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**ANALYSIS OF THE THE INDEPENDENT COMPLAINTS DIRECTORATE (ICD) 2011/12
ANNUAL REPORT**

1. INTRODUCTION

The aim of this report is to provide the Portfolio Committee on Police with an overview of programme performance of the ICD in 2011/12 financial year. In order to do that, the paper focuses on legislative mandate, key strategic objectives and priorities, financial performance, programme performance and specific issues emanating from financial statements and notes.

It should be noted at the outset that this is the last Annual Report of the ICD as the Independent Police Investigative Directorate (IPID) with its transformed mandate came into being in April 2012.

Note: In addition to interrogating the Department over the performance and finances of the Department as detailed in the 2011/12 Annual Report of the ICD, the Committee should also ask the IPID to report on how the problems have been addressed in 2012/13, and what problems still remain. In addition, the IPID should report on what their financial constraints are in improving performance and thus their 'ideal' needs for 2013/14 in terms of additional financial resources.

1.2 Legislative Mandate

The following legislative provisions governed the ICD in 2011/12:

- Section 206 of the Constitution makes a provision for the establishment of an independent police complaints body. It further gives this body the right to investigate any alleged misconducts of, or offence committed by a member of the police service in a province after the receipt of a complaint lodged by a provincial executive.¹

¹ ICD 2011/12 Annual Report, pg3



- Chapter 10 of the South African Police Service (SAPS) Act 68 makes provision for the establishment of the ICD at both national and provincial level.²
- Section 53(2) of the SAPS Act stipulates that the ICD may upon receipt of a complaint, investigate any misconduct or offence allegedly committed by a member, and may where appropriate refer such investigation to the commissioner concerned. They may also upon receipt of a complaint, investigate any death in police custody or as a result of police action. May investigate any matter referred to the ICD by the Minister or member of the executive council (MEC).
- Section 64(0) of the Police Act gives the ICD civilian oversight in respect of the Municipal Police Services (MPS).³
- Section 18 of the Domestic Violence Act (DVA) stipulates that failure by the member of SAPS to comply with an obligation imposed by the Act or National Instructions constitute misconduct. The ICD must be informed of any misconduct reported to the SAPS. Unless the ICD directs otherwise, the SAPS must institute disciplinary proceedings against any member who allegedly failed to comply with an obligation. The ICD must submit a report to Parliament every six months regarding the number and particulars of matters reported to it in terms of subsection 4(a), and set out the recommendations made. The National Commissioner of the SAPS must submit a report to Parliament every six months regarding steps taken as a result of recommendations made by ICD.⁴
- There is also a new legislation which makes a provision for the increasing on the mandate of the ICD. The new legislation is the Independent Police Investigative Directorate (IPID) Act (Act 1 of 2011). The implementation date of this Act is 1 April 2012, i.e. outside of this reporting period

2. KEY STRATEGIC OBJECTIVES AND PRIORITIES

The ICD's strategic for 2011-16 set out ten objectives some of which were, however, not applicable to the year under review.

² ICD 2011/12 Annual Report, pg3

³ Whittle (2011). Overview of the 2010/11 Annual Report of the ICD

⁴ ICD 2011/12 Annual Report, pg4



2.1 The ICD's 2011 to 2016 Strategic Plan identifies four key areas in which to improve service delivery:

- Effectively investigate criminal offences committed by members of the SAPS and Municipal Police Services (MPS).
- Report and monitor recommendations that were made in respect of members of the SAPS and MPS resulting from investigations conducted by the IPID.
- Improve reporting and accountability practices.
- Develop policy, reporting frameworks and standard operating procedures to regulate investigations.

2.2 The following Key strategic achievements were reported by ICD in 2011/12:

- **New legislation:** The legislation that will transform the ICD to IPID was signed into law by the President on the 12 May 2011.
- **Serious Cases:** The ICD's strategic decision to prioritise serious cases (deaths that occur in police custody or as a result of police action) resulted in 90% of these cases being in 2011/12. The target was 65%.
- **Backlog and Carry over cases:** In 2011/12 the ICD reduced backlog on carry over dockets which should be limited to 10% each year. The Directorate carried over 550 cases at the end of 2011/12 in comparison to the previous year (2010/11) where there were 1 103 carried over cases.
- **Community awareness programmes:** The Directorate held 279 outreach events in 2011/12 exceeding the target of 260. The Directorate issued 60 media statements on cases.
- **Investigation of Criminal Behaviour:** The ICD finalised 86% of investigations into complaints of criminal behaviour laid against the SAPS and MPS in the year under review. The target was 55%.
- **Register and allocation of cases:** The Directorate achieved 91% in registering and allocation within 48 hours of the received 4 923 complaints in 2011/12. The 9% of the shortfall in meeting the 100% target was contributed by Western Cape and Gauteng provincial offices.



- **Misconduct cases:** The ICD completed 98% of investigations into complaints of misconduct lodged against SAPS members in 2011/12 against the set target of 55%.⁵
- **Recommendations to the SAPS:** ICD made 1 276 recommendations to SAPS management in respect of disciplinary action.

3. FINANCIAL PERFORMANCE

3.1. Spending

- **Under-spending:** The Directorate spent 99% of its appropriated budget of R153. 5 million in 2011/12 and there was an **under spending of R2 thousand**. It spent 97.7% of the appropriated budget of R131.4 million in the previous financial year (2010/11).⁶ It recorded a spending of 91.1% (i.e. R106.1 million against its appropriation budget of R116.5 million) in 2009/10.

Comment: A pattern of significant under-spending is thus noted prior to the 2011/12 financial year. Spending in 2011/12 at 99% is thus an improvement.

- **Virement** was applied and funds to the amount of **R1. 276 million (1.7%)** were moved from Programme 2: Complaints Processing, Monitoring and Investigation (Goods and Services). R924 000 of that money was moved to Programme 1: Administration (Compensation of Employees: 1.5%) and R352 000 was moved to Programme 3: Information Management and Research (Compensation of Employees: 1.855%).⁷
- There was **no unauthorised expenditure** for 2011/12.
- There was **fruitless and wasteful expenditure of R1000**.
- There was **irregular expenditure** of R247 000 in 2011/12 of which R184 000 is a brought forward from 2010/11 and **R83 000** is for 2011/12 financial year. Of this R83 thousand, R20 000 has been condoned. The actual irregular expenditure for 2011/12 that was not yet condoned thus amounts to R63 thousand.

⁵ ICD 2011/12 Annual Report, pg14

⁶ Whittle (2011). Overview of the 2010/11 Annual Report of the ICD

⁷ ICD 2011/12 Annual Report, pg75



The table below depicts Irregular; fruitless and wasteful expenditure; and unauthorised expenditure incurred by the ICD for a three year period (2009/10-2011/12):

Year Incurred	Irregular Expenditure	Fruitless and wasteful expenditure	Unauthorised expenditure
2009/10	R 198 000	R 0	R 0
2010/11	R 0	R 3 000	R 0
2011/12	R 83 000	R 1 000	R 0

Source: Auditor-General (2006/07-2011/12)

The R63 thousand in irregular expenditure that is not condoned and is under investigation was incurred for a number of reasons including:

- The attendance of workshop by KZN investigators (R11 000)
- No approval of overtime exceeding 30% of basic salary (R3 000)
- Overtime worked without prior approval (R29 000).
- Performance bonuses paid to an employee without a performance agreement (R16 000).
- Non-adherence to petty cash policy (R4 000).⁸

Questions

- Explain the virement that took place in 2011/12. What were the reasons for the virement? Could this have been avoided by better planning?
- Can the ICD explain the progress made in investigating irregular expenditure?
- What were the main systemic reasons that allowed for these instances of irregular expenditure to occur?
- What systems and processes are being put in place to reduce incurring irregular procedure?
- What disciplinary steps are taken?
- The report states that while no unauthorised expenditure was incurred in 2011/12 an

⁸ ICD 2011/12 Annual Report, pg125



amount of R891 thousand incurred in previous years relating to overspending on the Vote is awaiting a decision by Parliament. Explain?

- **Spending on compensation of employees**

Spending on 'Service based' wages decreased from R3.7 million in 2010/11 to R15 thousand while all other categories under salaries and wages increased. Performance rewards paid increased from R1.0 million in 2010/11 to R1.3 million in 2011/12.⁹

- **Spending under Goods and Services**

There was an increase in the expenditure for **Computer services** from R5.1 million in 2010/11 to R7.0 million in 2011/12. This increase occurred in External computer service providers where there is an increase from R3.0 million in 2010/11 to R5.8 million in 2011/12 with a concomitant decrease in expenditure for SITA from R2.1 million in 2010/11 to R1.1 million in 2011/12¹⁰

Operating leases increased from R15.5 million in 2010/11 to R22.7 million in the year under review.

The Directorate spent R15.7 million in Domestic **travel costs** compared to R10.6 million in 2010/11.¹¹

Regarding the **Consultants, contractors and agency/ outsourced services**, there was an increase in Agency and support/ outsourced services from R12 000 in 2010/11 to R253 000 in 2011/12, though the overall payment to consultants did decrease (from R2 million in 2010/11 to R1.84 million in 2011/12).¹²

- **Expenditure for capital assets**

⁹ ICD 2011/12 Annual Report, pg55

¹⁰ ICD 2011/12 Annual Report, pg112

¹¹ ICD 2011/12 Annual Report, pg112

¹² ICD 2011/12 Annual Report, pg113



The expenditure for capital assets totalled R4.154 million for 2011/12 (increased from R2.656 million in 2010/11). This only includes expenditure on Machinery and equipment as the ICD does not purchase infrastructure/buildings. The majority of the expenditure on Machinery and equipment was on *Computer equipment* R3.211 million (compared with R1.577 million in 2010/11)¹³. The total of R763 000 worth of *Computer equipment* was disposed in the year under review and no funds were received for these disposals. The expenditure on *Furniture and Office equipment* was R878 000.¹⁴

Regarding the Transport assets per asset register for the year, the closing balance was R2.887 million, R82 000 disposals with no additions.¹⁵

- **Receivables**

Note 11 and Annexure 4 show that claims recoverable for 2011/12 was R997 000 compared to R414 000 in 2010/11. The Directorate recovered an amount of R583 000 more than the previous year. The largest amount claim recovery was from the National Treasury (R407 000). The second largest amount was from Gauteng Provincial Government (R394 000).¹⁶

- **Contingent liabilities**

Annexure 3B reflects Court settlement liability of R18 000 in the year under review, the court settlement liability was the same amount in 2010/11¹⁷. The value of claims incurred in 2011/12 was R274 000 and the value of claims paid/cancelled/reduced was R115 000. The closing balance therefore was R9.283 million (increasing from an opening balance of R9.124 million).

Questions:

- Explain the increase in performance rewards (pg 122)?

¹³ ICD 2010/11 Annual Report, pg110

¹⁴ ICD 2011/12 Annual Report, pg127

¹⁵ ICD 2011/12 Annual Report, pg127

¹⁶ ICD 2011/12 Annual Report, pg117

¹⁷ Dollie (2011) Annual Report of the ICD 2010/11 Summary and Analysis of the Financial Statement and Notes for 2010/11 pg6



- Explain the decrease in payments to SITA and the increase in payments to external computer service providers?
- Explain the high increase in domestic travel costs?
- Explain the increase to consultants: Agency and support/ outsourced service?
- Explain the increase in Operating leases? Is this solely as a result of the new Head Office?

3.2 The Auditor-General's Report

The Independent Complaints Directorate received an unqualified report from Auditor-General for 2011/12 with one emphasis of matter.

This emphasis of matter referred to an error in the figures presented in the 2010/11 statements which were thus restated in the 2011/12 statement.

Key concerns of the Auditor General included:

- **Report on performance in terms of predetermined objectives:** Lack of **reliability** of performance information (also a concern in 2010/11): In this case it referred to the inability of the AG to ascertain how the reliability of the information with regard to the **indicator on the registration and allocation of new cases within 48 hours of receipt**. There were no Department records to support whether this had occurred or not.
 - In terms of planned targets, the AG notes that 69% of targets were achieved, and thus the balance (31% were not achieved)
- **Lack of compliance with laws and regulations:** A human resource plan was not in place (also a concern in 2010/11).
- Money owed by the Directorate was not settled within 30 days (also a concern in 2010/11).

Additional problems in respect to **poor internal control** contained in the report included:



- **Leadership:** which included inadequate implementation of a control environment to promote accountability of senior management with regard to compliance with laws and regulations; and inadequate implementation and monitoring of implementation of action plans to remedy control deficiencies.

Financial and performance management: lack of proper record maintenance systems and lack of compliance monitoring controls which resulted in irregular expenditure. In addition, the Department could not produce a complete set of interim financial statements for 2011/12.

The AG offices also noted concerns that:

- No backup plan when CFO was on extended maternity leave.
- Appointment of weak provincial heads.

It is also noted in the AG report that there is an investigation by the **Public Protector into the lease arrangement of the City Forum Building** regarding procurement irregularities.

Questions

- Are there any measures in place to address the Auditor-General's concerns for 2011/12? What steps have been taken in 2012/13?
- What were the difficulties that were experienced in addressing the Auditor-General's concerns that were raised last year and are repeated this year: eg payments claims not settled within 30 days. The Report states that financial system problems were encountered in 2011/12 that created problems in addressing this concern. Explain? Have these financial system problem now been addressed?
- Explain some remaining issues noted with regard to 2010/11 audit problems. Has the Flow Centric Case Management system to ensure proper reporting of performance information now been fully implemented?
- Why could the Department not produce interim financial statements in 2011/12?



4 PROGRAMME PERFORMANCE

The ICD in 2011/12 had three Programmes, namely:

- Programme 1: Administration
- Programme 2: Complaints Processing, Monitoring and Investigation
- Programme 3: Information Management and Research

4.1 Programme 1: Administration

This Programme is responsible for the overall management of the ICD and its support services. It consists of internal audit unit, auxiliary services, human resources management, financial management, supply chain management, asset management, risk and ethics management, labour relations, employee wellness management and security services.¹⁸

4.1.1. Budget and spending for Programme 1

The following table indicates budget allocated for Programme 1 in 2011/12

Administration				
Adjusted Appropriation (R'000)	Virement (R'000)	Final Appropriation (R'000)	Actual Expenditure (R'000)	Variance (R'000) between final appropriation and expenditure
R59 949	R924	R60 873	R60 872	1

The final appropriation for this Programme in 2011/12 was R60.8 million with an actual expenditure of R60.8 million and a variance of R1000 which is equal to 100% expenditure.¹⁹ The Programme spent 99.4% of the allocated budget of R50.837 million in 2010/11²⁰ and 89.1% in 2009/10. Spending in this Programme has thus improved, especially in comparison to 2010/11.

¹⁸ ICD 2011/12 Annual Report, pg17

¹⁹ ICD 2011/12 Annual Report, pg92

²⁰ Whittle (2011). Overview of the 2010/11 Annual Report of the ICD



The highest over-spending was recorded in sub-programme 2: Corporate Services: *current payment*, that is, R41.1 million against R40.4 million. In sub-programme 1: Management there was a slight over-spending in *current payment* of R10.0 million against R9.9 million which is a final appropriation.

Under economic classification payment for capital assets, Machinery and equipment recorded an under-spending of R993 000 spent against R1 736 million allocated in 2011/12.²¹

4.1.2 Human Resources Management

- **Vacancies:** The target for vacancies is under a 10% vacancy rate:
 - The number of posts in the Directorate in 2011/12 was 303 of which 279 were filled compared to 270 filled posts in 2010/11. Nine additional personnel were employed by the ICD in the period under review and there are 24 posts that were vacant. The Directorate has a **vacancy rate of 7.9%** the target is to have less than 10% vacancy rate. The highest vacancy rate is in **Programme 2 which is 8.9%** followed by **Programme 1 with 7.9%**.²² In terms of salary Bands, the **highest rate is at Senior Management (19%) followed by highly skilled supervision with 13.9%**.

Comments/ Questions

- There was high number of vacant posts (24) and the Directorate managed to employ only 9 additional personnel. Why was the number of employed personnel so low? What is the current status (2012/13) regarding vacancy rate; number of posts filled and unfilled; and location of vacant posts in terms of both Programme and Level?
- Programme 2 forms a critical part of the Directorate but it had the highest vacancy rate, why is that? What is the impact of this rate in service delivery? What is the situation with regard to Programme 2 posts/investigators in 2012/13?
- What were the reasons for the highest vacancy rate in Senior Management and highly

²¹ ICD 2011/12 Annual Report, pg93

²² ICD 2011/12 Annual Report, pg48



skilled supervisor positions? Has the situation improved in 2012/13 and are all these positions filled?

- **Overtime:** The highest expenditure with regards to overtime in 2011/12 was recorded in **Programme 1:** Administration which totalled R607 000 followed by R517 000 in Programme 2. The total amount was R1.3 million. The highest amount of overtime paid per salary was recorded at highly skilled production (levels 6-8) R637 000 followed by highly skilled supervision (levels 9-12) R468 000.

Comments/ Questions

- Programme deals with investigations and would be expected that it will incur more overtime expenditure but that was not the case. More overtime expenditure was incurred at Programme 1. Why was that?
- Why is the Directorate spending a lot of money for overtime of Highly skilled supervisors?

- **Training:** The Directorate identified 540 courses to address the training needs of the employees. Only 211 courses were offered in 2011/12 which is 39% of the identified courses. The offered courses were not listed.²³
- **Leave utilisation:** The employees utilised 1 677 days on sick leave, this is by 226 employees with an estimated cost of R1.2 million in 2011/12 compared to R1.0 million in 2010/11. The average sick leave taken was thus 7 days. A total of 86.4% of them provided sick leave certificates. Only 2 employees used disability leave with an estimated cost of R82 000.²⁴
- **Staff turnover:** The overall annual turnover rate in 2011/12 was 11.3%. The highest turnover was at Senior Management Band B (25%). There were five resignations in 2011/12 compared to 12 in 2010/11, one retirement (2 in 2010/11) and 25 transfers to other public service departments. The total number of staff leaving the Directorate was 31.²⁵

²³ ICD 2011/12 Annual Report, pg62

²⁴ ICD 2011/12 Annual Report, pg57

²⁵ ICD 2011/12 Annual Report, pg51



- **Labour relations:** There were 7 misconduct and disciplinary hearings finalised in 2011/12. The table below indicates the type and outcomes of finalised misconduct and disciplinary hearings.²⁶

Outcome of Disciplinary Hearings	2010/11	2011/12
Final written warning	1	3
Suspended without pay	1	3
Dismissal	2	
Not guilty	2	
Case withdrawn	1	1
Total	7	7

The following table shows the type of misconducts addressed in the hearings

Type of Misconduct	2011/12
Misrepresentation	3
Insubordination	2
Contravention of policy	1
Theft	1
Total	7

Comments/ Questions

- What will happen to outstanding 41% identified courses that were not offered in 2011/12?
- What skills shortages were the outstanding courses aimed to address?
- A total of 86.4% of personnel provided sick leave certificates. What about the other 13.6% employees who used sick leave, what did they provide?
- The overall number of employees leaving the Directorate is 31 and the major contributor is employees that were transferred to other public departments (25). Why are members leaving the ICD for other public departments?
- A key focus on government is to attempt cost savings by ensuring proper systems are

²⁶ ICD 2011/12 Annual Report, pg61



in place to address abuse of sick leave and other problems that waste government resources. Is the Department satisfied with its management of leave and are there any problems that need to be addressed?

- **Performance rewards**

Performance rewards totalled R1.3 million and was given to 109 beneficiaries in 2011/12²⁷. In 2010/11 the rewards was R1.0 million to 112 beneficiaries.²⁸

The average performance cost per employee per salary band were skilled (level 3-5) **R4 438**, highly skilled production (level 6-8) **R8 091**, and highly skilled supervision (level 9-12) **R13 526**.

Performance reward at senior management level was given to 6 beneficiaries all in Band A with an average cost per employee **R67 333**.

Comments/ Questions

- The performance reward for senior managers amounts to an average of **R67 333** per employee. What were these rewards for?
- There is a difference of approximately R300 000 in the performance reward between 2010/11 and 2011/12 financial years even though the number of beneficiaries has decreased. What is the reason for such difference?

4.2 Programme 2: Complaints Processing, Monitoring and Investigation

This Programme has two components, namely, Complaints processing, monitoring and investigation; and legal services.

Strategic objective of this Programme in 2011/12 was to promote proper police conduct. This objective is measured by four outputs:

²⁷ ICD 2011/12 Annual Report, pg55

²⁸ ICD 2010/11 Annual Report, pg4



- Finalising investigations of death in custody or as a result of police conduct.
- Finalising investigations of complaints of criminality against members of the SAPS and MPS.
- Conducting police station audits for compliance with the Domestic Violence Act.
- Processing applications for exemption in cases of non-compliance with DVA.

4.2.1. Budget and spending for Programme 2

The following table indicates budget and spending allocated for Programme 2 in 2011/12:

Complaints Processing, Monitoring and Investigation				
Adjusted Appropriation (R'000)	Virement (R'000)	Final Appropriation (R'000)	Actual Expenditure (R'000)	Variance (R'000) between final appropriation and expenditure
R74 522	(1 276)	R73 246	R73 245	1

The Programme Spent 99.9% of its final appropriation of R73.2 million. There was a variance of R1000 under-spending in 2011/12.²⁹ It spent 98.6% of its final appropriation (R65.9 million) in 2010/11 and the expenditure in 2009/10 was 100%.³⁰ Spending, generally in this Programme has been good, with the exception of slight under-spending in 2010/11.

An amount of R1.276 million was shifted from Goods and Services in this Programme to Programme 1 (R924 000) and Programme 3 (R352 000) to defray anticipated Compensation of employees in these Programmes.

The largest under-spending in terms of sub-programmes was in Sub-programme 2: Legal services in *payment for capital assets*, that is, R31 000 against the final appropriation of R115 000.

4.2.2. Performance

²⁹ ICD 2011/12 Annual Report, pg94

³⁰ ICD 2010/11 Annual Report, pg87



The Department met four out of its six targets in Programme 2. The following table depicts strategic objectives that the ICD focused on in 2011/12 and their achievements in this regard:

Strategic Objective	Target	Actual
Register and allocate all new cases within 48 hours of receipt	100% (5450)	<ul style="list-style-type: none"> • 91% • Not met- Reason: Capacity constraints in Western Cape and Gauteng
Investigate deaths in custody or as a result of police action	65% (470)	<ul style="list-style-type: none"> • 90%
Investigate and/or monitor complaints of criminality and misconduct	<ul style="list-style-type: none"> • 55% of the investigations of criminality completed • 55% of the investigations of misconduct completed 	<ul style="list-style-type: none"> • 86% • 98%
Monitor the implementation of DVA	<ul style="list-style-type: none"> • 108 the number of police stations audited for compliance • 100% of applications for exemption in terms of the DVA 	<ul style="list-style-type: none"> • 222 • 99% Not met

Brief summary of statistics:

- The ICD received 4 923 complaints and notifications in 2011/12 in comparison to 5 869 in 2010/11. The total case load was 6 026 cases due to the backlog cases carried over from 2010/11 (1 103 cases).
- Most complaints and notifications were received from Gauteng (19%) followed by Western Cape (18%)



- The majority of complaints/notifications were for criminal offences (2 320), followed by misconduct (1 795), deaths (720) and Domestic Violence Act (88).
- Despite the fact that the most cases were received by Gauteng and Western Cape, it is interesting to note that in terms of workload, KZN had by far the highest number of death cases (268), followed by Gauteng (217), Eastern Cape (120) and Western Cape (98). A disproportionate percentage of cases in KZN (and Eastern Cape) are thus death cases.
- Poorest performance for completion of cases during 2011/12 was in Gauteng (76%), followed by KZN (88%). Free State completed 100% of its workload.
- Poor performance in Gauteng is noted in terms of all categories of cases – death (76%); criminal (65%); misconduct (93%).
- A total of 545 recommendations were made to courts/DPP on criminal and death cases. The highest number of recommendations to court/DPP were made in KZN (112); followed by Northern Cape (110).
- The lowest number of recommendations to court/DPP was made by the provinces with the highest case loads: Gauteng (13); and Western Cape (26). This is a serious concern.
- Out of the total of 36 convictions in 2011/12, most were attained in the North West (11).
- There were 38 acquittals in 2011/12 the majority in the Eastern Cape (13).
- The department made 1 276 recommendations to SAPS in 2011/12 with regard to all cases. The report highlights types of sentences/sanction given by SAPS which range from dismissal to verbal warnings. (pg 31-36)

Concerns and questions:

- It is clear from the above that the ICD achieved most of its targets (with the exception of registration and allocation of cases) by a large margin. This has to point to the fact that the targets were set much too low.
- Performance in the Western Cape and Gauteng offices was seriously below par in 2011/12. What were the reasons for poor performance in these offices? What measures



were taken to address the situation and what has been put in place in 2012/13 to improve performance in these offices? Has performance in these two offices improved in 2012/13?

- What is the opinion of the Department with regard to the sanctions in disciplinary processes given by SAPS? There seems to be lack of consistency in these sanctions in relation to the offences? What would the IPID recommend?
- What patterns does the IPID see emanating from these statistics? Is the high number of death cases in KZN a systemic pattern or as a result of particular problems that occurred in 2011/12?
- Explain how IPID manages investigative capacity in the provinces in relation to (1) workload (2) the nature of the complaints/notifications etc. How has this impacted on performance in the provinces?
- Provide a breakdown of provincial staff especially of investigators of each province. Is better performance provincially related to adequate staff numbers and poor performance related to inadequate staff numbers? What steps have been taken to address?

4.3 Programme 3: Information Management and Research

The strategic objectives for this Programme in 2011/12 were to:

- Analyse information in relation to the DVA.
- Increase the number of community-awareness programmes.
- Strengthen the ICD's information and communication technology by developing and implementing an action plan.

4.3.1. Budget and spending for Programme 3

The following table indicates budget allocated for Programme 3 in 2011/12:

Information Management and Research				
Adjusted Appropriation	Virement (R'000)	Final Appropriation	Actual Expenditure	Variance (R'000) between final



(R'000)		(R'000)	(R'000)	appropriation and expenditure
R19 063	352	R19 415	R19 415	0

The Programme recorded 100% expenditure of its final appropriation of R19.4 million in 2011/12. In 2010/11 the Programme spent 88.1% of its budget appropriation of R14.8 million³¹ and 66% in 2009/10 of its appropriation budget of R15.9 million.

4.3.2 Performance

The following table indicates performance of Programme 3 in 2011/12:

Strategic Objective	Target	Actual
Promote public awareness of the ICD role and services	<ul style="list-style-type: none"> Number of community awareness and outreach programmes launched Target: 260 Number of updates to departmental website Target: Ongoing 	<ul style="list-style-type: none"> 279 62
Conduct proactive research	3	2
Establish efficient information systems to support strategic business objectives	Revised and approved ICT operational plan. Implement 15% of ICT operation plan	ICT operational plan revised and approved. 15% of ICT operational plan was implemented

5. CONCLUDING ISSUES

The Portfolio Committee on Police over the period in review had the following concerns and many of these concerns are still not yet addressed:

- The shortage of personnel for the Directorate to be able to perform its function properly.

³¹ ICD 2010/11 Annual Report, pg89



- The recommendations made to SAPS are not implemented and there are no consequences for such non-implementation. The new Act is an attempt to address this serious problem. The Committee has requested that a specific indicator to monitor this is included in the Annual Performance Plans of IPID and IPID had agreed to amend the 2012 Plan to address this.
- Some posts are not filled and personnel are in acting positions for long periods of time.
- There is not an adequate retention strategy in the Directorate.
- The ratio of administrative staff to line function staff has been raised as a concern. The IPID has stated that its ratio is in line with guidelines (1:5) on provincial level but not on national level. They have stated that the need for certain national components is mandatory and that they have been conservative in staffing these components. The overall ratio is 1:3.
- The Committee raised problems in the period under review on high fees paid to consultants for work that could have been completed by internal ICD staff.
- The Committee needs to keep a close watch on spending patterns to ensure that there is not a reoccurrence of severe under-spending.
- The issue regarding irregular expenditure in 2011/12 is an area of concern that requires further oversight.



SOURCES

Dollie, N. (2011) Annual Report of the ICD 2010/11 Summary and Analysis of the Financial Statement Notes for 2010/11. Research Unit.

National Treasury (2011) Estimates of National Expenditure.

Independent Complaints Directorate 2010/11 Annual Report.

Independent Complaints Directorate 2011/12 Annual Report.

Whittle, P. (2011). Overview of the 2010/11 Annual Report of the ICD: Research Unit.