

**MINISTRY: PUBLIC SERVICE AND ADMINISTRATION**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**DATE: 3 JUNE 2022**

**QUESTION NO.: 2160.**

**Dr M M Gondwe (DA) to ask the Minister of Public Service and Administration:**

(1) What (a) informed the policy proposal of increasing the term of office for (i) Heads of Department (HODs) and (ii) Director-Generals (DGs) to 10 years from the existing 5 years, subject to performance and (b) will be the impact of the specified policy proposal on the existing performance management development system of (i) HODs and (ii) DGs;

(2) whether his department conducted a study and/or a benchmarking exercise in arriving at the specified policy proposal; if not, why not; if so, what are the relevant details;

(3) (a) how will the policy proposal benefit the Public Service and (b) by what date will the policy proposal likely come into effect and/or be implemented;

(4) whether the proposed amendment of the Public Service Act, Act 103 of 1994, will provide for the appointment of a Head of Administration in the Office of the President to manage the career incidents of DGs; if not, why not; if so, what are the relevant details? **NW2566E**

**REPLY:**

(1) (a) (i) (ii) The National Development Plan (NDP) recognizes the importance of the stability of the administrative leadership as well as a stable political-administrative interface to the performance of State institutions and to effective service delivery. The initial intent of a 5-year contract was to ensure that there is synergy in terms of the MTEF and MTSF to improve planning and executive of budgets and strategy. Experience has shown that this practice is often not aligned, as HoDs exit the system for various reasons and new ones come in more often than not in the middle of these cycles. Whilst there is a need to understand the importance of the political mandate and translation in a specific department, it goes hand in hand with the administrative responsibilities of the Head of Department. The person appointed into a HoD post should exist beyond the tenure of the political head for purposes of business continuity and delivery of the mandate. Building administrative capacity at DG level should never be about a preference or not for a DG but their capability and their performance and capacity to deliver. Hence any consideration for longer term contracts go hand in hand with the original powers to be given to a HoD and the involvement of the Head of Public Service to support the President in the management of career incidents of Heads of Departments and at Provincial level the DG of the Province supporting the relevant Premier. For the Public Service to deliver on its mandate there needs to be clear lines in terms of the functional roles and responsibilities between the Executive and the Administration for purposes of accountability. Research and extensive consultations have given rise to various recommendations regarding the retention of HoDs. A decision has yet to be reached and discussions around whether the tenure remain five years or be increased are still being held.

(b)(i)(ii) Noting that the PMDS policy for HoDs require annual performance contracting and assessment, it is unlikely that changes to the tenure of HoDs will impact policy changes to the PMDS. It should be noted that measures to improve the performance of HODs and the rest of the Public Service are an ongoing process.

2. Yes, research was conducted. This research considered data of DGs and HoDs from 1994 in terms of the measures that contributed to long lasting contracts, institutional performance and stability. The research conducted presented the option to keep the five (5) year contracts or increase them. Further consultations held on the outcome of the research, encouraged different schools of thought in the context of the research. This gave rise to considering the tenure with the options to retain the 5-year contracts or consider longer contracts with stricter performance reviews. Benchmarking was also conducted on the tenure of HoDs around the world and the impact on service delivery and performance of both the institution and the HODs.

3. (a) The intended impact will potentially improve the stability at the leadership level which will in turn improve the operational and service delivery output of a department.

(b) This is a policy position which is being considered as part of the professionalization of the Public Service, there is no date, at this stage for implementation and a decision regarding the tenure of HoDs needs to still be formalised. The work related to this is in progress and still being consulted.

4. The amendments to the Public Service Act, 1994 consider the proposals made pertaining to same and an Amendment Bill is being proposed with due regard to the functions expected from the Head of Public Service.

End