

THE SINGLE PUBLIC SERVICE AND LOCAL GOVERNMENT TURNAROUND STRATEGY: INCOMPATIBLE OR COMPLIMENTARY FOR IMPROVED LOCAL GOVERNMENT SERVICE DELIVERY?

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ABSTRACT

The South African public service has unfortunately rapidly gained a reputation for inefficiency, corruption and incompetence. Government has therefore introduced a variety of legislative measures to ensure that the public service would play a meaningful role in a well-functioning country, one that maximises its development potential and the welfare of its citizens. Examples of these measures are the Single Public Service (SPS) and the Local Government Turnaround Strategy (LGTAS), two seemingly contradictory measures to accomplish the above-mentioned objectives. Concerns that a SPS was a move towards recentralisation by central government were countered by the LGTAS to strengthen local government *per se*. It was found that both projects endeavour facilitative measures for improved coordination and integration of services in local government to provide efficient and effective services.

Keywords: Local government, single public service, local government turnaround strategy, countermeasures for inefficiency

1. INTRODUCTION

The onset of democratic transformation in South Africa in 1994 had a profound influence on local government, which progressed from being a third tier of government to an equal, autonomous sphere, with implications for greater delivery of services. The unrealistic expectations by the public generated through this process led *inter alia* to public disillusionment due to a failure of government to deliver basic services and create conditions conducive to local economic development. This failure to deliver may ultimately lead to reversals in efforts to deepen the democratic process in South Africa.

The introduction of the Single Public Service Bill in 2008 in South Africa brought new speculations that government was moving towards recentralisation after a period of 14 years of democracy. Assumptions were that the decentralisation policies adapted after the 1994 elections to enhance the quality and the effectiveness of public administration, had failed. Although developed and developing countries have shown a tendency towards decentralisation during recent decades, the present indications are that some governments are retracting these efforts and prudent steps are being taken towards recentralisation.

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What were regarded as major advantages of decentralisation, are nowadays disputed issues. However, in December 2009 the South African Cabinet approved a comprehensive local government turnaround strategy (LGTAS) based on five strategic objectives to ensure that local governments will play their meaningful role as envisaged in the 1996 Constitution. This, in effect, raised the question whether the SPS idea had been shelved by the government and/or whether a differentiated approach was to be followed to accommodate both local government and a single public service. In this article attention will be focused on an analysis and critique of the South African local government, measures to counter inefficiency in local government and the Local Government Turnaround Strategy in order to determine the value of the various aspects of both the Single Public Service and the Turnaround Strategy in the current South African context to improve service delivery.

2. SOUTH AFRICAN LOCAL GOVERNMENT IN PERSPECTIVE

One of the most important developments in terms of governance has been the movement towards the building and strengthening of local government throughout the world. There is a growing recognition that fundamentally different kinds of governance for public management and the delivery of local public services are required. Governance is described as the exercise of control over society and the management of its resources for social and economic development. Demands for increased governmental responsiveness and accountability have played a significant role in this development. According to Devenish, Govender and Hulme (2001:4), two factors contributed to the making of a modern democratic government. These factors include ensuring accountability through *inter alia* the existence of an open and unbiased judicial system that values general respect for the rule of law and human rights within a country. Such system should also build and sustain a vigorous civil society and ensure that governmental and political power is dispersed to prevent government from becoming too powerful. This situation is complicated when taking into consideration the new challenges of governing. These challenges include:

- fast-paced economic and social changes;
- a growing complexity of policy issues;
- problematic political/administrative interface;
- a need for a simpler and more transparent political process;
- multiplication of controls and too many procedures hindering change;
- low morale among public servants;
- low public administration productivity;
- growing financial constraints;
- weak financial management, fraud and corruption;
- weak public participation structures; and
- citizens' lack of confidence in the public service (Shiceka 2009a:16).

The constitutional change that paved the way for a democratic dispensation in South Africa directly impacted on the public sector. Prior to the national elections in 1994, the governing authorities were structured in terms of three tiers or levels (central, provincial and local). South Africa was a unitary state in the sense that the central legislature was supreme and all power was vested in it. Consequently, only those powers that had to perform specific functions were delegated to provincial authorities who, in turn, delegated where necessary to local authorities. However, the 1996 Constitution provided for an innovative approach to governance by introducing concepts such as cooperative governance, and by making provision for autonomous spheres as opposed to levels/tiers of government. These spheres of government, *inter alia*, had to:

- provide effective, transparent, accountable and coherent government for the Republic as a whole;
- respect the constitutional status, institutions, powers and functions of governments in the other spheres;
- refrain from assuming any power or function except those conferred on them in terms of the Constitution; and
- exercise their powers and perform their functions in a manner that did not encroach on the geographical, functional or institutional integrity of government in another sphere (Section 41 (1), Constitution 1996).

The introduction of the concept of cooperative governance explicitly indicated that the 'old' form of governance, where everything was centralised, had to be decentralised. However, it was not specifically stipulated in legislation how cooperative governance should take place in reality. Subsequently, the fact that the respective roles and responsibilities of each sphere of government were not always clear, gave rise to a situation whereby fragmentation, confusion and duplication occurred as various and different interpretations prevailed. This was evident from the report of the Presidential Review Commission (PRC) presented to President Mandela in February 1998. The report stated that:

“Since little progress had been made in remedying the inequalities and inefficiencies of the past and that the costs and quality of the rendering of public services left much to be desired, the role and functions of the public services had to be reviewed and should the National Government not hesitate, in certain extreme circumstances, to resume functions delegated to certain provinces or their departments, where those provinces provide irrefutable evidence of inability to execute those functions” (PRC 1998:6).

It can therefore be deduced that if the initial drive of decentralising functions did not produce satisfactory delivery of services, such services would be centralised. Up to that point, no such actions were taken by the government, although dissatisfaction with the quality of services was rife.

Fraser-Moleketi (2007:4) furthermore asserted that insufficient attention was given to the capacity of the provinces to assume their devolved powers, especially given the poor financial control culture due to the lack of an effective system of monitoring and evaluation, and a continued 'siloised' approach in the delivery of services, resulting in poor integration of delivery efforts across government. Apart from the integration of services, the implementation of policies was, and still is, problematic (Republic of South Africa 2009b:9). On the one hand, policies are sometimes, due to a lack of time, interest, information or expertise, framed in general terms and the implementation is left to implementation agencies that might thwart the original intention of the policy (Republic of South Africa 2009b:12). On the other hand, the policies might embrace so much detail that the actual meaning becomes vague. Particular measures therefore had to be taken to address this situation as it was clear that national departments and provincial administrations did not have the capability or authority to improve the functioning of government.

3. MEASURES TO COUNTER INEFFICIENCY IN LOCAL GOVERNMENT

Various pieces of legislation were introduced to address the abovementioned situation, such as:

- the Local Government Municipal Structures Act, 1998 (Act 117 of 1998);
- the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);
- the Public Finance Management Act, 1999 (Act 1 of 1999);
- the Municipal Finance Management Act, 2003 (Act 56 of 2003);
- the Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005);
- the Municipality Property Rates Amendment Act, 2009 (Act 19 of 2009); and
- the Local Government: Municipal Systems Amendment Bill (2011).

These legislation established forums to promote and facilitate intergovernmental relations between the president and premiers and mayors, and ministers and provincial members of executive councils responsible for concurrent portfolios (Republic of South Africa 2008:1). Apart from the abovementioned legislation, the Public Administration and Management Bill was tabled in 2007, also known as the Single Public Service (SPS) Bill. The objectives of the Bill are as follows:

- to deepen integrated service delivery by creating service delivery points from which the citizen could access public services. Multiple institutions were to collaborate on creating a 'single window' of access;
- to align the institutions that comprise the machinery of the developmental state strategically in order to complement one another so as to operate effectively and fulfil the needs of South Africans; and
- to create common norms and standards for human resource management and development and conditions of service across the three spheres (Visser 2007:1).

Focus areas covered by the SPS Bill are:

- the facilitation and transformation of systems and mechanisms for service delivery to ensure smooth and seamless service delivery at and between all institutions of government;
- integrated service delivery platforms and front offices;
- integrated planning, budgeting and reporting measures across all spheres of government;
- ease of mobility of senior managers and staff between and within the spheres of government and other institutions;
- clearly defined roles, responsibilities, accountability and funding arrangements;
- aligned training and capacity building to ensure the transfer of knowledge and skills across all spheres;
- maximisation of economies of scale in Information and Communication Technologies (ICT) goods and services; and
- elimination of duplication of costly ICT applications whilst replicating best lessons and practice (Conradie 2008:80).

The single public service is seen as a critical and strategic intervention of government to further enhance and strengthen the capacity of the system of government to be able to successfully deliver on the state's developmental agenda. According to Tshandu (2007:62), this decision was taken due to the belief that developing countries need strong governments, which lead administrative systems that bolster government efforts, and which implement their policies with expertise, compassion, efficiency and effectiveness.

The announcement of the SPS Bill was received with scepticism, and various concerns were noted (Conradie 2008:81). The SPS can be seen as an explicit drive towards recentralisation as the Bill repeals and amends various acts. The Bill bestows widespread regulation-making functions to the Minister of Public Service and Administration at all levels of government that would threaten the ability of municipal councils to determine and implement their own policies and practices when it comes to their employees, thus allowing government to enforce its own policies at provincial and local levels.

The SPS Bill encroaches on the constitutional integrity of local government to govern its own affairs. Furthermore it is silent on the question of who decides on the remuneration of municipal senior management and the fact that the appointment procedure and conditions of appointment will be determined by national law, not by the municipality (De Visser 2008:5). According to De Visser (2008:6) there is concern that performance management in local government will also be done according to the procedures and norms and standards prescribed by the Minister of Public Service and Administration with the risk that the synergy linking the Integrated Development Plan (IDP) and budgeting framework with the performance management, will be lost. The SPS Bill therefore removes performance management from the budgeting framework and the instruction to municipalities to facilitate community involvement in performance management (Moloi 2007:32). It is furthermore argued by Conradie (2008:82) that the single public service will not be appropriate to solve problems in service delivery because progress in service delivery lies in the hands of public servants regardless of the system in place. If public servants are not dedicated, committed and supportive to government, there is no way service delivery will be improved. It is thus better to address the causes of poor service delivery, which include lack of resources, rather than resorting to a new system (Dentlinger 2008:3; Sexwale 2009:4).

Although the Minister of Public Service and Administration indicated in October 2009 that the SPS Bill will be enacted (Baloyi 2009:2), no such actions are forthcoming. However, in December 2009 the Cabinet approved a comprehensive Local Government Turnaround Strategy (LGTAS) inter alia to strengthen local government's role in service delivery, raising the question whether the SPS idea has been shelved.

4. LOCAL GOVERNMENT TURNAROUND STRATEGY IN PERSPECTIVE

The launch of the LGTAS resulted from two seemingly separate, yet interrelated concerns. The first concern is the increasing community dissatisfaction about poor municipal service delivery, resulting in protests and civil disobedience causing millions of damages to state and private property (Republic of South Africa 2009a:2). The second concern is the overwhelming number of municipalities (279 out of 283) receiving poor audit opinions, either disclaimers or qualified opinions, from the Auditor General during the 2007/2008 audit cycle due to a lack of controls, mismanagement and lack of governance principles (Republic of South Africa 2009b:4).

The LGTAS is a comprehensive strategy, which proposes a differentiated approach that recognises the different economic conditions, capacity and support needs of individual municipalities and focuses on five strategic objectives and six key interventions (Shiceka 2010b:2; Shiceka 2009b:2). The strategies for before and after the 2011 elections are also displayed in Figure 1 (Vika 2010).

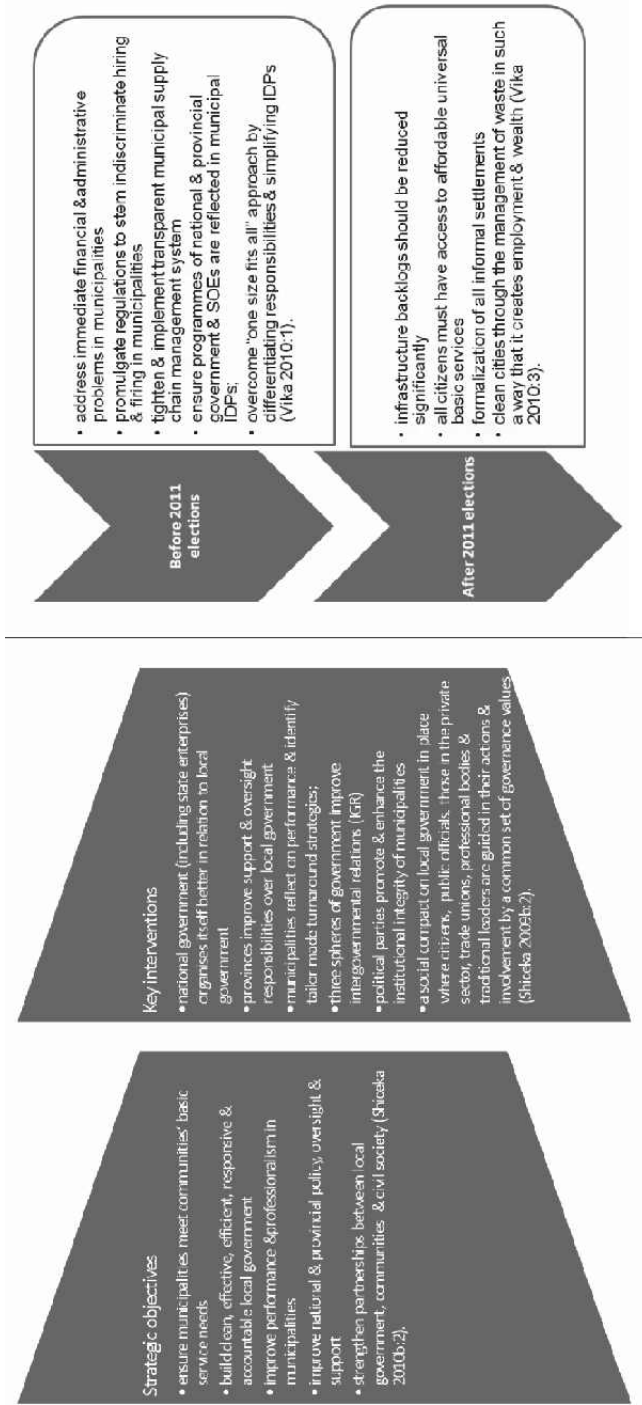


Figure 1: Strategic objectives and key interventions of LGTAS before and after the 2011 elections

A ministerial advisory and monitoring structure was established to ensure that all role-players effectively contributed to the LGTAS. The National Coordinating Unit (NCU) was set up in the Department of Cooperative Governance and Traditional Affairs (CoGTA) to oversee, monitor and report on the progress of the LGTAS across government and society. An intergovernmental working group has also been established to support the implementation of the LGTAS. This group consists of officials from national sector departments, the offices of provincial premiers, provincial local government departments and the South African Local Government Association (SALGA). Its purpose is to provide intergovernmental perspectives to the development and implementation of the LGTAS. Other functions include the provision of resources and advice. Technical Services Units (TSUs) were furthermore established provincially. These units are also coordinated by the NCU, as well as Rapid Response Teams within the NCU to attend to critical interventions in municipalities across the country to achieve a two-day turnaround response mechanism to community grievances (Shiceka 2010b:20).

A monitoring, evaluation and reporting framework with a set of indicators has been developed to allow for systematic gathering of credible data that will support implementation. The framework includes the Citizen's Report Card, which will ensure community involvement and oversight of the effectiveness of the strategy.

The question can be posed why the LGTAS will be different from previous efforts to improve local government per se. According to Vika (2010:21), previous interventions such as Project Consolidate and the five-year Strategic Local Government Agenda lacked political championing and failed to focus on the root causes of local government distress. In addition, they had no command system, and neither did they enforce a single window of coordination approach. Both Project Consolidate and the five-year Local Government Strategic Agenda applied a 'one-size-fits-all' approach, whereas the LGTAS caters for individual municipalities' specific challenges.

The introduction of the LGTAS and the functioning thereof raise the same concerns as was the case with the introduction of the SPS (see subheading 3). According to Shiceka (2010b:21), new provisions will empower the minister to prescribe the qualifications and experience of people appointed to management positions and to regulate their salaries and benefits to ensure stability in the leadership of municipalities. The amendments also prohibit:

- party political office-bearers from becoming councillors or municipal officials;
- the suspension without salary of managers charged with serious offences, including corruption and fraud, or
- inciting residents to protest against the municipality.

Managers facing disciplinary action will not be permitted to resign or seek employment in another municipality. Although the proposed amendments are laudable, it might mean that, if power is concentrated at the national level of government, too many minor decisions have to be referred up the hierarchy for approval. This does not necessarily improve the quality of decisions, but it almost certainly leads to bureaucratic delays that are costly and frustrating. Individuals and organisations at lower levels have too little discretion to do their jobs efficiently and are discouraged from taking initiative. Centralising tendencies are often reinforced by organisational structures and accountability systems that are geared more to allocating blame and punishing failure than to rewarding success or establishing incentives to accept responsibility. Hierarchical accountability adds layers of bureaucracy without necessarily securing more effective control. For these familiar reasons, over-centralisation leads to slowness and inefficiency in operational management and difficulties in adapting to change (Magnussen, Hagen & Kaarboe 2007:2131).

Taking cognisance of the above-mentioned, one should decide whether the introduction of the LGTAS will lead to shelving the idea of a SPS. When taking the objectives of both the SPS and the LGTAS into consideration, it seems as if these objectives can form part of a concerted effort to improve coordination and integration in government in order to facilitate efficient and effective delivery of services. Both projects envisage a single election for national, provincial and local governments with the benefit of a single manifesto, one financial year, common five-year medium-term planning, aligned human resource and budget frameworks and a single public service. Autonomous local government can thus be achieved with the introduction of the SPS, assisted by the LGTAS that will strengthen local government.

5. CONCLUSION

Speculation that the implementation of the SPS was shelved due to the introduction of the LGTAS was rife after the approval of the latter strategy by Cabinet in December 2009. The same speculations have been voiced regarding inter alia the amendments to legislation to ensure more national and provincial involvement in local government affairs in respect of appointments and accountability. The impression that recentralisation was on the cards was created, contrary to the stipulations in the Constitution. However, instead of proposing and speculating whether this is true or not, it should be acknowledged that all access of citizens to services should be promoted through improved integrated public services by national, provincial and local government to give effect to the basic values and principles contained in the Constitution. Whether these two ideas, the SPS and LGTAS, are therefore mutually exclusive or complementary is debatable, but possible as the LGTAS supports the SPS idea of strengthening local government within a single public service.

However, service delivery cannot be solved through any model or system if public servants are not dedicated, committed and supportive to government.

6. REFERENCES

Baloyi, M.R. 2009. Public value in a developmental state. Keynote address at the ASSADPAM conference, September 10 – 11, Stellenbosch, Republic of South Africa.

Conradie, B. 2008. Towards a single public service. *Delivery: The Magazine for Local Government*, Vol. 14, No. 1, p. 80.

Dentlinger, L. 2008. City rejects idea of single public service, <http://www.iol.co.za>

Devenish, G.E., Govender, K. & Hulme, D.H. 2001. *Administrative law and justice in South Africa*. Durban, Butterworths.

De Visser, J. 2008. Implications for local government of a single public service: Great white hope or disaster in making? *Local Government Bulletin*, Vol. 10, No. 2, pp. 4–7.

Fraser-Moleketi, G. 2007. Sustaining good governance. Keynote address at the 8th SAAPAM conference, Cape Town, 1–2 November.

Magnussen, J., Hagen, T. P. & Kaarboe, O. M. 2007. Centralized or decentralized? A case study of Norwegian hospital reform. *Social Science and Medicine*, Vol. 64, No. 10, pp. 2129–2137.

Moloi, P. 2007. A single public service for service delivery? *Journal of the Institute of Municipal Finance Officers (IMFO)*, Vol. 8, No. 2, pp. 32–33.

PRC (Presidential Review Commission) Report. 1998. The commission of inquiry regarding the transformation and reform of the public service, February 1998.

Republic of South Africa. 1996. *Constitution of the Republic of South Africa (Act 108 of 1996)*.

Republic of South Africa. 1998. *Local Government Municipal Structures Act (Act 117 of 1998)*.

Republic of South Africa. 1999. *The Public Finance Management Act (Act 1 of 1999)*.

Republic of South Africa. 2000. *Local Government: Municipal Systems Act (Act 32 of 2000)*.

- Republic of South Africa. 2003. Local Government: Municipal Finance Management Act (Act 56 of 2003).
- Republic of South Africa. 2005. Intergovernmental Relations Framework Act (Act 13 of 2005).
- Republic of South Africa. 2009. Local Government: Municipality Property Rates Amendment Act (Act 19 of 2009).
- Republic of South Africa. 2011. Local Government: Municipal Systems Amendment Bill.
- Republic of South Africa. 2008. Public Administration and Management Bill. <http://www.dpsa.gov.za>
- Republic of South Africa. 2009a. State of Local Government in South Africa. <http://www.cogta.gov.za>
- Republic of South Africa. 2009b. General Report of the Auditor General. <http://www.agsa.co.za>
- Sexwale, T. 2009. Protests are result of the past. Sunday Times, 26 July, p.23.
- Shiceka, S. 2009a. Municipalities paralysed and dysfunctional. The SA Local Government Briefing - June. Pretoria: SA Local Government Research Centre.
- Shiceka, S. 2009b. Turnaround strategy recognizes municipal differences: rejects one-size-fits-all approach. The SA Local Government Briefing - December. Pretoria: SA Local Government Research Centre.
- Shiceka, S. 2010a. Budget Speech of the Department of Cooperative Governance and Traditional Affairs. 22 April. <http://www.cogta.gov.za>
- Shiceka, S. 2010b. Shiceka launches local government turnaround strategy. The SA Local Government Briefing - March. Pretoria: SA Local Government Research Centre.
- Tshandu, Z. 2007. Value of the Batho Pele Learning Network. Service Delivery Review, Vol. 5, No. 3, pp. 62 – 63.
- Vika, V.Q. 2010. The Local Government Turnaround Strategy in context. <http://www.cogta.gov.za>
- Visser, E. 2007. SALGA reaffirms its importance. <http://joburgnews.co.za>