LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

PROVINCIAL TREASURY

POLICY DEVELOPMENT FRAMEWORK

NOVEMBER 2012

CONTENTS

ACRONYMS

The following acronyms have been used in this Framework:

EXCOM -   Executive Management Committee
GITO -   Government Information Technology Office
HOD -   Head of Department
LCF -   Labour Consultative Forum
LPT -   Limpopo Provincial Treasury
MEC -   Member of the Executive Council
RSA -   Republic of South Africa
SOPC -   Strategic Operations and Policy Coordination

1. INTRODUCTION/PREAMBLE

Policy is the most effective tool to ensure that management and administration within the Limpopo Provincial Treasury is in line with the basic values and principles as laid down in the Constitution and achieves efficient and effective delivery of services.

There is need to ensure that the manner in which Limpopo Provincial Treasury makes decisions and executes its mandate is predictable and consistent; policies are able to achieve this as well as provide employees and other stakeholders with information on the responsibility and limitation of a functionary in relation to a specific area of interest.

Policies should play a very important role as part of the internal controls within the Limpopo Provincial Treasury. These form an effective mechanism to address some of the risks that the department faces.

Experience has shown that having policies drafted and approved is not enough to achieve the benefits stated above. The policies have to address relevant issues and be implemented in such a manner that they are not easily nullified by courts or other superior authorities.

2. PURPOSE AND OBJECTIVES OF THE FRAMEWORK

The purpose of this policy framework is to guide the development and management of policy within the Limpopo Provincial Treasury as well as achieve the following objectives:

- ➢ To outline the principles that guides the development and management of policy.
- ➢ To promulgate the responsibilities for policy development and management.
- ➢ To provide for and outline the process of policy development and management.

3. CUSTODIAN OF THE POLICY

This policy is issued under the authority of the MEC as the Executive Authority and the Head of Department as the Accounting Officer for Limpopo Provincial Treasury.

4. SERVICE DELIVERY PRIORITIES

This framework is aimed at contributing to the broader Provincial development pathways through a coherent policy development approach. Therefore, Limpopo Provincial Treasury is underpinned by the following electorally mandated priorities:

- Creation of decent work and sustainable livelihoods

- Education

- Health

- Rural development, food security and Land reform

- The fight against crime and corruption

5. SCOPE OF APPLICATION

This policy framework, except where otherwise indicated, is applicable to all employees and structures related to Limpopo Provincial Treasury, as a department.

The directives outlined in this document relate only to the development and management of departmental policies.

Policies that have already been approved in terms of previous process will remain in force. The revision, amendment, or withdrawal of these policies should be in line with this framework.

6. LEGAL FRAMEWORK

This policy framework is guided by the following legal prescripts:

No	Legislation
1	The Constitution of the RSA (Act 108 of 1996, as amended)
2	The Public Service Act (Act 103 of 1994, as amended)
3	The Promotion of Access to Information Act (Act 2 of 2000 (as amended)
4	The Promotion to Administrative Justice Act (Act 3 of 2000, as amended)
5	The National Archives and Records Service of South Africa Act (Act 43 of 1996, as amended)
6	The Labour Relations Act (Act 66 of 1995, as amended)
7	Public Service regulations 2001 (as amended)

7. DEFINITIONS

The following definitions are applicable for the purpose of this policy framework document:

Policy: A policy is a "predetermined course of action established as a guide toward accepted business strategies and objectives."

Procedure: A procedure is a "method by which a policy should be accomplished; it provides the instructions necessary to carry out a policy statement."

Policy Agenda: A policy agenda is a formal recognition by an organisation that there is a need to develop or review certain policies in order to address specified organisational challenges with a time-frame for the development/review of such policies.

Policy sponsor: A member of the Executive Management Committee under whose authority or guidance the policy will be drafted and who will promote the policy within the Executive Management Committee and any higher authority.

8. POLICY PRONOUNCEMENTS

Policy development and management within Limpopo Provincial Treasury shall be guided by Batho Pele principles.
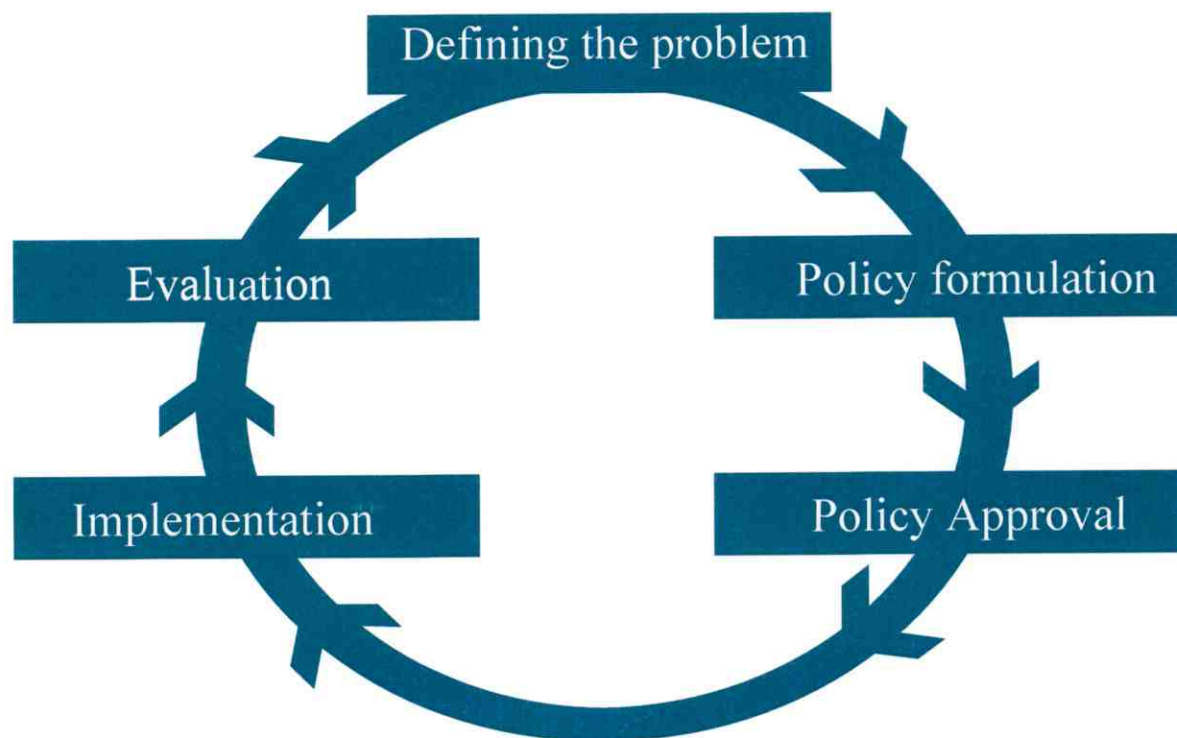
9. ROLES, RESPONSIBILITIES AND POWERS

The roles, responsibilities and powers for policy development and management within the Limpopo Provincial Treasury are outlined in the table below. These roles, responsibilities and powers apply to departmental policies.

Authority/ Office	Policy Agenda	Formulation & Drafting Policies	Policy Approval	Policy Implementation	Monitoring & Evaluation
MEC	▪ Contributes to policy agenda ▪ Approves development of new policies		Approves all policies applicable to LPT		Approves amendment of policy resulting from a review
HOD	▪ Contributes to policy agenda ▪ Can approve development of new policies in line with powers conferred by law or delegation	Recommends approval of draft policy to The MEC on advise of Executive Management	Can approve policies relevant to LPT in line with powers conferred by law or delegation	Oversees implementation of policies	Can approve amendments to policies relevant to LPT in line with powers conferred by law or delegation
Executive Management	Inputs into policy agenda	Recommend the draft policy before submission to HOD and/or The MEC	None	Implement policy within area of responsibility	Monitor and evaluate implementation of the policies at a strategic level
Senior Management	Inputs into policy agenda	Draft policy within the area of responsibility (as policy sponsor) supported by SOPC	None	Implement policy within area of responsibility	Monitors & evaluates implementation of policies within areas of responsibility
SOPC	Inputs into policy agenda	• Supports all branches in the drafting of policies; • Coordinate the consultation process	None	None	Supports branches and the Executive Authority/ Accounting Officer in monitoring & evaluating implementation of policies

Authority/ Office	Policy Agenda	Formulation & Drafting Policies	Policy Approval	Policy Implementation	Monitoring & Evaluation
Human Resource Management	None	None	None	Ensure that all new employees are informed of all policies applicable within the Limpopo Provincial Treasury.	None

10. POLICY DEVELOPMENT APPROACH/PROCESS

The policy development process entails a number of processes before a final policy is produced. These processes include extensive research, analysis, consultation and synthesis of information that lead to the compilation of the final policy document with specific desired outcomes. There are specific steps that need to be followed in developing a policy. Below are detailed processes that should be followed in developing policies within the Limpopo Provincial Treasury.

The policy development cycle diagram showing: Defining the problem → Policy formulation → Policy Approval → Implementation → Evaluation (in a circular flow)

10.1 Step 1: Define and detail the problem

- The primary responsibility to determine the need and the definition of the problem resides with the line function which is responsible for the issues addressed by the policy (policy sponsor).
- A higher authority such as the MEC, HOD, or Executive Management may identify the need for a new policy to be developed or review of current policy.
- Once the need for a policy has been identified it shall be approved by the HOD with input from the Executive Management and the SOPC directorate.
- The policy sponsor shall inform the SOPC directorate of the proposed policy.
- The SOPC directorate shall maintain a record of the policy agenda.

10.2 Step 2: Policy formulation/drafting.

- The line function or directorate under which the policy issue resides will undertake the necessary research and consult with the relevant stakeholders including the Legal Services, Strategic Operations & Policy Coordination (SOPC) directorates and recognized labour unions.
- SOPC shall coordinate the consultation process through workshops.
- The policy shall be drafted to conform to the letter and spirit of existing legislation and higher level policies such as white papers, provincial and national policies.

- The policy shall be drafted in line with the formatting guidelines outlined in **Annexure 1**.
- The policy shall be circulated to staff members/Labour union representatives in the department for inputs and comments, and such inputs shall be discussed at the Labour Consultative Forum (LCF).

10.3 Step 3: Policy approval process.

- The draft policy shall thereafter be presented to the Senior Managers and Executive Management committees for inputs prior to submission to the MEC for approval.
- The memorandum covering the policy shall contain a summary of the key policy pronouncements as well as outline the consultation process followed.
- All submissions for approval of draft policies shall provide space for comment by the policy sponsor as well as the SOPC directorate.
- The original signed copy shall be kept at the main registry and the SOPC directorate shall keep copies of all policies.
- All copies of approved policies shall be posted on the Departmental intranet through GITO/Communication and should also be forwarded to Communication Services.

10.4 Step 4: Policy implementation.

- The policy sponsor must ensure that within 30 days after approval by the MEC the policy is brought to the attention of all employees of the Limpopo Provincial Treasury.
- Ensure that lower level personnel are educated in their own language.
- The Human Resource unit must ensure that all new employees are informed of all policies applicable within the Limpopo Provincial Treasury.

10.5 Step 5: Policy monitoring and evaluation.

- The line function or directorate responsible for the issues addressed by the policy shall develop a mechanism for monitoring and evaluating the implementation of the policy.
- The SOPC directorate shall support line functions and the Executive Authority/ Accounting Officer in monitoring & evaluating implementation of policies.

A detailed departmental policy development/review process flow is outlined in **Annexure 2**.

11. REVIEW AND TERMINATION OF DEPARTMENTAL POLICIES

Limpopo Provincial Treasury policies will need to be reviewed periodically for improvement. Where it is concluded that a policy is not achieving the desired results, a policy review process, along the same lines as the policy development process, shall be undertaken and changes /amendments made during the policy review session should be recorded. However, where it is deemed to be not necessary to review the policy, evidence of the process leading to such decision should be recorded.

All policies will be reviewed by the relevant directorate/branch at least every 24 months based on the comments and inputs received from the stakeholders.

A policy will remain in force until and unless it has been withdrawn and amended by the Accounting Officer.

12. MONITORING AND EVALUATION

The six guiding principles for evaluation are:

a. Pluralism - Evaluation implies considering in a balanced manner all the legitimate points of view the various stakeholders expressed about the evaluated activity.

b. Independence: Evaluation is carried out impartially and independently of programme management and decision-making processes. This independence serves to safeguard the public decision-makers' freedom of choice. Evaluation professionals inform their partners of any possible conflict of interests.

c. Competence: Specific competencies are needed to design, manage and commission evaluations, collect data and interpret findings. Evaluation professionals must update their skills consistently and explicitly mention their limitations. Recognized methods should be used, particularly those used by the international evaluation community.

d. Respect: Participants in the evaluation process must respect the rights, integrity and safety of all affected parties. They may not disclose the sources of any information or opinions they collect without the agreement of the persons concerned.

e. Transparency: At the beginning of an evaluation it should be decided how findings will be disseminated. Presentations must clearly describe the object of the evaluation, its purpose, its intended audience, the questions asked, the methods used and their limitations, and the arguments and criteria which led to

these findings. The findings of evaluations should be made public. The integrity of findings should be respected.

f. Responsibility: At the beginning of an evaluation, clear responsibility must be assigned for each function in the evaluation (defining the brief, the management process, research and analysis, formulating findings and recommendations, disseminating findings).

Persons and institutions involved in the evaluation process should make available appropriate resources and the information required to carry out the evaluation. They are jointly responsible for properly implementing the guiding principles set out in the signed charter.

13. INSTITUTIONAL ARRANGEMENTS

Provincial Treasury shall utilise the following structures for policy development and review:

13.1 Labour Consultative Forum

The Labour Consultative Forum shall be the structure where labour unions are consulted on departmental policies.

13.2 Executive Management Committee

The Executive Management Committee shall be the structure to ratify policies that have been consulted with labour unions. Such ratified policies shall then be processed for approval by the MEC or HOD so delegated.

14. DEVIATION/DEFAULT

Any policy that does not follow the procedures and processes outlined in this policy framework will not be approved by the relevant authority.

15. INCEPTION DATE

The commencement date of this framework will be from the date of its approval or 30 days after approval, where there are no systems in place to implement the policy framework.

16. REVIEW OF THE FRAMEWORK

This framework will be reviewed on an annual basis or when necessary. The review process shall be in line with the set process outlined in paragraph 10 above.

17. ENQUIRIES

Enquiries regarding this policy Framework should be directed to the Strategic Operations and Policy Coordination directorate.

18. RECOMMENDATION AND APPROVAL

Recommended for approval by:

_____   28/11/2012
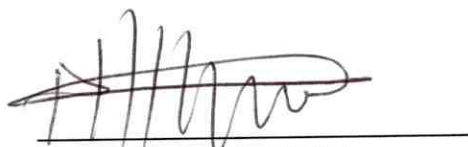Monde Tom   _____
ADMINISTRATOR   DATE
Limpopo Government Section 100(1) (b) Constitution Intervention

Approved by:

_____   28/11/2012
David Masondo (MPL)   _____
MEMBER OF THE EXECUTIVE COUNCIL   DATE

ANNEXURE 1: FORMAT FOR DRAFTING POLICY DOCUMENTS

1. COVER PAGE

1.1. The cover sheet is the first page of the policy that any reader will come in contact with and has to include the following information:

- The fact that the policy is that of the Limpopo Provincial Treasury, Limpopo Province

- The name of the policy

1.2. The design of the cover page has to be in line with the Department's Corporate Identity Manual as issued by Communication Services.

2. CONTENTS PAGE

2.1. The contents page should at the very minimum indicate on which page the main headings indicated in this annexure appear within the policy.

2.2. A policy containing less than 5 pages does not need to have a contents page.

3. ACRONYMS AND ABBREVIATIONS

3.1. All the acronyms and abbreviations should be clarified in this section of the document.

4. EXECUTIVE SUMMARY

4.1. It is not always necessary to include an Executive Summary, however if the policy is more than ten (10) pages it is advisable that it should be included.

4.2. The Executive Summary should not exceed a page and always starts on a new page.

5. INTRODUCTION

5.1. The introduction should provide the necessary background and context of the policy as well as any preamble.

5.2. The introduction should always start on a new page.

6. PURPOSE AND OBJECTIVES OF THE POLICY

6.1. The purpose as well as all the objectives of the policy should be included in this section. These form the basis of the policy principles.

7. AUTHORITY OF THE POLICY

7.1. This section will mention the authority which issues the policy and thus reinforce the scope of application.

8. LEGAL FRAMEWORK

8.1. This section will list all the legal prescripts that form the basis and authority for the policy pronouncements/principles within the policy.

9. SCOPE OF APPLICATION

9.1. A statement along the following lines will almost always be part of this section: "This policy, except otherwise indicated, is applicable to ..."

9.2. The scope could be clarified in terms of the type of activities and/or programmes the policy covers as well as the organisational depth and width of the policy.

10. DEFINITIONS

10.1. Special focus should be on defining words and concepts with special meanings or interpretation.

11. POLICY PROVISIONS/PRONOUNCEMENTS

11.1. This section is the core of the policy document and requires to be particularly well crafted and explain the expectations.

11.2. Every objective of the policy has to be addressed by the policy principles/pronouncements.

12. DEVIATION

12.1. This section should state the consequences of non-compliance with the policy.

13. COMMENCEMENT DATE

13.1. Extreme caution should be taken regarding backdating the commencement date of a policy; this should generally be avoided. Commencement date should normally be on date of approval. However, where there are no or inadequate systems in place to implement the policy, commencement date should be 30 days after approval.

14. TERMINATION AND REVIEW CONDITIONS

14.1. This section should indicate under which conditions would the policy be reviewed or terminated.

15. ENQUIRIES

15.1. The unit, rather than the individual officer to whom enquiries on the policy can be forwarded, should be stated here.

16. RECOMMENDATION AND APPROVAL

16.1 Provision should be made for the HOD to recommend approval by the MEC as well as date of approval.

ANNEXURE 2: POLICY DEVELOPMENT / REVIEW PROCESS FLOW

Consultation
Policy circulated to staff and labour; inputs discussed at the Labour Consultative Forum (LCF)

Legal Ratification
Consulted policy to be ratified by Legal Services

Adoption by EXCOM
Consulted developed/reviewed policy to be adopted by EXCOM

Develop/Review Policy
Policy development or review sessions by line managers supported by SOPC and Legal Services

Monitoring & Evaluation
Line function responsible for the policy supported by SOPC

Policy Approval
EXCOM adopted policy approved by MEC

Collection of Information
Line managers responsible for the policy collect info guided by new developments/changes in transversal & national policies and lessons learnt during implementation

Policy Implementation
Implementation by all branches

Communication
Approved policy communicated through Communication Services and intranet