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**MINISTER OF HUMAN SETTLEMENTS: MS MT KUBAYI, MP**

**ACTING DIRECTOR-GENERAL: MS S NGXONGO**

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**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NUMBER: PQ 2783 (NW3374E)**

**DATE OF PUBLICATION: 2 SEPTEMBER 2022**

**REPLY RECOMMENDED BY:**

**MR J MARITZ**

**DIRECTOR: HUMAN SETTLEMNTS ENTITIES OVERSIGHT**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NUMBER: PQ 2783 (NW3374E)**

# DATE OF PUBLICATION: 2 SEPTEMBER 2022

**Ms. E L Powell (DA) to ask the Minister of Human Settlements**

With regard to the Community Scheme Ombud Service (CSOS), what number (a) of the 1 191 cases that were referred for adjudication in the 2020-21 financial year were resolved, (b) were dismissed by the adjudicator and (c) of the cases that were dismissed by the adjudicator were due to technical shortcomings of the application and not due to the merit of the cases?

**REPLY:**

a) A total of 410 disputes were referred to adjudication of which 109 adjudication orders were issued. Out of 1 191 disputes referred for conciliation, 331 were resolved. All three regions experienced a backlog during the 2020/21 financial year, with the total number of outstanding disputes estimated at 3 335. The backlog was cleared up in the 2021/22 financial year.

The table below depicts the breakdown of the adjudication and conciliation of disputes per region:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **REGION**  | **REFERRED TO CONCILIATION** | **CONCILIATED** | **REFERRED TO ADJUDICATION** | **ORDERS** |
| Gauteng  | 557 | 201 | 360 | 99 |
| Kwa-Zulu Natal  | 297 | 50 | 16 | 6 |
| Western Cape | 337 | 80 | 34 | 4 |
| **TOTAL**  | 1191 | 331 | 410 | 109 |

b) The performance information in the 2020/2021 financial year did not have a filtering method for adjudications that were dismissed in the 2020/2021 financial year. The SharePoint system incorporated dismissals from the 2021/2022 financial year onwards. Out of the 109 adjudications, the Community Scheme Ombud Service (CSOS) is unable to determine which adjudication orders were for dismissals.

c) CSOS does not capture performance information that refers to dismissals for technical reasons. They are categorised as “Dismissals”. The CSOS Assessment and Quality Assurance processes ensures the elimination of dismissals for technicalities.  Furthermore, adjudicators have the investigative powers to probe outstanding aspects of the disputes in order to proceed on the merits of the matter.

**NATIONAL ASSEMBLY**

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**MR J MARITZ**

**DIRECTOR: HUMAN SETTLEMENTS ENTITIES OVERSIGHT**

**DATE:**

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Recommended / not recommended

**MS S NGXONGO**

**ACTING DIRECTOR-GENERAL**

**DATE:**

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Approved / not approved

**MS MT KUBAYI, MP**

**MINISTER OF HUMAN SETTLEMENTS**

**DATE:**