: The Committee notes with concern that the funding cycle for this initiative is nearing the end and given the successful nature of it, the Committee is of the opinion that it should continue into the 7th Administration as a flagship programme. It has proven to benefit youth directly and therefore should not only be extended but expanded as well.
i) **Scholarships and bursaries**: The Committee commended the NYDA for supporting 34-youth who benefitted from the Solomon Mahlangu Scholarship fund and sought more information on the number of undergraduates versus post-graduates. The Committee also asked how many males, female and persons with disabilities benefitted and what was the total amount disbursed for this fund. Furthermore, the Committee enquired about the number of youth that have been assisted with bursaries by the NYDA especially young people with disabilities who require assistance.
j) **Fellowship**: The Committee queried when the first take of the Mandela Fellowship for Young African Leaders would commence, where will this be advertised and how can young people apply. The Committee also enquired whether the Nelson Mandela youth fellowship is in collaboration with other organisations and whether it will be offered to youth in SADC countries and or the entire Africa.

15.5.9 Integrated Youth Development

a) The Committee observed the IYDS Summit achievement and asked what were the key outcomes of the summit as follow-up in this regard was important.

15.5.10 Law reform

a) The Committee noted that the NYDA has not sent a submission on the National Youth Development Agency Amendment Bill in response to the Committee's call for oral and written submissions. To this end, the Committee reiterated the importance of hearing the views of the NYDA on legislation that would directly impact it.

16 RECOMMENDATIONS

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

16.1 General

a) The Department should conduct a skills development audit to assess what the capacity is in order to deal with issues of research and monitoring as it is not functioning optimally within the Department. This is to avoid over reliance and use of consultants and instead focus on where capacity needs to be built.
b) Department Officials responsible for incurring under-expenditure during 2022/23 should be held to account.
c) The DG should implement consequence management against officials for non-performance.
d) The Communication Unit of the Department should ensure that the Department's website is operational.

16.2 Audit Action Plan

a) The Department should submit its final Audit Action Plan for the Committee's consideration by 30 November 2023 and report at the next quarterly report briefing.
b) The AGSA and ARC recommendations should be taken seriously by the Department and implemented. Officials found not having implemented these recommendations must be held to account.
c) The Department should clearly articulate how it intends addressing each of the findings identified and implementing the recommendations within a set time frame within the Audit Action Plan.

16.3 Financial performance

a) *In-Year Monitoring Reports*: The Department must continue to submit quarterly reports to the Committee in line with National Treasury Regulations.
b) *Spending Trends*: The Committee recommends that the Department monitor spending patterns and ensure that this is in keeping with what has been outlined in the respective Strategic Plans and Annual Performance Plans. To this end, the Department is to provide the Committee with detailed financial reports for activities on a quarterly basis. These financial reports should clearly indicate the purpose of the activity as it relates to the objectives outlined in the APP and the expenditure incurred. The Department should consider including a specific target related to expenditure management in the APP for 2024/25.
c) *APP*: The Department must ensure that its APP is costed appropriately with a clear indication as to how and when it intends undertaking activities with corresponding costs.
d) *Irregular Expenditure, Fruitless and Wasteful Expenditure*: The Committee urges the Department to take disciplinary action against employees responsible for irregular expenditure and fruitless and wasteful expenditure. The Department should further develop an action plan on steps to prevent irregular expenditure as well as fruitless and wasteful expenditure.
e) *Deviations*: The Department should attend to the OCPO discrepancies and report back to the Committee on the outcomes hereto. In addition, the Department should submit a spreadsheet of deviations made with reasons to assist Members of the Committee to understand why deviations were made.
f) *Consultants*: The Department should submit an updated report on the use of consultants, who they are, how many have been used and the list of projects, how long the consultants have been working in the Department and the costs incurred. Where relevant the Department should also provide the Committee of M&E donor reports and donor expectations for the disbursement of funds.

16.4 AGSA & Audit and Risk Committee

a) The AGSA should engage with the leadership of the CGE and request more information on the submissions of timesheets of part-time Commissioners and matters connected therewith and report back to the Committee accordingly in light of its audit findings.
b) The AGSA should attend the meeting of the Committee with the CGE on Friday, 13 October 2023 on the annual report for 2022/23 and provide feedback on issues raised in the meeting held on 10 October 2023.
c) The AGSA should conduct audits fairly when auditing the Department and the entities and also improve on its relationship with the ARC's of the Department, CGE and NYDA.
d) The ARC should monitor whether officials who had not implemented the recommendations of the ARC are held to account.

16.5 Human Resource

a) *Vacancies*: All key funded vacancies should be filled within the specified time allocation, in instances where this is not complied with, the Department should clearly identify within the quarterly reports to the Committee reasons for failure to comply and remedial action taken. The Department should submit a list of vacancies that have been prioritised and a time frame for filling the required posts.
b) *Performance management*: The Committee recommends that the heads of Programmes provide quarterly reports of consequence management for the non-delivery of targets with a clear indication of the remedial action implemented. Each programme and sub-programme will be required to present progress to the Committee on a quarterly basis. The Department should provide a report with a portfolio of evidence on notch increases for employees as reported in the Annual Report 2022/23.
c) *Use of consultants*: The Department must review its continued reliance on consultants and report back to the Committee on how transfer of skills is enabled to Department officials by the current cohort of consultants.
d) *Disciplinary cases and investigations:* The Department should submit a comprehensive report on all cases in the Department and brief the Committee accordingly.

16.6 Governance

a) The Committee reiterated the importance of compliance with the Public Finance Management Act and National Treasury Regulations by the Department and that failure of officials in this regard must be dealt with expeditiously. To this end, the Committee recommends that the Department reports on how it deals with transgressors and what remedial action is taken. This should be presented in the quarterly reports.
b) The Committee remains concerned about the non-compliance and adherence to laws and prescripts by officials within the Department. The Department should consider including a specific key performance indicator and targets that addresses compliance to laws and prescripts.
c) *Investigations*: The Committee recommends that the Department briefs it (at Quarter 1 & 2 briefing for 2023/24) on the outcome of investigations that have been completed and indicate what progress has been made in terms of implementing recommendations and consequence management. Furthermore, the Department is expected to brief the Committee on progress with regards to investigations currently underway.

16.7 ICT

a) The Committee urges the Department to address outstanding risk mitigation actions as a matter of urgency and fill the critical vacancies.

16.8Performance related recommendations

16.8.1 SMART principle

a) The Committee recommends that the Department must ensure the alignment between the Strategic Plan and its Annual Performance Plan which includes objectives and targets that are SMART and costed accordingly. Any changes to the APP must be brought to the attention of the Committee as soon as these are done with a clear indication of the HR impact and financial implications. The Department must update the Committee on the status of targets on a quarterly basis. Financial and performance reporting must be in-line with the tabled APP.
b) The Department to avoid as far as possible amendments to its APP once operational particularly in the latter half of the FY.

16.8.2 National Gender Machinery (NGM), GEYODI, Youth and Disability Machineries

a) The NGM is an important mechanism for stakeholder engagement as espoused in CEDAW to which South Africa is a signatory. The Committee should be kept abreast of NGM meetings and activities. Similarly, for GEYODI, youth and disability machineries.

16.8.3 Treaty compliance framework and timeframes

a) The Committee recommends that the Department should ensure that country reports are submitted within the specified timeframes as required by the relevant reporting bodies.
b) The Committee recommends that the Department should report back to Parliament on feedback received on country reports, action plans developed in this regard as well as progress in terms of implementing recommendations.
c) The Committee recommends that the Department must present all reports at an international level to the Committee at least one month before it undertakes the international trip.

16.8.4 Reports

a) The Committee recommends that the Department brief the Committee on reports completed for 2022/23 and submit all outstanding reports. The briefing should include what progress has been made since the completion of the reports.
b) The Department is requested to submit all finalised reports one month after completion to the Committee for consideration.

16.8.5 Legislative and Policy Reform

a) The Committee urges the Department to finalise all outstanding policies and frameworks.
b) The Committee recommends that the Department brief the Committee on a quarterly basis progress update on the development of reports/policies/frameworks/guidelines etc.

16.8.6 GBVF

a) *NSP*: The Department to provide quarterly updates on the implementation of the NSP. The Department submit its M&E reports on the implementation of the NSP and brief the Committee accordingly.
b) *Secretariat*: The Secretariat/technical team to submit a progress report to the Committee on its activities to date including finances.

16.8.7 Sanitary Dignity Programme (SDP)

a) The Committee urges the Department to ensure that young women and persons with disabilities benefit from the whole SDP value chain and that it collaborates with the NYDA in this regard.
b) The Committee recommends that the Department provides a comprehensive assessment of the implementation of the SDP for the 6th administration.

16.8.8 Rights of Persons with Disabilities (RPD)

a) The Department should brief the Committee on the reports produced related to the analysis of APPs and the annual monitoring report on inclusion of persons with disabilities.
b) The Department should expedite the development of the Disability Rights Bill and brief the Committee accordingly.

16.8.9 National Youth Development (NYD)

a) The Department should strengthen its collaboration with the NYDA as part of a coordinated strategy to address youth unemployment in the country. The Department should submit a report that outlines how it intends giving effect to this recommendation with clear roles and responsibilities and time frames.
b) The Department to submit a progress report on the development of the South African Youth Development Bill at the next Quarterly report briefing.

16.9 CGE

The CGE should ensure that the following recommendations are implemented.

16.9.1 Finance

a) *Audit Action Plan*: The CGE should develop an audit action plan that relates to the recommendations made by the AGSA. This action plan should address the root cause of the problems and reflect the AGSA and ARC findings/recommendations. It must be submitted to the Committee by 30 November 2023.
b) The CGE should provide quarterly progress reports on the implementation of its Audit Action Plan.
c) The CGE should ensure that it maintains tight control over its fiscus and avoid over-an under expenditure in 2023/24 and beyond.
d) *Irregular expenditure (IE) and fruitless and wasteful expenditure (FWE)*: The CGE to continue reporting on investigations related to the IE and FWE, mitigating actions and consequence management implemented at every quarterly report briefing.
e) *Financial reporting*: The CGE must report on an annual and quarterly basis its expenditure per strategic objective in order for the Committee to conduct more astute oversight.
f) *Surplus funds*: The CGE to report back to the Committee at the Q1 and Q2 2023/24 briefing on progress made in requesting National Treasury to retain surplus funds that was accrued.
g) *Monthly reports*: The CGE to submit monthly reports to the Committee on key matters of concern and progress hereto.
h) *Consultants*: The CGE should submit a detailed report on the use of consultants (for the year under review) to the Committee.

16.9.2 Payment of part-time Commissioners

a) The CGE should deal with the finding regarding fruitless and wasteful expenditure pertaining to the payment of part-time Commissioners without time sheets as a matter urgency and report back to the Committee accordingly. The Committee expects a policy in place to deal with the matter which should be implemented and monitored accordingly with the requisite supporting documentation in place to prevent a repeat finding in the next annual report.
b) The CGE should engage with the AGSA, the ARC, NT and all other relevant stakeholders to resolve the matter expeditiously and ensure mechanisms are implemented to prevent repeat findings from recurring and report back to the Committee accordingly.
c) The ARC should guide and assist the CGE on how to deal with its policy on the 100-hour payments to part-time Commissioners in terms of implementation, monitoring and reporting.
d) The CGE should submit all outstanding reports pertaining to attendance of Commissioners to meetings and the longstanding suspension matter.

16.9.6 Governance

a) The CGE should finalise its policy that pertains to interrelations between the administration and the Commissioners and this should be submitted to the Committee before the end of the 30 November 2023.
b) *Handbook*: The CGE should finalise the Commissioner's Handbook and submit to the Committee on completion before the end of the 30 November 2023 as a matter of urgency.
c) *Business Model*: The CGE should submit the Business Model to the Committee for consideration by 30 November 2023.
d) *Consequence management*: The CGE should hold to account Commissioners and employees who transgress policy and laws and ensure appropriate consequence management is implemented.

16.9.7 Legal Practice Council

a) The CGE should follow-up with the Department of Justice and the State Law Advisor for the CGE's legal standing to be resolved as a matter of urgency.

16.9.8 Programme and performance

a) The CGE must prioritise the filling of vacancies.
b) The CGE should improve on its complaints handling processes and ensure that it is reintroduced as a target within the next APP.
c) The CGE should discuss the strategic directions of the CGE with the secretariat to implement these accordingly.
d) The CGE should do more work on monitoring of courts, the NPA, SAPS and Thuthuzela Care Centres as it relates to gender-based violence issues. This includes finalising all monitoring tools and ensuring that all Commissioners have annual and quarterly targets to fulfil in this regard.
e) The CGE should use all languages including the use of sign language to communicate with the community.

16.9.9 Commissioners

a) Commissioners to continue to report on a quarterly and annual basis to the Committee on their deliverables in line with each Strategic Outcome as per the APP.

16.10 NYDA

The NYDA should ensure that the following recommendations are implemented.

a) *Audit Action Plan*: The NYDA should develop an audit action plan that relates to the recommendations made by the AGSA and Audit Committee. This action plan should address the root cause of the problems raised. It must be submitted to the Committee by 30 November 2023.
b) The NYDA should provide quarterly progress reports on the implementation of its Audit Action Plan.
c) The NYDA should examine its targets and consider setting higher targets.
d) The NYDA should attend the Committee's public hearing on the National Youth Development Amendment Bill and make an oral submission to the Committee on the Bill but also hear what other submissions raise.
e) Given the concerns raised about the attendance, participation and contribution of Board members and the need for measurements to assess this fairly, the Committee proposed that these matters are considered in the NYDA Amendment Bill.

f) The NYDA should engage with the Commission for Gender Equality to collaborate on and share information on ukuthwala programme which forms part of a wider gender-based violence initiative.
g) The NYDA should hold regional youth dialogues to ensure that it reaches every young person in the country as an extension of the Nelson Mandela Youth Dialogue initiative.
h) The NYDA should provide a breakdown of grants given to young people in terms of gender, province and disability.
i) The NYDA should collaborate with the mining, agricultural and forestry industries to harness employment opportunities for young people especially in Limpopo and Mpumalanga Provinces.
j) The NYDA should invite the Committee to its various initiatives especially work such as youth dialogues and include Member's and their constituencies as areas of focus. In addition, the NYDA should consider utilising the skills and expertise of individual Committee Members when undertaking initiatives within communities.
k) The NYDA should provide a breakdown of the number young people who benefitted from the Solomon Mahlangu Scholarship fund in terms of gender, disability, under and postgraduate degrees.
l) The NYDA should engage with National Treasury on extending the PYEI into the 7th Administration.

The Committee hereby recommends the following for consideration by the Minister of Finance:

16.11 National Treasury

a) The Committee requests National Treasury to consider the condonation requests by the Department and the CGE.
b) The Committee requests National Treasury to consider the requests for roll-over of funds for the Department and the CGE.
c) The Committee requests that National Treasury considers the continuation of the PYEI in the 7th Administration.
d) The Committee requests National Treasury to assess the Department's use of consultants as the Committee is concerned about the over reliance by the Department in that regard and report back to the Committee accordingly.

16.12 AGSA

a) The AGSA is to follow-up on the payment of part-time Commissioners without timesheets submitted in terms of Fruitless and Wasteful Expenditure having taken into consideration the findings of the ARC, the Internal Audit Unit and the Portfolio Committee on Women, Youth and Persons with Disabilities in order to resolve the matter and ensure recommendations have been implemented.

17. SUMMARY OF REPORTING REQUESTS

Table 11: Reporting requests

Reporting matter	Action required	Timeframe	Dept.	CGE	NYDA
Quarterly reports	Written report Briefing	Every quarter	☑	☑	☑
Audit outcomes - Details of audit action plan	Written report of audit action plan Briefing	30 Nov. 2023 Q1&2 2023/24 briefing	☑	☑	☑
	Progress report on audit action plan Briefing	Q1&2 2023/24 briefing	☑	☑	☑
Forensic investigations	Written report Briefing	Quarterly	☑	☑	
Deviations	Written report Briefing	Quarterly	☑		
HR: vacancies, dismissals, termination of contracts	Written report Briefing	Quarterly	☑	☑	☑

Reporting matter	Action required	Timeframe	Dept.	CGE	NYDA
Country reports	Written report Briefing	Progress update at quarterly briefings	☑	☑	
Impact reports of initiatives (campaigns, events, workshops, conferences etc.)	Written report	30 days after an event has taken place	☑	☑	
Commissioners Handbook	Written report Briefing	Finalised before 30 November 2023		☑	
Policy on interface between Commissioners and Administration	Report Briefing	Finalised before 30 November 2023 Briefing at Q1&2 2023/24		☑	
Commissioner's performance per quarter	Written report Briefing	At every quarterly report briefing		☑	
Department, CGE, NYDA – Request for reports, documentation etc.	Written report Briefing	Refer to BRRR 2023 for exact time frame	☑	☑	☑

18. CONCLUSION

The Committee will endeavour to monitor the Department, the NYDA and CGE with respect to the implementation of recommendations made by the AGSA as well as the ARC and has committed to engaging jointly in future.

In conclusion, the Committee urges the Department, the CGE and the NYDA to take its recommendations seriously and implement these expeditiously.

Report to be considered.