



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE PREMIER

POLICY DEVELOPMENT FRAMEWORK

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ACRONYMS AND ABBREVIATIONS

The following acronyms and abbreviations are used in this Policy:

HR	Human Resources
SPPC	Strategic Planning & Policy Coordination
DG	Director General
SBU	Strategic Business Unit

DEFINITIONS

1. The following definitions are applicable for the purposes of this policy document:
 - 1.1. Policy. A policy is a "predetermined course of action established as a guide toward accepted business strategies and objectives."
 - 1.2. Procedure. A procedure is a "method by which a policy should be accomplished; it provides the instructions necessary to carry out a policy statement."
 - 1.3. 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.
 - 1.4. 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.

INTRODUCTION

2. Policy is the most effective tool to ensure that management and administration within the Office of the Premier is in line with the basic values and principles as laid down in the Constitution and achieves efficient and effective delivery of services.
3. There is need to ensure that the manner in which the Office of the Premier 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.
4. Policies should play a very important role as part of the internal controls within the Office of the Premier. These form an effective mechanism to address some of the risks that the office faces.
5. 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.

PURPOSE AND OBJECTIVES OF THE POLICY

6. The purpose of this policy is to guide the development and management of policy within the Office of the Premier as well as achieve the following objectives:
 - 6.1. To outline the principles that guides the development and management of policy.
 - 6.2. To promulgate the responsibilities for policy development and management.
 - 6.3. To provide for and outline the procedures and processes of policy development and management in line with the following steps:
 - Development of a policy agenda
 - Policy formulation and drafting (including consultation)
 - Policy adoption/approval
 - Policy implementation
 - Policy Monitoring and Evaluation

TYPES OF POLICIES

7. International Protocols, treaties and conventions.

International protocols or treaties can be defined as agreements under international law entered into by actors in international law, namely sovereign states and international organization. For example, United Nations policy instruments such as Convention on the Rights of the Child

8. National Government policies and Acts (Macro and sectoral)

Policies developed and implemented by national government and serving as mandatory guides in developing provincial policies. For example, Gear, RDP and National Development Plan (Vision 2030)

9. Provincial government policies

These are the policies developed and implemented by provincial government in order to deliver service to its people. For examples, Limpopo Traditional Leadership Act and Limpopo Employment, Growth and Development Plan.

10 Institutional Policies

These are transversal policies, applied across all Provincial departments, as per national or Provincial mandate. For example, Finance and Human Resource Policies.

11 Organizational Policies

These are departmental policies that are developed and implemented by a specific department in order to deliver on its mandate. For example, ICT policy and Cell phone policy.

AUTHORITY OF POLICY

- 12 This policy is issued under the authority of the Premier as the Executing Authority and the Director General as the Accounting Officer for the Office of the Premier Limpopo Province.

SCOPE OF APLICATION

- 13 This policy, except where otherwise indicated, is applicable to all employees and structures related to The Office of the Premier, Limpopo Province, as an office.

14 The directives outlined in this document relate only to the development and management of departmental policies, that is, policies, procedures, and guidelines that are applicable to the whole Office of the Premier.

15 Policies that have already been approved in terms of previous process will remain in force. The revision, amendment, or withdrawal of these, as well as the development of any new policy should be in line with this policy.

LEGAL FRAMEWORK

16 This policy 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)

POLICY PRONOUNCEMENTS

17 Policy development and management within the Office of the Premier shall be guided by the following principles:

- **Consultation.** All the key stakeholders that are expected to affect or be affected by the implementation of the policy should be consulted at all stages of the development or review of the policy.
- **Information.** All employees who are affected by the policy should be informed about the prescript within the policy.
- **Batho Pele.** Policies that are developed within the Office of the Premier should consider the principles of "People First" in the first instance in relation to the external clients and secondly in relation to the employees of the Office.

18 The roles, responsibilities, and powers for policy development and management within the Office of the Premier 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
Premier	<ul style="list-style-type: none"> ▪ Contributes to policy agenda ▪ approve development of new policies 		Approves all policies applicable to whole Office		Approves amendment of policy resulting from a review
DG	<ul style="list-style-type: none"> ▪ Contributes 	Recommend	Can approve		Can approve

	to policy agenda ▪ Can approve development of new policies in line with powers conferred by law or delegation	s approval of draft policy to Premier on advise of Executive Management	policies relevant to whole office in line with powers conferred by law or delegation		amendments to policies relevant to whole office in line with powers conferred by law or delegation
Executive Management	Inputs to policy agenda	Recommend the draft policy before submission to DG and/or Premier	Nil	Implement policy within area of responsibility	Monitor and evaluate implementation of the policies at a strategic level
SMS members	Inputs to policy agenda	Draft policy within the area of responsibility supported by SPPC	Nil	Implement policy within area of responsibility	Monitors & evaluates policies within areas of responsibility
SPPC	Inputs to policy agenda	Support all units in the drafting of policies	Nil	Ensure that all policies are implemented in line with this policy	Monitors & Evaluates policies within Office of Premier

19 The policy development process within the Office of the Premier will follow the following five steps:

- a. Step 1: Development of a policy agenda.
 - The primary responsibility to determine the need for a policy resides with the SBU or directorate which is responsible for the issues addressed by the policy.
 - A higher authority such as the Premier, DG, or Executive Management may identify the need for a new policy or review of current policy.
 - Once the need for a policy has been identified it shall be approved by the DG with input from the executive management and the SPPC directorate.
 - The policy sponsor shall inform the SPPC directorate of the proposed policy.
 - The SPPC directorate shall maintain a record of the policy agenda.
- b. Step 2: Policy formulation and drafting.
 - The SBU or directorate under which the policy issue resides will undertake the necessary research and consult with the relevant stakeholders including the Legal Services Unit.
 - The policy shall be drafted to conform to the letter and spirit of legislation and higher level policies such as white papers and provincial policies.
 - The policy shall be drafted in line with the formatting guidelines in Annexure 1.
- c. Step 3: Policy approval process.

- The draft policy shall be presented to the executive management committee for inputs prior to submission to the Premier and/or the Director General for approval.
 - The memorandum covering the draft policy shall contain a summary of the key policy pronouncements as well as outline the consultative process followed.
 - All submissions for approval of draft policies shall provide space for comment by the policy sponsor as well as the SPPC directorate.
 - The original signed copy shall be kept at the main registry and the SPPC directorate shall keep copies of all policies.
- d. Step 4: Policy implementation.
- The policy sponsor must ensure that within 30 days after approval by the Premier and/or the Director General the policy is brought to the attention of all employees of the Office of the Premier and other relevant stakeholders.
 - The HR unit must ensure that all new employees are informed of all policies applicable within the Office of the Premier.
- e. Step 5: Policy monitoring and evaluation.
- The SBU or directorate responsible for the issues addressed by the policy shall device a mechanism for monitoring and evaluating the implementation of the policy.
 - The SPPC directorate shall confirm that all policies are subjected to a monitoring and evaluation process.
 - 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.

DEFAULT

- 20 Any policy, procedure, or guideline that does not follow the procedures and processes outlined in this policy will not be approved by the relevant authority.
- 21 Any employee who contravenes the provisions of this policy which may lead to violations of the Public Service Code of Conduct or any rules or policies, that employee shall be charged with misconduct and the necessary disciplinary measures will be taken against him or her.

INCEPTION DATE

- 22 The inception date for this policy will be within 30 days after the approval by the Executive Authority.

TERMINATION AND REVIEW CONDITIONS

- 23 This policy will be reviewed by the Office of the Premier's SPPC directorate at least every 24 months based on the comments and inputs from the stakeholders. The amendments resulting from the review will be processed in line with paragraph 19 of this policy.
- 24 This policy will remain in force until and unless it has been withdrawn and amended by Executing Authority.

ENQUIRIES

25 Enquiries regarding this policy should, in the first instance, be directed to the Strategic Planning and Policy Coordination directorate.

RECOMMENDED FOR APPROVAL BY:

DIRECTOR GENERAL

APPROVED BY:

THE PREMIER

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 Office of the Premier, Limpopo Province
 - The name of the policy
 - The revision/ version of the policy
- 1.2. The design of the cover page has to be in line with the province's corporate image.

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 pronouncements.

7. AUTHORITY OF 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 within the policy.

9. SCOPE OF APLICATION

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 policies covered as well as the organisational depth and width of the policy.

10. DEFINITIONS

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

11. POLICY 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 pronouncements.

12. DEFAULT

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

13. INCEPTION DATE

13.1. Extreme caution should be taken regarding backdating the inception date of a policy; this should generally be avoided.

14. TERMINATION AND REVIEW CONDITIONS

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

15. ENQUIRIES

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