



Sector Strategic Framework for the 5th Term (2014-2019)

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FOREWORD

The SA Legislative Sector has consolidated our constitutional democracy, underpinned by the unquestionable commitment to, amongst others:

- Advance the realisation of the fundamental human rights and freedoms;
- Eradicate unfair discrimination in all of its manifestations;
- Respect the Constitution and the rule of law; and
- Uphold constitutional democracy to ensure accountability, responsiveness and openness.

The Sector Policy and Strategic Framework for the 5th term builds on the work done since the dawn of democracy through the identification of strategic goals and objectives, including apex priorities to strengthen the sector's collaborative approach. The thrust of the sector's approach involves taking a Pan-Africanist outlook to advance a socio-political (and economical) agenda at a national, regional, continental and global level.

The strategic focus of the sector during the 5th term includes;

- Enhancing public involvement to deepen and entrench people-centered democracy;
- Enhancing (anticipated) impact of laws passed to improve the achievement of State policy outcomes;
- Strengthening oversight over the Executive to ensure implementation of the National Development Plan, radical economic transformation and improved service delivery;
- Enhancing effectiveness and efficiency of frameworks, systems, mechanisms, policies, processes and services for optional functioning of the legislative sector; and
- Strengthening capacity for sector participation to contribute to a better and safer Africa in a better world.

The sector seeks to give impetus to the new era of “an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the international arena”.

List of Abbreviations and Terms

Abbreviations

ACP-EU	African, Caribbean, Pacific-European Union
AO	Accounting Officer
EC	European Commission
ERP	Enterprise Resource Planning
EU	European Union
EUPSP	European Union Parliamentary Support Programme
FMPPLA	Financial Management of Parliament and Provincial Legislatures Act
GRAP	Generally Recognised Accounting Practice
HR	Human Resource
ICT	Information and Communication Technology
LSPSP	Legislative Sector Policy Support Programme
LSS	Legislative Sector Support
MDGs	Millennium Development Goals
MEC	Member of the Executive Council
MoU	Memorandum of Understanding
MP	Member of Parliament
MPL	Member of Provincial Legislature
MTEF	Medium Term Expenditure Framework
NA	National Assembly of Parliament
NCOP	National Council of Provinces, Parliament
PALAMA	Public Administration Leadership and Management and Leadership Academy
PP	Public Participation
RSA	Republic of South Africa
SA	South Africa
SALS	South African Legislative Sector
SALSA	Secretaries' Association of the Legislatures of South Africa
SF	Speakers' Forum

Terms

Constitution Constitution of the Republic of South Africa

Executive The Executive Arm of State of South Africa

Legislative Sector

Parliament and the nine Provincial Legislatures of South Africa

Legislatures Parliament and the nine Provincial Legislatures of South Africa

Parliament National Parliament of the Republic of South Africa

Provincial Legislatures

Provincial Legislatures of the Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West and Western Cape

Speakers' Forum Consists of the Speakers and Deputy Speakers of the National Assembly: RSA Parliament and Provincial Legislatures and the Chairperson and Deputy Chairperson of the NCOP: RSA Parliament.

SETTING THE SCENE

1. INTRODUCTION

The Sector Policy and Strategic Framework for the 5th term identifies outcome oriented goals, apex priorities and strategic objectives within the evolving global, continental, regional and local context.

The leadership provided by the Speaker's Forum builds on successes of the past 20 years of democracy and sector-wide experiences in deepening constitutional democracy to realise a better life for all South Africans. The Sector Policy and Strategic Framework strengthens the legislative sector's collaborative approach through identification of medium-term focus areas. The thrust of the sector's approach involves re-orientation towards the advancement of regional and continental Pan-Africanist ideals to contribute to the strategic initiatives of Africa and the world as per the National Strategy of South Africa.

2. BACKGROUND OF THE SOUTH AFRICAN LEGISLATIVE SECTOR

The South African (SA) Legislative Sector was founded within the democratic processes of passing of the Constitution into law, the era which provided the basis for collaboration between Parliament and the Provincial Legislatures. The South African Legislative Sector (SALS) refers to a collaboration of National Parliament and Provincial Legislatures.

The main objective of the sector collaboration is to strengthen the legislative arm of the State through cooperative government to ensure service delivery and accountability to the people of South Africa. The collaboration is focused on the development and transformation of these institutions as part of the foundation of democracy taking into consideration their autonomy and distinctive nature.

The SA Legislative Sector was conceived to forge strong collaborations to ensure that the legislative arm of government occupies its rightful space as one of the

three arms of government. The strength of Parliament and Provincial Legislatures lies in systematic and collaborative engagement in which their autonomy does not supersede their interdependence and interrelatedness. In 2008, this collaboration and closer cooperation led to the adoption of a collective sector approach in implementation of institutional programmes. The collective approach was aimed at systematic strategic development of Parliament and Provincial Legislatures as a 'sector'.

The sector approach acknowledges commonalities of in terms of the constitutional mandate of these institutions. It is regulated through Memorandum of Understanding (MoU) aimed at ensuring that there are common norms and standards governing the South African Legislative Sector. A number of mechanisms to strengthen provisions of the MoU are being explored to consolidate the centrality of the sector approach. When the MoU was conceived, it was a first phase towards inter-parliamentary legislation similar to the intergovernmental relations Act. This is a matter that still needs consideration in the Fifth Parliament.

3. GLOBAL, CONTINENTAL, REGIONAL AND LOCAL CONTEXT OF THE SOUTH AFRICAN LEGISLATIVE SECTOR

The SA Legislative Sector maps out its strategic focus taking into account journey traversed by the continent and the world, in relation to both the past and contemporary challenges, achievements and opportunities in which Africa is seized with. As part of its lawmaking, oversight and representative role of the Legislatures, SALS plays a central role in the implementation of global, continental and national development strategies. SALS programmes therefore seek to achieve ideals of these development strategies through its programmes and activities.

3.1 Global Context

The SA Legislative Sector continues to engage on global platforms. The Intergovernmental Negotiations on the Post 2015 Development Agenda (IGN) was concluded with the adoption of the 17 Sustainable Development Goals at the UN

Sustainable Development Summit September 25–27, 2015 in New York, USA. The title of the agenda is Transforming our world: the 2030 Agenda for Sustainable Development.

A total of 193 countries of the UN General Assembly adopted the 2030 Development Agenda – the following Sustainable Development Goals:

- End poverty in all its forms everywhere;
- End hunger, achieve food security and improved nutrition and promote sustainable agriculture;
- Ensure healthy lives and promote well-being for all at all ages;
- Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all;
- Achieve gender equality and empower all women and girls;
- Ensure availability and sustainable management of water and sanitation for all;
- Ensure access to affordable, reliable, sustainable and modern energy for all;
- Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all;
- Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation;
- Reduce inequality within and among countries;
- Make cities and human settlements inclusive, safe, resilient and sustainable;
- Ensure sustainable consumption and production patterns;
- Take urgent action to combat climate change and its impacts;
- Conserve and sustainably use the oceans, seas and marine resources for sustainable development;
- Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss;

- Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels; and
- Strengthen the means of implementation and revitalize the global partnership for sustainable development.

3.2 Africa Agenda

The SA Legislative Sector embraces the Pan African vision of the African Union, inter alia, “an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the international arena.” The Sector Policy and Strategic Framework for the 5th term incorporates ideals expressed in Africa Agenda 2063 of the African Union, which identifies the following aspirations:

- A prosperous Africa based on inclusive growth and sustainable development;
- An integrated continent, politically united and based on the ideals of Pan-Africanism and the vision of Africa’s Renaissance;
- An Africa of good governance, democracy, respect for human rights, justice and the rule of law;
- A peaceful and secure Africa;
- An Africa with a strong cultural identity, common heritage, shared values and ethics;
- An Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children; and
- Africa as a strong, united and influential global player and partner.

3.3 Regional Context

The Sector further aims to deepen engagements with strategic partners in the Southern African Development Community (SADC) region in relation to the realization of the six pillars outlined in the SADC Master Plan and other

development initiatives. These pillars include energy, transport, Information and Communication Technology, meteorology, management of trans-boundary water resources and tourism. It is of outmost importance to explore the role of Parliaments and how Parliaments rally together to realise the ideals expressed by these strategies.

3.4 The National Development Plan

Chapter 13 of the National Development Plan (NDP) – Vision 2030 - articulates mechanisms for South Africa’s quest in developing a capable developmental state to foster sustainable socio-economic transformation within the parameters of a robust constitutional democracy. Such mechanisms include the need to strengthen the SA Legislative Sector processes to ensure effective oversight of government, law-making and public participation.

The NDP highlights the extent to which the oversight role of SA Legislative Sector can effectively be fulfilled and contribute to the realization of an accountable and responsive state. At a national level, the NDP highlights the need to improve the use of Parliament as a platform for a public consideration of citizen’s issues and enhance law-making, including capacitating skills of officials with specialist skills in policy research and other priority areas to adequately support Members in carrying out their functions.

The NDP further outlines the need for provincial legislatures to entrench accountability such that provinces become effective and efficient in the delivery of services. Provincial legislatures should also distinguish themselves in the broader governance framework of the country, particularly in relation to clarifying their roles in ensuring the delivery of services in local government. At a local level, the NDP points out the need to provide clarity on the separation between the legislative and executive functions within the municipal councils. Such clarity would ensure that oversight mechanisms, and the delivery of services thereof, are enhanced.

The Medium Term Strategic Framework (MTSF) of the government of South Africa serves as a guide for planning and resource allocation across all spheres of government. The strategic plans of National and provincial departments put into effect the provisions of MTSF in developing their five-year strategic plans and budget requirements. Local government also aligns integrated development plans of municipalities in line with the national medium-term priorities. The MTSF is informed first by the electoral mandate, and takes into account how global and domestic conditions may change over time.

The MTSF draws from the insights encapsulated in the Government's Fifteen Year Review, outcomes of the ¹Scenario Planning Process and the NDP. The objectives outlined in the 2014-19 MTSF, which have implications for the priorities of the Sector, include the following:

- Radical economic transformation, rapid economic growth and job creation;
- Rural development, land and agrarian reform and food security;
- Ensuring access to adequate human settlements and quality basic services;
- Improving the quality of and expanding access to education and training;
- Ensuring quality health care and social security for all citizens;
- Fighting corruption and crime;
- Contributing to a better Africa and a better world; and
- Social cohesion and nation building.

The 2014-19 MTSF's focus on these priorities, and their elaboration into fourteen key outcomes and associated activities and targets, is centred on two over-arching strategic themes – radical economic transformation and improving service delivery. Africa Agenda 2063, Sustainable Development Goals, SADC Master Plan, the NDP and the Medium Term Strategic Framework of government amongst others, are aimed at poverty eradication, building of sustainable human settlements, improving education and skills revolution, including transformation of industries.

¹ South Africa Scenarios 2025: The future we chose?

All these (policy) development instruments, and others, have implications for the priorities of the strategic outcome oriented goals set by the SA Legislative Sector and serve as critical enablers to advance the work of the sector.

4. REGULATORY FRAMEWORK OF THE SA LEGISLATIVE SECTOR

Parliament and Provincial Legislatures are constitutionally created as independent institutions that have distinct mandates at the national and provincial sphere as set out in section 43, 44 and 104 of the Constitution respectively. Independence of the national and provincial sphere of government is also highlighted in section 40 of the Constitution. It provides that government institutions in all spheres respect each other's constitutional status, institutions, powers and functions.

Legislatures are granted powers to determine and control their arrangements, proceedings and procedures in terms of sections 57, 70 and 116. This includes making rules and orders with due regard to representative and participatory democracy, accountability, transparency and public involvement. However, section 40 makes provision for cooperation by stipulating that whilst spheres of government are distinctive, they are interdependent and interrelated.

Cooperative government - All government institutions irrespective of their sphere of government must observe and adhere to the principles of cooperative government as set out in Chapter 3 of the Constitution. Government institutions must co-operate with one another in mutual trust and good faith by:

- Fostering friendly relations;
- Assisting and supporting one another;
- Informing one another of, and consulting one another on matters of common interest;
- Co-ordinating their actions and legislation with one another;
- Adhering to agreed procedures; and
- Avoiding legal proceedings against one another.

The Constitution provides for cooperation of Parliament and Provincial Legislatures in a manner that respects their independence and integrity. Autonomy is highlighted for protection of constitutional powers rather than erosion of co-operation and coordinated efforts aimed at achieving their common mandate. This constitutional provision therefore provides a basis for Parliament and Provincial Legislatures to organise and formalise as a sector. It also means that the Sector focus has since the Third Term transformed from the limited constitutional view of co-operative government being limited to legislation and the legislative process. There is now the strong realisation that there is a need to give impetus to the principles of co-operative government and intergovernmental relations in the form of sector collaboration.

The national and provincial spheres of government have concurrent legislative competence in accordance with Schedule 4 of the RSA Constitution (Act 108 of 1996) (hereafter “the Constitution”). Parliament and the Provincial Legislatures of the Republic of South Africa at national and provincial level have the power to make laws for the country in accordance with sections 43(a) and 44 of the Constitution. The National Council of Provinces (NCOP) represents the provinces to ensure that provincial interests are taken into account in the national legislative process. This is done by participating in the national legislative process and by providing a national forum for the public consideration of issues affecting the provinces.

5. STRATEGIC OVERVIEW OF THE SECTOR

5.1 Governance and Administration of Parliament and Provincial Legislature

Governance and administration of Parliament and Provincial Legislatures is in terms of the Financial Management of Parliament and Provincial Legislatures Amendment Act, 2014 (Act No. 34 of 2014) which came into effect from 01 April 2015. It provides for the financial management of Provincial Legislatures. The Act has been renamed the Financial Management of Parliament and Provincial Legislatures Act

(FMPPLA). The amendment requires Parliament and Provincial Legislatures to adjust some of their practices and procedures in conducting their business.

Similar to the King I, II & III Report on Corporate Governance, Chapter 2 of the FMPPLA identifies designated governance bodies within Parliament and Provincial Legislatures from the House, the Executive Authority, the Oversight Mechanism and the Accounting Officer with specific financial management responsibilities. The FMPPLA has implications on the transformation of governance, financial management and performance management of the South African Legislative Sector. Guidelines and frameworks that speak to sector specific requirements will be developed in the Fifth Term to ensure a common implementation approach that enables greater accountability of Parliament and Provincial Legislatures as a sector. Effective FMPA implementation will establish the basis to strengthen sound financial management within the doctrine of separation of powers thereby affirming the Legislative arm of state.

5.1.1 The Executive Authority and its Treasury Role

Section 5 of the FMPPLA states the Speaker of the National Assembly and the Chairperson of the National Council of Provinces, acting jointly and the Speakers of the Legislatures are Executive Authority of Parliament and Provincial Legislatures respectively. An exception is only in cases where the Speaker of the National Assembly or the Chairperson of the National Council of Provinces make or prescribe regulations or policy in accordance with section 65, read with sections 16(2)(h), 22(5), 24(1), 32(2) and (3), 33(2)(d)(ii), 34, 40, 42(1), 55(3)(g), and 56. Although the prescription of Regulations of section 65 of the (principal) Act is only limited and a competency of the Executive Authority of Parliament, once the underlying Regulations are prescribed and approved, they become applicable to both Parliament and Provincial Legislatures.

In prescription of regulations, the Executive Authority of Parliament is required by section 65(3) of the FMPPLA to ensure that draft regulations required by this Act

are prepared, periodically reviewed in terms of the Act, and when appropriate, ensure that draft amendments are prepared. Furthermore, section 65(5) of the FMPPLA requires the Accounting Officer of Parliament to publish all regulations approved by Parliament in a parliamentary paper and in the Government Gazette, if the regulations deal with a matter of funding of political parties and supply chain management. The process that will be followed in the development of regulations will differ. In the case of regulations on funding for political parties the consultation process that will be followed will be similar to the Section 76 of the Constitution as followed NCOP.

Section 54(1) of the principal Act requires the Executive Authority to table the monthly, quarterly and mid-year reports in Parliament or Provincial Legislature concerned within five working days of receiving the reports and section 18 of the Amendment Act states the Executive Authority must table the annual report, including the audited financial statements and the annual performance report, in Parliament or Provincial Legislature concerned within one month after the Accounting Officer received the audit report.

In fulfilling the duties and responsibilities of the Act, the FMPA confers treasury responsibilities to the Executive Authority some of which were only conferred to the Treasury. Section 5(2) of the FMPA states that the Executive Authority is accountable to House/ both Houses (in the case of Parliament) for the sound financial management of Parliament or Provincial Legislatures concerned. The Executive Authority may need support in fulfilling the new treasury responsibilities as in the case of Parliament. This may not be necessary for the smaller Legislatures. Each Legislature will assess its own requirements based on its needs.

5.1.2 The Accounting Officer

Section 6 of the Act states that the Secretary to Parliament and Provincial Legislatures (in the case of Legislatures) are the Accounting Officers and the

Accounting Officers are accountable to the Executive Authority for the financial management of Parliament and Provincial Legislatures respectively.

5.1.3 The Oversight Mechanism

Section 4 of the FMPPLA states that an oversight mechanism of Parliament and Provincial Legislatures, respectively, must maintain oversight of the financial management of Parliament. The Act requires the oversight mechanism to perform any other functions specified in the Act or by the Rules of Parliament or the relevant Provincial Legislature, or consistent with the objectives of the Act.

The oversight mechanism has the powers that committees of Parliament / Provincial Legislatures have under section 56 and 69, or section 115, of the Constitution. An indication is that the establishment of the oversight mechanism in each respective legislature will require the amendment of rules of the provincial legislature concerned. Parliament and Provincial Legislatures have to review current governance models to ensure compliance with the provisions of the FMPPLA. Sector Guidelines developed at the end of the Fourth Term will assist with this purpose.

5.2 Deepening public participation and involvement

5.2.1 Legislative mandate

The Constitution makes provisions with regards to public participation in Parliament and the Provincial Legislatures in sections 59, 72 and 118 respectively. In terms of the Constitution Parliament and the Provincial Legislatures have the responsibility of ensuring that there is both representative and participatory democracy in South Africa. Members of Parliament and the Provincial Legislatures are elected to office with the responsibility of making decisions on behalf of the public and are accountable to the public. The Legislatures are constitutionally compelled to devise means and mechanisms to ensure public involvement in legislative processes. This is done by providing facilitation of public involvement in the legislative and other

processes of the Legislatures and Committees. The respective Houses or Committees must conduct their business in an open manner. Reasonable measures may be taken:

- i) to regulate public access, including access of the media, to the House and committees; and
- ii) to provide for the searching of any person and, where appropriate, the refusal of entry to, or the removal of, any person.

The specific rights, duties and obligations of both citizens and the state are enshrined in South Africa's constitutional democracy. These constitutional obligations are there to ensure a 'living' democracy in terms of the ways in which citizens perceive they have the political agency to influence governance. There are therefore both general and specific duties pertaining to the legislative obligations facing the SA Legislative Sector. Since 1994 there have been a number of court cases which have clarified and given content to both general and more specific forms of citizen participation in legislative processes. The obligation to ensure participation thus extends South Africa's representative democracy to include a legally binding obligation to promote participatory democracy.

The Bill of Rights makes provision for the general principle of citizen participation and protest. The Constitution also provides for specific forms of participation with respect to legislative (lawmaking) processes. The right of inclusion is thus a constitutional obligation which may only be limited within the parameters of 'reasonableness' within the context of an open democratic society.

The legal interpretation of public involvement does not draw a distinction between information sharing and consultative forms of participation and participation which could have a direct impact on legislative processes. The right to have a direct impact on proposed legislation implies that citizens must be granted meaningful opportunities to influence decision-making.

The clarity afforded by the court with respect to the right of citizens to participate in legislative processes leaves no room for misinterpretation of the rights of specific communities or interest groups to participate in the formulation of legislation which will directly affect them.

The public participation agenda for the South African Legislative Sector must therefore, amongst others –

- Recognise that South Africa is a unitary State (not a federal state);
- locate public participation during oversight and law-making;
- Recognise the significance of capacity building (back-to-basics) for Members and officials;
- Include an outline of financial and human resources, including tools of trade required to strengthen public participation;
- Provide a variety of platforms for public participation (e.g. community radios, video conferencing facilities, GCIS, etc); and
- Take a scenario-planning approach in mapping out the future trajectory in public participation, based on rigorous analysis.

5.2.2 Sector public participation policies and processes

A review of public participation (PP) policies and processes revealed that the national and provincial legislatures had in place relatively well designed systems for promoting public participation. However, there were no common operational understanding of participation across legislatures although there are similar practices.

The lack of a common strategic PP framework across the provinces led to poor coordination and to a great deal of variation of emphasis and consequently differential impact. Whilst the SA Legislative Sector had in place a sound legislative

and policy framework for the advancement of public participation in legislative processes, there were a number of shortcomings in its systems, processes and practices.

Evidence further pointed out that failure to implement PP systems as intended are also due partly to full commitment and partly to poorly resourced and administered programmes and that these two are mutually, and negatively, reinforcing.

The design of a new framework of PP gave renewed purpose to the meaning of public participation in the SA Legislative Sector, and also ensured that there is a coherent and coordinated framework for its implementation across all legislatures. The design process took into cognisance limitations within the SA Legislative Sector, including aspects of the PP system which are currently functioning well.

5.2.3 Sector public participation structures and mechanisms

The SA Legislative Sector has in place a number of structures to support public participation at national and provincial level. The Speakers' Forum, which comprises of the Speaker of the National Assembly and Chairperson of the National Council of Provinces, as well as the Speakers of Provincial Legislatures, play a key role in promoting participation and it has led the development a national Public Participation Framework.

Mechanisms such as Sectoral Parliaments were created so that issues affecting identified special interest groups can be raised for discussion. These mechanisms are intended to 'Take Parliament to the People' by establishing platforms for citizen engagement in legislative processes in community venues which are easily accessible to the public. Sectoral Parliaments were created so that issues affecting identified special interest groups can be raised for discussion.

There are national and provincial mechanisms in place to promote public participation outreach, including educational workshops, tours of parliament,

school education and information programmes, focused media strategies including the use of community radio stations, websites, etc. However, both national and provincial legislatures experience difficulty in reaching more remote areas due to problems of access.

In addition, and some aspects of the communication strategy impose limits on those who do not have the ability and/or technology to access website information. Published information is also not disseminated widely and not all publications are published in the relevant provincial languages so as to reach as wide an audience as possible.

Taken as whole, it is evident that the national and provincial legislatures have in place relatively well functioning structures and mechanisms. Although mechanisms for PP have proven to be successful in providing formal venues for public participation, implementation has been hampered by poor planning and organization and the attendance of targeted communities has been poor.

5.2.4 Best-fit sector approach on public participation

The review of sector initiatives pointed out the need to avert the risk of a progressive loss of interest in politics and civic matters as citizens increasingly feel their views and opinions do not count. Effective implementation of the PP Framework is therefore essential in order to prevent further public apathy and disenchantment with public participation as an integral component of democratic practice.

The full implementation of the Sector's best-fit approach as adopted by Sector Public Participation Framework serves as a standard for the sector and will ensure achievement of the following:

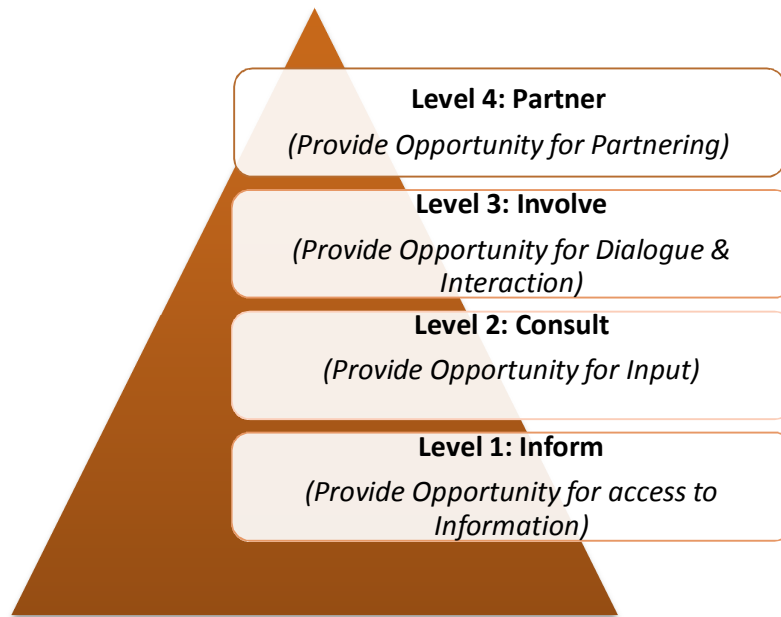


Figure 1: ²Ladder of Participation

- Level 1 = Inform - keeping public informed.
- Level 2 = Consultation - provides platforms to listen to public, acknowledge concerns & provide feedback on final decision influenced by public input.
- Level 3 = Involvement - provides public opportunity for dialogue and interaction. Direct public participation throughout process to ensure issues and concerns are consistently understood and considered. Legislature still the final decision-maker.
- Level 4 = Partnership - public provided with opportunity to partner or work jointly with decision-makers and the identification of the preferred solution. As with "Involve", Legislature are still the ultimate decision-maker. In the end, all input received will be taken into account and Legislatures will make final decision.

² Figure 1 which has been adapted from the Ladder of Participation by Arnstein², to reflect a best fit approach, depicts that each level of public participation has a corresponding increase in the opportunity for public input to influence or impact the process.

The best-fit takes into account that PP should be results oriented and enhance the realization of the NDP goals. In addition, PP should be anchored on the aspirations of Agenda 2063, inter alia, a south Africa whose development is driven by fellow Africans, relying on the potential of African people, especially its women and youth, and caring for children. Public participation is further centered on regional development imperatives and a global dialogue on sustainable development goals.

5.3 Strengthening law-making

5.3.1 Legislative mandate on law-making

Parliament and the Provincial Legislatures, both at national and provincial level, have the power to make laws for the country in accordance with sections 43(a) and 44 of the Constitution. The national and provincial spheres of government have concurrent legislative competence in accordance with Schedule 4 of the RSA Constitution (Act 108 of 1996).

Schedule 4 of the Constitution lists the functional areas in which Parliament and the provincial legislatures jointly have the right to make laws. This includes areas such as agriculture, health, housing, the environment and education (but not tertiary or higher education). Schedule 5 of the Constitution lists the functional areas in which only the provincial legislatures may make laws. This includes things like provincial roads and traffic, liquor licensing, provincial planning and provincial sport.

In exceptional circumstances Parliament may make provincial laws to maintain national security, maintain economic unity, establish minimum standards for service delivery, or to prevent unreasonable action by a province which affects the interests of another province or the country.

Section 74 Bills deal with Constitutional Amendments (Bills amending the Constitution) Amending the Bill of Rights requires a vote of two-thirds of the NA and the support of six provinces in the NCOP. Amendments must be passed by the NCOP. All amendments affecting the provinces must be passed by both

Houses. Section 75 Bills are ordinary Bills not affecting provinces. These Bills can only be introduced in the NA and once it is passed it is sent to the NCOP for concurrence. A Bill is passed when there is a majority vote by delegates present, in favour of the Bill.

Section 76 Bills are ordinary Bills that affect provinces. The Bills are introduced in either the NA or NCOP and must be considered by both Houses. In the NCOP, votes are by provincial delegations and at least five provinces should vote in favour of a Bill before it is agreed to. Bills are usually considered by a provincial committee, which may hold public hearings on the Bill for comments and suggestions.

Section 77 Bills are money Bills (i.e. appropriations, taxes, levies or duties). Money Bills allocate public money for a particular purpose or imposes taxes, levies and duties. They can only be introduced by the Minister of Finance in the National Assembly. In terms of the Money Bills Amendment Procedure and Related Matters Act, 2009 (Act No 9 of 2009), Parliament may amend money bills.

5.3.2 Overview of law making

Law-making in the democratic South Africa, recognizes the sovereignty of the Republic of South Africa, and is grounded on the constitutional values of:

- Human dignity, the achievement of equality and the advancement of human rights and freedoms;
- Non-racialism and non-sexism;
- Supremacy of the constitution and the rule of law; and
- Universal adult suffrage, a national common voter's roll, regular elections and a multi-party system of democratic government, to ensure accountability, responsiveness and openness.

A systematic analysis on the status quo on law-making lays the basis for evidence-based policy and decision-making, to deepen constitutional democracy and ensure

the attainment of the National Development Plan (NDP) goals and aspirations of all South Africans. The NDP identifies policy stability as central in South Africa's quest to achieve ideals of a developmental state. The NDP further points out that in cases where policy must change, the state should mitigate for potential negative effects often associated with major policy realignments on service delivery.

The South African Legislative Sector has an opportunity to build on work done in policy making since 1994 through identification of strategic initiatives to strengthen sector-wide law-making, in line with the goals of the NDP and the Constitution. Initiatives to improve law-making in the legislative sector take into cognisance the architecture and provisions of the Constitution of the Republic of South Africa, including regional, continental and global obligations.

Law-making gives impetus to the ideals of achieving radical socio-economic transformation within the parameters set by the Constitution, as an over-arching pillar for South Africa's hard earned democracy.

5.4 Enhancing oversight

5.4.1 Legislative Framework for Oversight

The legislative Framework refers to the constitutional prerogatives and other relevant legislation that provides for Parliament and provincial legislatures (legislative arm of government) to conduct oversight over the executive arm of government.

In the South African context, oversight and accountability are constitutionally mandated functions of legislatures to scrutinise and oversee executive action and any organ of state. Notwithstanding the fact that Section 55 of the Constitution enables the National Assembly to maintain oversight over all organs of state and Section 92 which enables parliament to hold the cabinet accountable operationally, organs of state at national level and ministers and their departments are generally held to account by parliament. At national level, there is direct accountability to

parliament by national departments, national public entities and national bodies such as commissions.

5.4.2 Implementation of the Sector Oversight Model (SOM)

The Legislative Sector resolved that all Legislatures would select priority committees to pilot the model in their Legislatures. This was a very important initial step to implementation as it guided Legislatures on matters of allocation of resources required by piloting committees.

The Sector subsequently assessed progress made in the implementation of the Sector Oversight Model (SOM), since its adoption by the South African Legislative Sector in 2011. The study was qualitative and sought to ascertain the extent to which different legislatures have been implementing the key areas of the oversight model. The review however indicated that only three (3) out of ten (10) Legislatures selected priority committees for piloting the model, while one (1) rolled out the model across all Committees.

Weaknesses in piloting and the implementation of the model were due to absence of dedicated members and officials to champion implementation of SOM in each institution. Ideally SOM champions should have influence and should ideally be at the senior level of political leadership and senior management level in terms of officials. Thus, the challenges in the implementation of the model are also about effective leadership and management.

5.4.3 Implications of the Money Bills Amendment Procedure and Related Matters Act

The Money Bills Amendment Procedure and Related Matters Act (in short hand "Money Bills Act") was passed into law on April 2009 (Act 09 of 2009) to empower Parliament to amend money Bills that are tabled before Parliament by the executive arm of government.

Prior to passing of the Money Bills Act, Parliament was permitted to either approve or reject money Bills and Parliament was regarded as rubber-stamping. The Money Bills Act include Norms and Standards for Provincial Legislatures when passing their own Money Bills Acts. In the 4th term, no Provincial Legislature passed its own Money Bills Act. The launch of the Parliamentary Budget Office in Parliament (as part of the implementation of the Money Bills Amendment Procedure and Related Matters Act) in order to enhance Parliament's oversight role by specialising in providing high-quality research and analysis of fiscal policy for parliamentary committees.

5.5 Sector Coordination and Collaboration

5.5.1 The South African Legislative Sector and Structures

Parliament and the Provincial Legislatures of South Africa have cooperated and supported each other since 1996 when they set up democratic Legislatures that would represent the interests of all South Africans. This relationship has since evolved into a formal cooperative relationship in which Parliament and Provincial Legislatures seek to systematically develop transformative Legislatures with organisational capabilities that bring fundamental change in the lives of the people of South Africa.

In 2008, the Speakers' Forum resolved to formalise the cooperation of Parliament and Provincial Legislatures aimed at systematic strategic development of Legislatures and to ensure that they conduct their business in common ways. The common sector-wide approach enabled these institutions to put in place minimum norms and standards in the way they conduct their business. This common collaborative approach was further entrenched by the leadership of Parliament and Provincial Legislature through the adoption and signing of a Memorandum of Understanding (MoU) in March 2010. This was an acknowledgement of

commonalities in terms of Section 44, 104 and 156 of the constitution and constitutional requirement of cooperative government.

The collaboration was aimed at the development of all Legislatures as a sector and thus ensuring coordinated action. The agreement committed Parliament and Provincial Legislatures as the Legislative Sector to a collaborative approach on matters of common interest and the development and implementation of common norms and standards for the governing and implementation of the Sector policy.

The Speakers' Forum developed a Sector Policy to assist to achieve a common and collective strategic agenda. The policy serves as a framework to guide the programme of action for the Legislative Sector. This development called for changes in institutional practices and seriousness in sector coordination. This included reviewing the manner in which the sector coordinated its activities including its coordination mechanisms.

The South African Legislative Sector is coordinated under the leadership of the Speakers' Forum of South Africa which is the main political decision-making and oversight structure. It chaired by the Speaker of the National Assembly (Parliament), who also jointly with Chairperson of the National Council of Provinces acts as the contracting authority on behalf of the SALS.

The Secretaries' Association of the Legislatures of South Africa (SALSA), an association of Secretaries of the Legislatures of South Africa, is the technical advisory body of the Speakers' Forum, responsible for the implementation of sector decisions in the Legislatures and is accountable to the Speakers' Forum. SALSA operates through a system of professional staff forums organised in terms of the various functional areas of Legislatures.

Legislative Sector Support (LSS) is located within the organogram of the Parliament of the Republic of South Africa and is accountable to the Chairperson of the Speakers' Forum on political and policy decisions of the sector. In terms of

administrative matters, LSS is accountable to the Secretary to Parliament. LSS is the support, coordination and management mechanism of the South African Legislative Sector.

5.5.2 Sector Collaboration and Development

A natural evolvement of this collaboration is the consensus that the 5th parliamentary term should be a period of alignment, consolidation and implementation for the Legislative institutions collectively and individually. Therefore, emphasis will be placed on enhancing performance and implementation of legislative mandates in accordance with the sector guidelines, norms and standards developed whilst also focusing on outstanding policy development and review for the purposes of improvement. Furthermore, it is essential to consolidate or cement existing relations both locally and internationally, and aim to enhance the quality of these engagements for the purposes of strengthening parliamentary development domestically, continentally and globally.

Strong commitment has been expressed by the leadership of the 5th parliamentary term for the continuation of cooperative governance of Legislatures through the sector collaboration approach. Emphasis has been placed on the need for the leadership to ensure political and strategic support, commitment and drive to sector cooperation and collaborative work, to strive for proactivity and innovation whilst ensuring members are fully capacitated and the administration of Legislatures is strengthened to ensure optimal support to public representatives. The need to continue sharing experiences and gaining and creating knowledge within the sector was highlighted together with a focus on building on existing relationships with various partners and forming new collaborations in an effort to address capacity development needs.

The consideration of a more formal mechanism regulating the cooperation of the SA legislative arm similar to the Intergovernmental Relations Framework Act of

2005 of the Executive arm of State has been identified as an area of focus for the term.

There has been agreement to continue with the sector collaboration, and to develop common norms and standards to guide work of the Legislative Sector whilst ensuring the sustainability of the sector programme. This will be supported by an efficient, effective coordination mechanism with content and critical analytical ability is needed to provide support and drive the development process. In this regard, the current Legislative Sector Support mechanism must continue to be resourced and strengthened to meet all the above requirements.

There is consensus that there should be a concerted effort towards expanding the sector work through the Sector Support mechanism into a fully-fledged Parliamentary Institute for South Africa by building on current gains. This institute will continue on the current gains and must be resourced to ensure that it serves as a centre of excellence, learning and research on Legislative work.

5.5.3 Collaboration with Local Government

A proposal for enhanced collaboration with Municipal Councils as part of the SALS, finds resonance with the current sector leadership resolve of ensuring that there is greater cooperation between legislatures. In lieu of this, the development of a comprehensive framework on SA Legislative Sector collaboration with local government is envisaged for this term. This process would consider a more effective and inclusive collaborative framework for the legislative arm of state incorporating all three spheres. Such guideline will address how Parliament and Provincial Legislatures can work with Local Government to assist in improving Local Government performance.

Some of the challenges to effectiveness of the legislative arm at local government involve structural arrangements that do not promote the principle of separation of powers, which is essential for effective oversight. Policy interventions that seek to strengthen the oversight role of Municipal Councils by, among others, improving the observance of the principle of separation of powers are therefore of key importance going forward. A collaborative approach with national and provincial sphere counterparts in the legislative sector will be valuable to this process.

It is imperative that the matter of separation of powers at local government level be address following investigation and it has been recommended that the Provincial Speakers' Forums should be strengthened as mechanisms for cascading down and customising the policies and frameworks of the National Speakers' Forum and that reports on the Provincial Speakers' Forums be submitted to the National Speakers' Forum.

5.5.4 Collaboration and International engagement

Parliament and Provincial Legislatures, under the banner of the South African Legislative Sector, participate in unison in international relations, led and represented by Parliament as a national institution in other platforms. Some engagements at international level where both Parliament and Provincial Legislatures are represented, are coordinated with a view to collaborate, share knowledge and experiences and build partnerships.

In the last 20 years of democracy, Parliament and Provincial Legislatures have carved their own niche in regional, continental and international parliamentary forums. In shaping the international parliamentary relations of South Africa, it is important to take cognisance of South Africa's foreign policy objectives, and be guided by the overarching priorities of the country, which are:

- Consolidation of the African Agenda;

- Strengthening of South-South Cooperation;
- Strengthening of North-South Cooperation, and
- Participation in the Global System of Governance

Below is a summary of the status quo on international participation by Parliament and Provincial Legislatures:

- Multilateral engagement with other Parliaments or Parliamentary Organisations, e.g. CPA, NCSL (sectoral).
- Bilateral parliamentary groups based on international agreements (institutional).
- Promotion of political dialogue/sector dialogue e.g. EU dialogue.
- Inter-parliamentary cooperation between parliaments aimed at collaborating on a number of issues e.g. friendship groups/twinning (institutional).
- Technical cooperation aimed at building institutional capacity through exchange of technical assistance with partners that possess the desired capacity (sectoral & institutional).
- Parliamentary participation in elections monitoring processes (Parliament).

The SA Legislative Sector has identified the following existing platforms for deepening participation in the region, continent and globally:

- Southern African Development Community Parliamentary Forum (SADC-PF) represented by Parliament;
- The SADC-PF Women's Parliamentary Caucus represented by Parliament;
- The Pan-African Parliament (PAP);
- Commonwealth Parliamentary Association (CPA) and its sub-structures CWP and SOCATT – Africa Region and International;
- National Council of State Legislatures (NCSL);
- Inter-Parliamentary Union (IPU) represented by Parliament;

- Strategic Partnership between SALS and European Union; and
- Relationship with the European Union and Parliament.

The key overarching priority in terms of international engagement is the need for strengthening coordination of international participation through the sector structures and flowing from this the development of a framework or proposal on a coordinated approach to international engagements, benchmarking and sharing of experiences internationally including oversight visits and study tours. Linked to this, the matter of involvement and participation in international platforms will be integrated as a standing matter in the agenda of sector structures to ensure reporting and feedback on engagements is provided.

Existing platforms of participation by the SALS such as the CPA Africa Region and CPA International as well as the strategic partnership between the Sector and the EU and European Parliament as it has developed over the past 20 years will continue and be strengthened during the 5th term. Research and benchmarking with international parliamentary organisations such as the NCSL and European Parliament administration will be done in order to strengthen the sector capacity building, sector governance, coordination and communication, research and knowledge management. Continuation of the annual dialogue platform of the Speakers' Forum with local and international stakeholders and counterparts, i.e. International Consultative Seminar is envisaged.

The South African Legislative Sector participates in unison in international relations led/represented by Parliament as a national institution. Engagements at international level are co-ordinated with a view to collaborate and build partnerships. These partnerships are either multilateral - engaging with other Parliamentary bodies eg CPA, NCSL.

Promoting political dialogue/sector dialogue eg EU dialogue. Inter-parliamentary cooperation between parliaments aimed at cooperating on a number of issues e.g. friendship groups/twinning. Technical cooperation aimed at building institutional

capacity through exchange of technical assistance with partners that possess the desired capacity. The SA Legislative Sector has identified the following platforms for deepening participation in the region, continent and globally:

- Southern African Development Community Parliamentary Forum (SADC-PF);
- The SADC-PF Women's Parliamentary Caucus;
- The Pan-African Parliament (PAP);
- Commonwealth Parliamentary Association (CPA) – Africa Region and International;
- National Council of State Legislatures (NCSL);
- Inter-Parliamentary Union (IPU);
- Strategic Partnership between SALS and European Union; and
- Parliament of South Africa and European Parliament.

5.6 Capacitating Members and Officials of the Legislative Sector

In all professions there are established convention that defines the standards, criteria, competencies and qualifications for those aspiring to enter any profession. For parliamentarians however, not only there are no defined qualifications or criteria for their role, there are no professional supporting bodies in South Africa. Yet, Members are expected to possess indefinable qualities to accomplish an indescribable job. Many Parliamentarians in the post-apartheid era in South Africa are activists without academic background to the public service. They are expected to deal with wide range of highly complex subjects and policy matters and take decisions with far reaching consequences. This occurs in an increasingly complex environment which demands that they must match competencies of a wide range of experts and specialists.

It is therefore evident, that there is a glaring lack of professional development programmes that address capacity and professional development needs of members of Parliament. This unfortunately leads to poor performance of individual

and institution, resulting in failure for Legislatures to fulfill their constitutional obligations.

5.6.1 Legislative Framework

The mandate to capacitate members of Parliament and Provincial Legislatures and officials of the Legislative Sector is derived from the constitution and effected through various legislative and policy instruments. Chapter 10, section 195(1) of the Constitution sets out basic values and principles governing public administration which are applicable to the administration in every spheres of government or any organ of state: This include but not limited to the following: public administration must be governed by the democratic values and principles enshrined in the Constitution, including amongst others the following principles: a high standard of professional ethics must be promoted and maintained; public administration must be development-oriented; good human-resource management and career development practices, to maximise human potential, must be cultivated.

Chapter 13 of the National Development Plan Vision 2030 (NDP) articulates a vision and mechanisms for developing a capable developmental state to foster a sustainable socio-economic transformation within parameters of a constitutional democracy. At the center of the vision is the development of the workforce through the implementation of education and skills development programmes to enable the attainment of the goals of the NDP.

The Skills Development Amendment Act of 2008 is also intended to develop the skills of the South African workforce and to improve productivity in the workplace. To this end all employer organizations including are required to budget and pay a skills development levy of 1% of their annual payroll to the Department of Labour for skills development.

The Legislative Sector Policy and Strategic Framework for the 5th term has identified capacitating of members and officials as an enabler in the attainment of policy priorities as defined in the framework.

5.6.2 Capacity Building Programmes for Members

During the 1st and 2nd terms of the democratic Legislatures, the focus of Legislatures was on law-making and nation building. Capacity building programmes for members were Legislature driven and focused on imparting knowledge and expertise on functional core competencies required for members to function. These include but not limited to informal short learning programmes on core business areas such as law-making, policy making, budget process, application of rules and procedures, public participation, oversight and accountability etc. The interventions produced mixed results. Whilst there was a notable improvement in the participation of members at committee and house proceedings, the quality of output varied and remained a source of concern in many Legislatures. It was very difficult to measure the return on investment because the interventions provided were ad hoc, informal and not compliant with SAQA standards.

Building on the experiences of the first two terms, Legislative Sector in the 2004 to 2009 parliamentary term, identified capacity building for members of Parliament and Provincial Legislatures as a strategic imperative in building stronger and activist Legislatures. The Speakers Forum reviewed the programmes implemented in Legislatures and conceptualised integrated training and development interventions required to capacitate members. A partnership was developed with PALAMA now School of Government to conduct training needs analysis of all Members of Parliament and Provincial Legislatures. As a result of the training needs analysis exercise, a curriculum framework for an integrated capacity building programme for members was designed, developed and successfully implemented from 2010 to 2014. The programmes were tailor-made to cover on-the-job

requirements of members as well as personal development needs of members. The programme architecture is as follows:

- Phase 1: Certificate Course in Governance and Leadership (NQF L5);
- Phase 2: Graduate Certificate in Governance and Public Leadership (NQF L7);
- Phase 3: Postgraduate Diploma in Management and Public Leadership (NQF L8);and
- Phase 4: Master's Degree (NQF L9).

The programme was successfully implemented from 2010 to 2014. The Certificate Course in Governance and Leadership, was used as the beginners programme to facilitate recognition of prior learning (RPL) accredited by UNISA at NQF Level 5 was delivered in 2011. 173 of the 275 registered members from Parliament and Provincial Legislatures successfully completed the course.

This certificate was followed by the Graduate Certificate in Governance and Public Leadership accredited by University of Witwatersrand at NQF Level 7 with 48 credits, commenced in 2012 and was completed in 2013. 225 of the 241 registered members successfully completed the programme, and received the certificate of competence. In 2013, successful 171 Members enrolled to the higher level qualifications, the Postgraduate Diploma in Management and Public Leadership (92) as well as to Short Learning Certificate (89) both at NQF Level 8 (Honours Degree) from the Universities of Witwatersrand and Johannesburg respectively. 76 members have successfully completed the programme and 38 have now enrolled for Masters Programme in Governance and Leadership.

The Legislative Sector also secured intellectual property of the Certificate Course in Governance and Leadership and the Graduate Certificate in Governance and Public Leadership. This meant that the costs of delivering future course to the Legislative Sector would be economical in future. The feedback received from members through various evaluation platforms revealed that members performance in committee and house sittings had improved significantly. The

programme has also served as an exit strategy to prepare members for post parliamentary contribution.

Whilst we applaud the success of the programmes, our review and evaluation of the programme has identified areas for improvements. This include programming and coordination of the programmes with different legislatures; the higher costs of the delivery of the postgraduate programmes because of delivery mode requiring all participants to gather in one a centrally venue in Johannesburg; changing profile of members with many younger and educated members in the 5th term than before. The need to focus attention on providing skills and expertise required for committees to fulfil their obligations of conducting oversight over the implementation of the National Development Plan.

5.6.3 Capacity Building Programme for Officials

The development of officials of the Legislative Sector has not enjoyed similar attention provided to Members until quite recently. Most of the training and development interventions for officials are legislature driven, in some instances are poorly coordinated, supplier driven and are not informed by strategic and operational requirements. In cases, where the programmes are conceptualised and coordinated through Legislative Sector mechanism, Forums are responsible for implementation. Unfortunately, not all employees of the Legislative Sector are represented at the SALSA. This unintended limitations has a potential of excluding some of the key officials of Legislatures from benefiting from Legislature programmes. SALSA has resolved to prioritize professional development of officials through integrated capacity building programmes to ensure professional and adequate support is provided to all officials of the Sector.

In the 2004 to 2009 parliamentary term, Parliament and Provincial Legislatures identified capacity building for members of Parliament and Provincial Legislatures as a strategic imperative in building stronger and activist Legislatures. The Reference Group on Capacity Building conceptualised the training and development

interventions required to capacitate members. In the 2009 to 2014 parliamentary term, Legislatures under the Speakers Forum leadership partnered with PALAMA, now the National School of Government, and conducted training needs analysis of all Members of Parliament and Provincial Legislatures in 2009.

As a result of the training needs analysis exercise, a curriculum framework for an integrated capacity building programme for members was designed, developed and successfully implemented from 2010 to 2014. The programmes were tailor-made to cover on-the-job requirements of members as well as personal development needs of members. The programme architecture is as follows:

- Phase 1: Certificate Course in Governance and Leadership (NQF L5);
- Phase 2: Graduate Certificate in Governance and Public Leadership (NQF L7);
- Phase 3: Postgraduate Diploma in Management and Public Leadership (NQF L8);
- Short-Learning Certificate; and
- Master's Degree.

In regard to achievements, phase one, two and some parts of phase three of the programmes were delivered in the previous term excluding the Masters Programme. The Certificate Course in Governance and Leadership, was used as the beginners programme to facilitate recognition of prior learning (RPL) accredited by UNISA at NQF Level 5 was delivered in 2011. 173 of the 275 registered members from Parliament and Provincial Legislatures successfully completed the course.

This certificate was followed by the Graduate Certificate in Governance and Public Leadership accredited by University of Witwatersrand at NQF Level 7 (Bachelor's Degree), commenced in 2012 and was completed in 2013. 225 of the 241 registered members successfully completed the programme, and received the certificate of competence. In 2013, successful 171 Members enrolled to the higher level qualifications, the Postgraduate Diploma in Management and Public Leadership as well as to Short Learning Certificate both at NQF Level 8 (Honours

Degree) from the Universities of Witwatersrand and Johannesburg respectively. The studies were suspended in 2014 to enable members to campaign for the general elections and are planned to resume in August 2014.

The Legislative Sector secured intellectual property of the Certificate Course in Governance and Leadership and the Graduate Certificate in Governance and Public Leadership. This would mean the costs of delivering future course to the Legislative Sector would be economical. The feedback received from members through various evaluation platforms reveal that members performance in committee and house sittings has improved significantly. The programme also served as an exit strategy to prepare members for post parliamentary contribution.

The programming and coordination of the programmes has been a huge challenge due to the task of synchronising different Legislature programmes. The higher costs of the delivery of the postgraduate programmes, including travel related costs, is a serious concern to be addressed in future programmes.

6. OUTCOME ORIENTED GOALS FOR THE SA LEGISLATIVE SECTOR

In view of the performance overview highlighted above, the SA Legislative Sector adopted following outcome oriented goals as a mechanism to deepen the cooperative approach of the sector during the 5th term:

- Goal 1: Enhanced public involvement to deepen and entrench people-centred democracy in South Africa;
- Goal 2: Enhanced law-making to improve the achievement of State policy outcomes;
- Goal 3: Strengthened oversight over the Executive to ensure implementation of the National Development Plan, radical economic transformation and improved service delivery;

- Goal 4: Enhanced effectiveness, efficiency and capacity, through improving governance and administration for optimal functioning of the South African Legislative Sector; and
- Goal 5: Strengthened capacity for sector participation to contribute to a better and safer Africa in a better world.

7. STRATEGIC OBJECTIVES PER PROGRAMME

The tables below depicts alignment of the SA Legislative Sector's Programmes, outcome oriented goals and associated strategic objectives.

7.1 PROGRAMME 1: GOVERNANCE AND ADMINISTRATION

Section 4 of the FMPPLA states that an oversight mechanism of Parliament and Provincial Legislatures, respectively, must maintain oversight of the financial management of Parliament. The Act requires the oversight mechanism to perform any other functions specified in the Act or by the Rules of Parliament or the relevant provincial legislature, or consistent with the objectives of the Act. The oversight mechanism has the powers that committees of Parliament and Provincial Legislatures have under section 56 and 69, or section 115, of the Constitution. The oversight mechanism should be constituted as follows:

- 3.1 A parliamentary structure consisting of members only;
- 3.2 Representation must be in accordance with relevant Rules;
- 3.3 It has the powers of committees of the Legislature as set out in the Constitution;
- 3.4 Its establishment is similar to the establishment of a committee of Legislature as per legislative requirements.

The establishment of the oversight mechanism in each legislature may require the amendment of rules of the provincial legislature concerned and review of the

existing governance structure. This process should be finalised within 2015/16 financial year.

The other focus areas in relation to Governance and Administration include the following:

- The review of the SALS action plan to give effect to the implementation of the SALS Policy and Strategic Framework for the 5th term;
- Alignment of institutional strategies and plans with the SALS Policy and Strategic Framework, including alignment to the SALS action plan;
- Consideration of the SALS Memorandum of Understanding for adoption and signature by the new Speakers' Forum of the 5th term subject to any required adjustments;
- The continuous consideration, by the Speakers' Forum, of the resolutions of reference groups as a mechanisms to provide input on the work of the sector;
- The review and consideration of the recommendations of the Presiding Officers' Workshop for implementation;
- Implementation of the monitoring and evaluation framework;
- Development of a legislative sector planning and reporting framework;
- Development of a concept paper on a legislative sector Treasury Office;
- Development of tools for monitoring and evaluating the implementation of frameworks;
- Ensure alignment and compliance to the requirements of the FMPPLA; and
- Build a good and healthy relationship with the Auditor General and Treasury.

Purpose of Programme 1	To improve institutional and sector-wide governance.
Outcome oriented goal 5	Enhanced effectiveness, efficiency and capacity, through improving governance and administration for optional functioning of the South African Legislative Sector

Strategic objectives (SO1)	To improve the effectiveness and efficiency of the sector through development and implementation of administrative systems and processes	
Performance indicators	Percentage of Speaker's Forum and SALSA resolutions followed up and actioned	
	Percentage of interventions implemented to improve sector governance and administration	
Outcomes		Outcome indicators
<p>Enhanced efficiency and effectiveness (in Governance and Administration) of the South African Legislative Sector;</p> <p>Efficient and effective Legislative Sector / A capable SA Legislative Sector / Improved parliamentary administration and cooperation; and</p> <p>Enhanced governance and accountability.</p>		<p>Levels of efficiency and effectiveness of the South African Legislative Sector;</p> <p>Level of good governance and accountability; and</p> <p>Output indicators include % compliance with Governance and Administration Framework; % compliance with FMPPLA requirements; and level of contribution on Legislative Sector governance and coordination</p>
Performance targets	<p><u>Initiatives:</u></p> <ul style="list-style-type: none"> • Implementation of the monitoring and evaluation framework • Development of a legislative sector planning and reporting framework • Development of a concept paper on a legislative sector Treasury Office • Development of tools for monitoring and evaluating the implementation of frameworks • Ensure alignment and compliance to the requirements of the FMPPLA • Improve stakeholder engagements to advance strategy implementation 	

7.2 PROGRAMME 2: CORE BUSINESS

7.2.1 SUB PROGRAMME 1: PUBLIC PARTICIPATION

Flowing from the analysis of PP participation trends, the primary focus of the sector is to ensure effective implementation of the sector PP Framework. The key focus areas to ensure the implementation of the Framework include the following:

Institutional level –

- Conducting an assessment of each institution's current processes and practices in relation to the implementation of the PP Framework. The assessment to provide information on mechanism, processes and capacity requirements in each institution. Each institution to develop its own plan on a phased approach in capacitating PP Units.
- Providing support to ensure that each institution customises their own individual PP strategies.
- Supporting each institution to develop a PP strategy, plan and programme.

Sector level –

- Ensure alignment through the implementation of norms and standards as outlined in the sector PP Framework; and
- Develop various tools for monitoring and evaluating the implementation of the sector PP Framework.

The focus areas on enhancing the functioning of PP structures and mechanisms include the following:

- a) Developing a discussion paper for a political engagement on the strengthening of Constituency Offices, and its implications;
- b) Reviewing Parliamentary Democracy Offices (PDOs). Parliament is currently undertaking the review. Implications for the review include the identification of areas for sector collaboration;

- c) Identifying common themes for taking Parliament & Legislatures to the people, including for Sectoral Parliaments;
- d) Developing implementation tools for PP mechanisms. For instance in relation to public hearings, tools for facilitating pre, during and post public hearings will be developed;
- e) Hosting a seminars on various aspects of PP. This will serve as platforms for reflecting on progress in the implementation of the sector PP Framework;
- f) Developing sector stakeholder engagement framework; and
- g) Developing tools for mainstreaming PP within committees.

Sub programme 1: public participation

Purpose of Programme 2	To improve public participation, law-making and oversight in Parliament and Provincial Legislatures	
Outcome oriented goal 1	Enhanced public involvement to deepen and entrench people- centred democracy in South Africa	
Strategic objectives (SO2 & 3)	To increase access by citizens in public participation processes of the sector and legislatures by supporting legislatures to develop their own public participation strategies aligned to the sector framework by 2019	
	To advance nation building, gender equality and the creation of an enabling environment for people living with disabilities by evaluating gender and disability strategies by 2019	
Performance indicators	Percentage of sector public participation interventions implemented	
Outcomes		Outcome indicators
Enhanced public participation		Level of public participation
Deepened democracy people-centred democracy		State of democracy (democracy index)
		Output indicators include the number of submissions and the number of people taking part in various programmes of Parliament and legislatures

Improved partnership, involvement, consultation and public education – the four levels of public participation	Impact of partnerships, state of public involvement, levels (and quality) of consultation and the state of public education
Performance targets	<p><u>Initiatives:</u></p> <ul style="list-style-type: none"> • Conduct citizen engagement on the processes of customizing the PP sector Framework, provide feedback and opportunities for citizens to input in the process; and • Conduct a systematic sector-wide public participation survey to provide the basis for developing evidence-based policy (long-term vision on public participation for the South African Legislative Sector. • Institutional level – <ul style="list-style-type: none"> ○ Conducting an assessment of each institution’s current processes and practices in relation to the implementation of the PP Framework. The assessment to provide information on mechanism, processes and capacity requirements in each institution. Each institution to develop its own plan on a phased approach in capacitating PP Units. ○ Providing support to ensure that each institution customises their own individual PP strategies. ○ Supporting each institution to develop a PP strategy, plan and programme. • Sector level – <ul style="list-style-type: none"> ○ Ensure alignment through the implementation of norms and standards as outlined in the sector PP Framework. ○ Develop various tools for monitoring and evaluating the implementation of the sector PP Framework. • Evaluate sector gender mainstreaming

7.2.2 SUB PROGRAMME 2: LAW MAKING

Development of a sector plan on law-making

The State of the Republic of South Africa, with the advent of democracy since 1994, focused on repealing apartheid legislation. Law-making subsequently evolved in line with the priorities of each Administration. The analysis of trends in relation to

the role of Parliament and Provincial Legislatures in law-making depicts that the Executive dominates the agenda, both in South Africa and the world-over.

In order for the legislative sector to map out a new trajectory in law-making, taking into account the Constitution, relevant legislation, NDP goals and other mandates, a 2014-19 sector plan on law-making will be developed.

Tenets of the sector plan on law-making

The sector plan on law-making focuses on **the:**

- development of regulations emanating from FMPPLA;
- development of an inter-legislative relations framework;
- strengthening local government; and
- assessing the impact of laws passed.

The development of FMPPLA regulations –

The Financial Management of Parliament and Provincial Legislatures Act, 2014 (Act No. 34 of 2014) requires the Executive Authority of Parliament to develop regulations on the following, amongst others:

Section 24(1) (read with sections 25 & 27) stipulates that the Executive Authority must prescribe regulations to ensure efficient and effective banking and cash management and for investing money not immediately required. Regulations must include provisions for opening of and withdrawal from bank accounts.

Section 55 (3) (g) allows for the Executive Authority to prescribe any additional information that must be included in the annual report.

Section 65(1) (b)-(d) states that the Executive Authority may prescribe Regulations on asset management: the handling, control, maintenance and other matters concerning assets of Parliament.

Section 65(1) (g) – (h) allows the Executive Authority to prescribe Regulations on the Parliamentary Service. Regulations may prescribe the rendering of free services, or services at a determined rate, provided by Parliament's administration. Section 65(1) (j) allows the Executive Authority to prescribe Regulations on recovery of losses and damages: Liability for and recovery of fruitless and wasteful, unauthorised and irregular expenditure.

Section 65(1) (o) prescribes for Regulations on gift and donations to officials of Parliament. Section 65(1) (p) permits for Regulations on treatment of vouchers or other proofs of receipts or payments, which are defective or have been lost or damaged.

Section 65(1)(q) permits for Regulations on timeframes: Regulations may provide for varying timeframes within which any act must be performed in terms of the Act to achieve conformity with financial cycles in the public sector.

The development of an inter-legislative relations Act -

The collaborative approach of the South African Legislative Sector is founded in terms of Chapter 3 of the Constitution on Cooperative Government. Subsequently, the need to develop and formalise an Inter-legislative Relations Act has been established as a logical forward trajectory in order to strengthen the provisions contained in the Memorandum of Understanding (MoU) in ensuring common norms and standards in governing the South African Legislative Sector.

The formalisation of a sector collaborative approach through the development of an Inter-legislative Sector Act, will provide the legal basis for the existence of a sector approach. This would transform the sector approach, and provide solid basis for the implementation of all Sector Frameworks and Models including the establishment of an Institute.

The Act will provide for the National Parliament, Provincial Legislatures and Local Councils to promote and facilitate inter-legislative relations; to provide for mechanisms and procedures to facilitate the settlement of inter-legislative disputes; and to provide for matters connected therewith.

The proposed Inter-legislative Sector Act will further provide an opportunity for the sector to strengthen relations and interaction between Legislatures and Local Government, which should enhance the developmental imperatives of the State.

The Inter-legislative Sector Act would address unequitable fiscal and financial arrangements for Parliament and Provincial Legislatures to provide for budgetary allocations which are commensurate with the mandate of these institutions.

Strengthening partnerships with local government –

The separation of Legislative and Executive Functions in local government remains a challenge particularly in smaller municipalities. Whilst the Constitution allows for more differentiation in the allocation of powers and functions between provinces and municipalities, NDP notes that the existing system requires clarity on responsibilities of provinces and municipalities in the areas of housing, water, sanitation, electricity and public transport. The South African legislative sector will thus partner with local government in assisting municipalities to ensure separation of the Legislative and Executive functions; and

It is significant to examine the extent to which local government informs the legislative agenda of provincial legislatures and Parliament.

Assessing the impact of laws passed –

The State of the Republic of South Africa, with the advent of democracy since 1994, focused on repealing apartheid legislation. Law-making subsequently evolved in line with the priorities of each Administration.

The analysis of trends in relation to the role of Parliament and Provincial Legislatures in law-making depicts that the Executive dominates the agenda, both in South Africa and the world-over.

In order for the legislative sector to map out a new trajectory in law-making, taking into account the Constitution, relevant legislation, NDP goals and other mandates, an assessment of the impact of laws passed will be conducted.

Sub programme 2: Law-making

Outcome oriented goal 2	Enhanced law-making to improve the achievement of State policy outcomes	
Strategic objectives (S04)	To improve the quality of sector law-making by developing a position paper on law-making.	
Performance indicators	Percentage of interventions implemented to improve law-making	
Outcomes		Outcome indicators
Improved impact of legislation passed / Improved quality of legislation		Percentage achievement of NDP outcomes (also in relation to oversight)
Enhanced rule of law / Improved quality of life		State of the rule of law. Output indicators include, amongst others, the proportion of legislation initiated by Parliament and Legislatures
Performance targets	<u>Initiatives:</u> <ul style="list-style-type: none"> • Development of regulations emanating from FMPPLA; and • Development of an inter-legislative relations Act; • Strengthen partnerships in local government; and • Assess the impact of laws passed. 	

7.2.3 SUB PROGRAMME 3: OVERSIGHT AND ACCOUNTABILITY

Mechanisms to ensure comprehensive SOM implementation

Flowing from the synopsis of the progress described above, specific focus areas to ensure effective SOM implementation include the following, amongst others:

- Costing minimum standards for effective implementation - Legislatures should embark on a process of actually costing minimum standards for effective implementation;
- Refined Implementation Plan – A refined implementation plan will result from a review of each institution’s progress in customizing SOM implementation. The plan will cover issues such as periodic assessments, training, with a view to achieving immediate, medium and longer-term goals and objectives. The reviewed plan will consider implications of systems, processes, services and capacity;
- Planning - The importance of planning should be continuously emphasised and there is always room for improvement;
- Quarterly Reports - Interrogation of quarterly reports plays an important role in the Budget Cycle Model (BCM). Central to this aspect was whether priority committees were able to interrogate the quarterly reports of their relevant departments, and whether or not the period taken to consider the quarterly reports was sufficient;
- Focused Intervention Studies (FIS) – a number of FIS should be undertaken based on the analysis of sector’s progress in SOM implementation;
- Contracting - Contracting is an important aspect of the Sector Oversight Model as it determines how the Committee will assess the performance of the Department. There should be discussions between Committees and Departments on the Annual Performance Plans (APPs), and largely, an agreement on how the priorities will be measured.

- Budget Information Matrices (BIMS) - The BIMS constitute a crucial tool in the implementation of the Sector Oversight Model. Therefore, effective programme evaluation and oversight requires access to relevant information. Legislatures should have systematic data and information repository relating to the Executive/Department. It is important, however, to underscore the point that the BIMS require a dedicated approach and focus; and
- Other initiatives – other initiative to ensure effective SOM implementation include the following:
 - Developing a cooperative government oversight mechanism developed;
 - Hosting seminars on various aspects of SOM implementation;
 - Developing a sector resolutions tracking framework and system; and
 - Reviewing Rules to facilitate SOM implementation.

Focus areas to address the requirements of the Money Bills

There is a need to ensure alignment of implementation of Money Bills with SOM. A comprehensive implementation plan will be developed to ensure full compliance to the requirements stipulated in the Act. The comprehensive plan will include the following, amongst others:

- a) Preparation and processing of the Budget Review and Recommendations Reports (BRRR);
- b) Development of a Sector Procedural Manual on Money Bills;
- c) Facilitation of comprehensive training on BRRR; and
- d) Exploring strategic engagements on how services of the Budget Office may include supporting Provincial Legislatures.

Sub programme 3: Oversight and accountability

Outcome oriented goal 3	Strengthened oversight over the Executive to ensure implementation of the National Development Plan, radical economic transformation and improved service delivery	
Strategic objective (SO 5)	To improve sector oversight by reviewing sector oversight model and supporting legislatures to develop and/or review their own strategies by 2019	
Performance indicators	Percentage of oversight and accountability interventions implemented	
Outcomes	Outcome indicators	
Strengthened oversight and accountability	<p>Percentage achievement of NDP outcomes (also in relation to law making) – level of achievement of priorities of government in the medium term strategic framework</p> <p>Accountability index</p> <p>Output indicators include, amongst others the percentage of oversight activities undertaken.</p>	
Performance targets	<p><u>Initiatives:</u></p> <ul style="list-style-type: none"> • Conduct assessment of the current state of SOM implementation per legislature • Milestones as per the outcomes of SOM assessment per legislature • Develop a long-term vision on oversight and accountability • Hosting seminars on various aspects of SOM implementation; • Developing a sector resolutions tracking framework and system; • Reviewing Rules to facilitate SOM implementation; and • Developing a cooperative government oversight mechanism developed. 	

7.3 PROGRAMME 3: SECTOR COORDINATION

This programme is focused on enhancing the cooperative governance relationship of the SA Legislative Sector in which Parliament and Provincial Legislatures seek to systematically develop transformative Legislatures with organisational capabilities that bring fundamental change in the lives of the people of South Africa.

Apex priorities in relation to sector cooperative governance and coordination include:

- the review of the SA Legislative Sector cooperative governance framework including policies, structures, mechanisms, systems and processes towards enhancing the nature and impact of the collaboration on parliamentary development locally, regionally and internationally.
- The above includes the need to improve local government collaboration in order to ensure development of the legislative arm at this level.
- A key determinant in this regard will be the adoption of a long-term strategy for the Legislative Sector serving as a platform for review to inform and facilitate the full implementation of the strategy towards the collective goals of the Sector.
- Systematic action towards the strengthening of sector governance, communication and coordination and
- Knowledge management remains of utmost importance and requires renewed focus and attention. Parliament and Provincial Legislatures aim to develop or align their institutional knowledge management strategies with the SALS Knowledge Management Strategic Framework following its adoption.
- A central repository of sector and relevant institutional information will be established and maintained by LSS. The body of knowledge of the sector be built through creation and sharing of work (research, frameworks, etc) and sustain the Journal of the SA Legislative Sector.

- In relation to International Engagement and Partnerships, key priorities that have emerged include the consolidation and strengthening of existing international relations and engagement. In this regard, focused attention will be given to especially the relationship of SALS and the African continent towards achieving common developmental goals in line with Agenda 2063.
- Emphasis will also be placed on building global parliamentary relations by the SALS towards enhancing local and international parliamentary development and capacity building.
- Whilst drawing from the gains of maintaining existing relationships such as the CPA and EU relations, it is envisaged that the Sector build relations with other global parliamentary bodies on matters of parliamentary development, coordination and capacity building, such bodies amongst others as the IPU, NCSL and others.

Purpose of Programme 3	To improve global, continental, regional and local strategic coordination and engagement in pursuit of legislative sector goals	
Outcome oriented goal 4	Strengthened legislative sector cooperative governance and cooperation to contribute to parliamentary development at local, continental and global level.	
Strategic objectives (SO 6 & 7)	SO 6: Improve co-ordination, co-operation and relations of Parliament and Provincial Legislatures by implementing a revised Sector Strategy by 2019.	
	SO 7: Improve international participation, coordination and engagement by the SA Legislative Sector by implementing a sector framework on international parliamentary relations.	
	Performance indicators	
Outcomes		Outcome indicators
Enhanced parliamentary development on the African continent and globally.		Levels of engagement and influence in international parliamentary participation; and

	Other indicators include level of contribution on international agreements; level of contribution on Agenda 2063 and on Sustainable Developmental Goals; and level of contribution on election observation and monitoring.
Performance targets	<u>initiatives:</u> <ul style="list-style-type: none"> • Review of Sector Governance framework • Development of a framework for collaboration with Local Government. • Review the role of the Sector in international relations and engagement. • Development of a Sector international parliamentary relations framework • Maintaining and building mutually beneficial relationships aimed at learning and sharing towards enhancing parliamentary development • Key focus on international engagement towards enhancing cooperative governance and establishment of a parliamentary institute.

7.4 PROGRAMME 4: CAPACITATING MEMBERS AND OFFICIALS

This programme is intended to build a capable Legislative Sector by enhancing the effectiveness and efficiency of Legislatures through the development and implementation of capacity building programmes for members and officials. Apex priorities for the SA Legislative Sector are as follows:

7.4.1 Sub-programme 1: Capacity Building Programmes for Members

Apex priorities for sub-programme 1, include development and implementation of the following capacity building programmes:

- Comprehensive Induction Programme;
- Specialised Programmes for Committees;
- Specialised Programmes for Office Bearers;

- Technical and Soft Skills Training Programme; and
- Academic programmes.

Comprehensive Induction Programme:

The Comprehensive Induction Programme is intended to inform, and provide both basic information and in-depth knowledge on the core business areas of the institutions including roles and responsibilities of members. It incorporates the functional training areas in the parliamentary project on capacity building programme for members including phase two of the project. It is comprehensive, systematic and standardized to all Members of Parliament and Provincial Legislatures. The content is common but differentiated in certain areas. The comprehensive induction programme (CIP) has been divided into three phases which are informed by the respective Legislature's timelines: The phases are categorized as follows:

- Phase 1: Orientation on 1ST sitting and related activities (1-2 Days)
- Phase 2: Induction Programme (3-5 Days)
- Phase 3: Comprehensive Induction Programme (6 Months)

Specialised Programmes for Committees:

Parliament and Provincial Legislatures will develop and deliver specialised and sector specific programmes for committees. These will be short term programmes aimed at giving participants sector specific knowledge and skills, so as to ensure effective participation in and contribution to their respective committees or cluster of committees. These may cover but not limited to the following aspects:

- Tele-communication Management;
- Research, Science and technology; and
- Migration and development.
- Infrastructure development/urbanisation programme

The committee programmes are supposed to be mandatory for all members of a particular committee. It is further anticipated that training in committee work is conducted parallel to the comprehensive induction programme to prepare members for committee work.

Specialised Programmes for Office Bearers

Taylor-made executive programmes informed by the constitutional responsibilities and training needs of office-bearers will be designed and developed for Presiding Officers, Chairpersons of Committees and Whippers.

Functional and supplementary skills

There are technical and soft skills required for members to effectively perform their constitutional duties. These include but not limited to the following:

- Use of Information Communication and Technology tools;
- Speaking to and creation of relations with the Media;
- Assertiveness, presentation and debating skills;
- Speed Reading; and
- Coaching and mentoring.

Academic Programmes

Parliament provides opportunities for members to study tailor-made academic programmes at various institutions of higher learning. There are programmes focusing on governance and leadership jointly facilitated by Parliament and Provincial Legislatures with the National School of Government and implemented by institutions of higher learning. The following accredited programmes are offered to Members of Parliament and Provincial Legislatures:

- Graduate Certificate in Governance and Public Leadership (NQF L7): Modules include managing service delivery, programmes and projects; oversight, monitoring and evaluation; financial oversight and accountability; and policy, politics and power;
- Postgraduate Diploma in Governance and Public Leadership (NQF L8): Modules offered include governance, leadership and public value; economics for development /political economy of development; decision making methods; public policy; public finance; international and regional relations and cooperation; and cluster focus area;
- Master's Programme (NQF L9): The proposed curriculum for the masters' programme will cover research methods; electives on governance and leadership; research report (thesis). The master's programme will take two to three years to complete on a part-time basis; and
- Seminars, Roundtables and Workshops: The plan is to turn the 5th Parliament into a knowledge centre for debate of the current affairs outside the House and Committees. Host public lectures, seminars, roundtables and workshops on key issues, be it legislation, issues affecting communities etc. Identify current affairs and invite scholars, parliamentarians and other interested parties such as NGOs, affected groups and form panels to debate issues. Ensure effective participation of members by leading the debates in such forums.

Short Learning Programmes

The profiling exercise revealed that members in the 5th term are much younger and more educated than in the previous terms of democratic legislatures. This therefore means that some members may need the knowledge and skill embedded in a course but not the qualification. We will be customizing existing academic programmes into unaccredited short learning programmes with Universities of Johannesburg and Witwatersrand. The following programmes have been customised by University of Witwatersrand for the Finance Cluster Committees.

- Public policy
- Public finance and economics

Establishment of the Parliamentary Institute

The main purpose of the Parliamentary Institute is to enhance the effective and efficient functioning of Legislatures by providing capacity building interventions, technical assistance, and quality research and knowledge management. The envisaged institute would serve as a regional body catering for the needs members and officials of Parliament and Provincial Legislatures, councillors in South Africa and in the SADC region. The concept of the parliamentary institute will be revised to ensure it serve as a regional structure instead of local structure as originally planned. The revised concept document with implementation timelines will be presented at the next Speakers Forum.

Establishment of Alumni from Students Participating in Legislature Programmes

The Legislative Sector must establish alumni from students who participated in the Legislature Capacity Building Programme. The purpose is to support the Legislative Sector goals and strengthen ties between former members and Legislatures. A data base with profile of each member would be drawn. Members who acquired valuable skills that may be needed will be drawn from the database to support the work of Legislative Sector. On the other hand, members who do not return to parliament whilst still a student, alternative resource of funding may be explored using alumni associations.

Members Affairs

Develop norms and standard for provision of facilities for members of Provincial Legislatures by developing a manual to standardize facilities for presiding officers, other office bearers and members.

7.4.2 Sub-programme 2: Capacity Building Programmes for Officials

Apex priorities for sub-programme 1 include development and implementation of the following capacity building programmes for officials:

- Develop competency framework for all job categories in the Legislative Sector.
- Conduct of Training Needs Analysis/Skills Audit including Identification of training needs based on Strategic and Operational Requirements of Sector.
- Professional Development Programmes
- Coaching and Mentorship Programmes
- Exchange Programmes
- Membership of Professional Associations
- Leadership and Management Development Programmes
- Graduate Recruitment Scheme for Legislative Sectors

Development of competency framework for all job categories in the Legislative Sector.

Currently, some Legislatures have competency framework only for senior and executive managers. It is important that all job categories must have developed competency frameworks. The development of the framework will enable a scientific identification and analysis of performance gap which is an enabler for the development of appropriate training and development interventions. It is proposed that the project is implemented in phases with priority given to job functions at committees.

Development of Training Needs Analysis and identification of training needs based on Strategic and Operational Requirements of Sector.

There is a need for a nation-wide training needs analysis and skills audit from top to the bottom to complement the personal development plans developed by

Legislatures. A project for training needs analysis is expected to be concluded in the last quarter of 2015/16. It is also proposed that based on the strategic and operational requirement of the Legislatures as outlined in the Sector Policy Priorities and Strategic Framework, the Sector need to identify training interventions to support its implementation. Such programmes must be made compulsory to the identified target groups.

Professional Development Programmes

In order to build a professional and capable workforce, the Sector need to develop professional development programmes which include but not limited to academic programmes, short learning programmes, professional development seminars etc. It is proposed that one development seminar on public participation will be held in the 2015/16 financial year.

Coaching and Mentorship

A holistic approach to human development includes using other interventions such as coaching and mentoring on the job. There is a need to train managers as coach and mentors in order to effect change in the workplace.

Exchange Programmes and Professional Associations

There is value in educational study tours not only overseas but also within legislatures and in the continent. Officials of the Sector must join professional associations linked to their trade in order to grow and current with trends. Further engagement is needed around the exchange programmes. Membership of professional association is encouraged and Forums are urged to facilitate the process.

Leadership and Management Development Programmes

In furthering the professionalization of the Sector, a suite of Management Development Programmes for Junior, Middle and Senior Managers customised to the Legislative Sector environment is proposed. The Programmes will be based on the competencies of Managers in the Legislative and Public Sector. Parliament is engaged in the project for its officials.

Graduate Recruitment Scheme for Legislative Sector

The National Development Plan proposes a formal graduate recruitment scheme for the public service. It is proposed the scheme is extended to the Legislative Sector. Legislative Sector is a unique environment and therefore such a scheme is relevant to attract the best talent in the country and infuse them with values and ethos of the Sector in a more systematic way.

Purpose of Programme 1	To build a capable SA Legislative Sector
Outcome oriented goal 5	Enhanced effectiveness, efficiency and capacity, through improving governance and administration for optimal functioning of the South African Legislative Sector
Strategic objective	To improve usefulness, relevance and accessibility of integrated development programmes by developing and implementing Member's Capacity and Development strategy by 2019.
Performance indicators	<p>Progress on implementation of Member's capacity and development programmes aligned to Members' needs -</p> <ul style="list-style-type: none">• 80% of programmes executed;• 10% increase in completion rate; and• 16% increase in Members' proficiency in core competencies.

Outcomes	Outcome indicators
<p>Improved proficiency of Members Improved competency of officials</p> <p>More effective and efficient Administration and public representation / A capable legislative sector</p>	<p>Percentage proficiency of Members in core competencies Competency levels of officials</p> <p>Level of effectiveness and efficiency of the Administration</p>
<p>Performance targets</p>	<p><u>Initiatives</u></p> <p>Develop and implement capacity building programmes for members:</p> <ul style="list-style-type: none"> • Academic programmes • Comprehensive induction programmes • Specialised programmes for committees • Specialised programmes for office bearers • Functional and supplementary programmes <p>Develop and implement capacity building programmes for officials:</p> <ul style="list-style-type: none"> • Develop competency framework for all job categories in the Legislative Sector. • Conduct of Training Needs Analysis/Skills Audit. • Identification of training needs based on Strategic and Operational Requirements of Sector. • Professional Development Programmes • Coaching and Mentorship Programmes • Exchange Programmes and Professional Associations • Leadership and Management Development Programmes • A formal graduate recruitment scheme for Sectors <p>Establishment of the Parliamentary Institute and development of Capacity Building Strategy for Members.</p> <p>Members Affairs:</p> <ul style="list-style-type: none"> • Develop norms and standard for provision of facilities for members of Provincial Legislatures <ul style="list-style-type: none"> ○ Presiding Officers Manual ○ Framework for Members Facilities

8. CONCLUSION

Outcome oriented goals, apex priorities and strategic objectives outlined in the Strategic Framework for the 5th term shall be translated into a detailed Sector Action Plan. The Sector Action Plan, implemented in line with the roles and responsibilities of SALSA, Forums and LSS:

- covers the current financial year and the two financial years thereafter or other period determined by Sector;
- indicates any changes to Sector's priorities as set out in the strategic plan prepared in terms of section 14;
- updates the projections of revenue and expenditure presented in the Sector Policy and Strategic Framework;
- specifies performance targets related to each of the performance measures and indicators for assessing Sector's performance in achieving the objectives and outcomes detailed in the strategic plan; and
- provides details of Sector's donor funded projects, including—
 - the donors and the amounts being given;
 - the purposes of the projects; and
 - performance measures and indicators for assessing Sector's performance in achieving the purposes of the projects.

The strategic partnership between the South African Legislative Sector and European Union, which commenced in 1997, continues to evolve in support of the goals, priorities and strategic objectives of the sector.