LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
CO-OPERATIVE GOVERNANCE,
HUMAN SETTLEMENTS & TRADITIONAL AFFAIRS

DEPARTMENTAL POLICY DEVELOPMENT FRAMEWORK

Table of Contents

ACRONYMS

CIO	Chief Information Office
CoGHSTA	Department of Co-operative Governance, Human Settlements and Traditional Affairs
HOD	Head of Department
LMF	Labour Management Forum
MEC	Member of the Executive Council
NEHAWU	National Education Health and Allied Workers Union
PSA	Public Service Association
SBU	Strategic Business Unit

CLARIFICATION OF TERMS

In this document, the following words shall have the following meanings:

"Branch" a combination of various SBUs headed by a General Manager.

"Guidelines" are written documents that further explain policies/procedures and are characterised by narrative descriptions and examples that serve as aids in interpreting and applying them. Unless otherwise stated, guidelines normally do not have the force of establishing rights, requirements and responsibilities

"Plan" detailed proposal for doing or achieving something. Quarterly, annual, or multiyear schedules of expected outputs, tasks, timeframes and responsibilities.

"Planning" is a goal setting process that sets the scene for how the organizational programmes will be implemented and evaluated.

"Policies" are written statements or sets of statements that describe principles, requirements, and limitations and are characterised by indicating "what" needs to be done rather than how to do it. Such statements have the force of establishing rights, requirements and responsibilities
A **"policy" can further be defined as** a deliberate and systematic plan that adopts a set of defined goals aimed at shaping a particular course of action. A policy embodies a position or intent on any issue where an intervention has to be made. It outlines roles, rules, processes, means and mechanism.

"Policy Agenda" is a list of subjects or problems to which people inside or outside government are paying serious attention to at any given time.

"Policy Analysis" can be defined as the systematic analysis of the dimensions and variables influencing public policy.

"Policy Making" is a political problem-solving activity in the face complex rather than logical process involving well-informed calculations by the rational actors who seek to minimize economic utility, political power, or organizational effectives.

"Policy Management" refers to a deliberate method of dealing with policy issues and processes from start to finish.

"Policy Sponsor" a member of Senior Management under whose authority or guidance the policy will be drafted and will promote the policy within Senior Management and at higher authority.

"Procedures" are written documents which provide specific information on how to apply certain steps of a particular strategy, plan or policy etc and are normally developed by the office responsible for the administration of a policy. In cases where procedures establish rights, requirements and responsibilities, they will normally be developed through a process similar to the institutional policy approval process. Is a method by which policy should accomplished.

1. PREAMBLE/BACKGROUND

Policy formulation and review is one of the strategic functions that the Department of Co-operative Governance Human Settlements and Traditional Affairs is responsible for. The Research and Policy Co-ordination unit provides the strategic leadership and direction in the departmental policy formulation and review process. The aim of this framework is therefore, to establish a consistent, coherent, integrated and shared policy development, implementation monitoring and evaluation process in the department. The framework outlines processes that the policy initiatives of the department should go through to ensure that policy harmonization is created as a means towards the attainment of the policy outcomes.

2. PURPOSE AND OBJECTIVES

The purpose of this framework is to guide, inform and encourage the development, implementation, monitoring and evaluation of a common and integrated policy approach that is driven by the needs and priorities of the Limpopo Provincial Government. The specific objectives are:

2.1.   to inform, guide and support Limpopo Provincial Government shared growth and integrated, sustainable development through a common policy approach;

2.2.   to shape and support a focused and coherent Limpopo Provincial Government policy agenda through a common policy approach;

2.3.   to coordinate and facilitate an environment conducive for common and integrated policy development, implementation, monitoring and evaluation within CoGHSTA;

2.4.   to encourage and promote dialogue and wide range participation in the departmental policy development process;

2.5.   to ensure that the development of all departmental policies is aligned to the Limpopo Provincial Policy Development Framework.

3. TYPES OF POLICIES

3.1   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 organizations. For example, United Nations policy instruments such as convention on the Rights of the Child.

3.2   National Government policies and Acts (Macro and sectorial)

This refers to 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)

3.3.   Provincial government policies

These are policies developed and implemented by provincial government in order to deliver service to its people. For example, Limpopo Traditional Leadership Act.

3.4   Institutional Policies

These are transversal policies which are developed and implemented by provincial government in order to deliver service to its people. For example, Limpopo Traditional Leadership and institutions Act.

3.5   Organisational 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.

4. SCOPE OF APPLICATION

This Framework applies to **CoGHSTA's branches and SBUs.**

5. LEGAL FRAMEWORK

This policy framework is guided by the following:

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

5.2. The United Nations Millennium Development Goals of 2000

5.3.   Vision of Government 2014

5.4. The National Spatial Development Perspective (NSDP)

5.5.   New Growth Path

5.6. National development Plan (vision 2030)

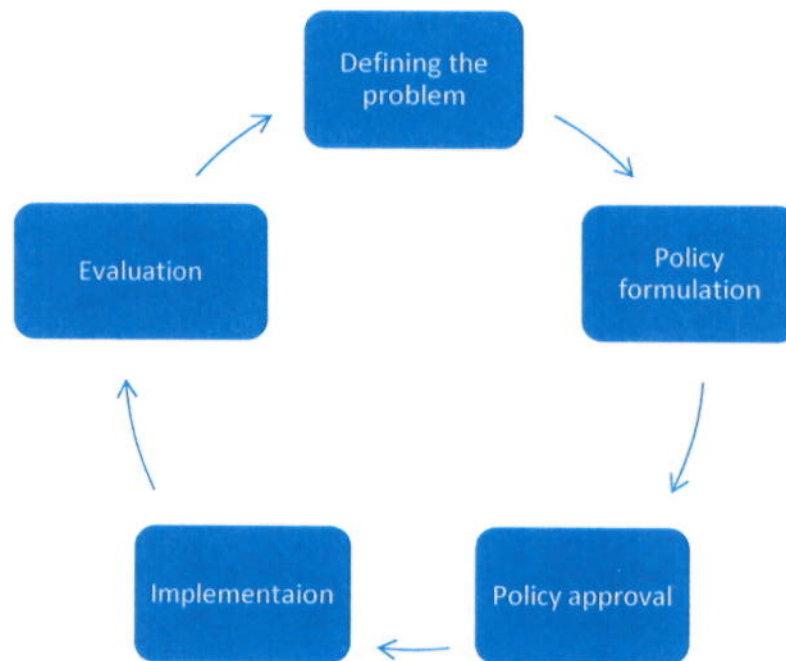## 6. Administration of the policy

This framework empowers each SBU's to administer their own policies.

7. POLICY CONTENT

When drafting policies, every SBU, branch and sub department must include powers, roles, functions and composition of committees where applicable.

8. POLICY DEVELOPMENT APPROACH

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 policies within the Limpopo Provincial Government.

The policy development cycle: Defining the problem → Policy formulation → Policy approval → Implementaion → Evaluation → (back to Defining the problem)

8.1. Step 1: Define and detail the problem

8.1.1 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.

8.1.2 A higher authority such as the Premier, DG, MEC, HOD or Executive Management may identify the need for a new policy to be developed or review of current policy.

8.1.3 Permission to commence with formulation or review of the Policy should be approved by the Accounting Officer.

8.1.4 The policy sponsor shall inform the Policy directorate of the proposed policy.

8.1.5 The policy directorate shall maintain a record of the policy agenda.

8.2. Step 2: Policy formulation and drafting

8.2.1   The SBU or directorate under which the policy issue resides shall undertake the necessary research and consult with the relevant stakeholders including the Legal Services Unit and Policy Coordination Unit.

8.2.2 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.

8.2.2   The policy shall be drafted in line with the formatting guidelines in Annexure 1. The policy shall be circulated to staff members in the Department for inputs and comments for at least a month or 30 days.

8.2.3   The policy Co-ordinating unit shall convene a meeting between the policy sponsors and the organised Labour to discuss the policy.

8.3. Step 3.Policy approval process.

8.3.1   The draft policy shall be presented to the line managers (Executive Management Committee) for inputs prior to the submission to the HOD to adopt it on behalf of the Labour Management Forum and eventually the MEC for approval.

8.3.2   The memorandum covering the draft policy shall contain a summary of the key policy pronouncements as well as outline the consultative process followed.

8.3.3   All submissions for the approval of the draft policies shall provide space for comment by the policy sponsor as well as the Policy directorate.

8.3.4   The original signed copy shall be kept at the main registry and the Policy directorate shall keep copies of all policies.

8.4. Step 4: Policy implementation

8.4.1   The policy sponsor in consultation/collaboration with Departmental CIO Branch), must ensure that within 30 days after approval by the Accounting Officer, the policy is brought to the attention of all employees of the relevant Department and other relevant stakeholders.

8.4.2   Ensure that lower level personnel are educated in their own language.

8.4.3   The HR unit must ensure that all new employees are informed of all policies applicable within the Department.

8.5. Step 5: Policy monitoring and evaluation.

8.5.1 Every SBU, Branch and Sub department of CoGHSTA shall monitor and evaluate the implementation of its policies in the form of producing statistical, monthly, quarterly and yearly approved statistics as well as surveys and any recognized method.

8.5.2 The Policy directorate shall confirm that all policies are subjected to a monitoring and evaluation process.

9. DEPARTMENTAL POLICY SUPPORT

The Research and Policy Coordination SBU shall have policy support function. The responsibilities of the policy support function shall be:

a) to develop departmental policies

b) to implement departmental policies

c) to review and analyse departmental policies

d) to monitor and evaluate departmental policies

e) creating capacity for the other SBU's to develop, implement, review, monitor and evaluate policies.

10. DEPARTMENTAL POLICY COUNCIL

The Council shall be established in accordance with the Departmental Policy Development Framework.

10.1 The Council shall be constituted as follows:

A) General Manager Transversal services shall be the chairperson of the council.

B) Policy Coordination Unit shall act as a secretariat.

B) Senior Manager: Labour Relations of the Department.

C) Two representatives each from the approved Departmental Labour Unions (two member of NEHAWU and two members of PSA)

D) Senior Managers: Policy Sponsors.

10.2. FUNCTIONS OF THE DEPARTMENTAL POLICY COUNCIL

The following are the functions of the Departmental Policy Council:

a) advise other SBU's on the policy development and implementation challenges.

b) provide platform for networking amongst relevant institutions on policy development and implementation.

c) evaluate and input into the policy research projects to be conducted in the Province.

d) identify Policy gaps and developing mechanisms of closing them

e) facilitate knowledge sharing integration

f) identify capacity constraints

10.3 PERIODOCITY OF MEETINGS

The Council shall meet on a quarterly basis and in its first meeting shall determine the dates and times for the yearly meetings.

10.4 WORKING GROUPS (TECHNICAL TASK TEAM)

The council may constitute working groups as a way of responding to identified challenges. The terms of reference of the working groups shall be determined by the council, including their reporting channels and frequency of meetings.

10.5 COORDINATION OF THE DEPARTMENTAL POLICY COUNCIL

The activities of the council shall be coordinated by the Research and Policy Coordination Unit. The Unit shall facilitate the proceedings of the council and also take full responsibility for the management of its record.

10.6 AMMENDMENT OF TERMS OF REFERENCE

The terms of reference of the Departmental Policy Council shall be amended during the review of the framework.

11. DEFAULT

Any policy, procedure, or guideline that does not follow the procedures and processes outlined in this policy shall not be approved by the relevant authority.

Any employee who contravenes the provisions of the 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 shall be taken against him or her.

12. ADOPTION OF THE FRAMEWORK

All Departmental Policies shall be considered and adopted by the Labour Management Forum.

13. INCEPTION DATE

The inception date for the framework shall be 30 days after the approval by the Accounting Officer.

14. REVIEW OF THE FRAMEWORK AND DEPARTMENTAL POLICIES

The framework shall be reviewed annually after date of approval by the Executive Authority or sooner as per decision of the Executive Authority. All Departmental Policies shall be reviewed in the same period which is applicable to the above mentioned framework.

15. ENQUIRIES

Enquiries regarding this policy should, in the first instance, be directed to the policy Coordination Directorate or unit.

1. Guiding principles in the drafting of a policy

In drafting any policy, the following important guiding principles must be adhered to:

1.1.   Any policy should be structured, drafted and presented in a way that makes the policy **understandable** and easy to read and interpret.

1.2.   **The content of a policy should be concise, to the point; action orientated and it** should have a logical and coherent structure. The structure of a policy can be tested by asking whether it is simple to locate topics or subjects in the text and move from one topic to another. Organisation within a policy can be achieved by putting related material together, by putting the most important ideas first and the less important ideas, for example, unusual cases and procedural detail, later.

1.3.   Plain language must be used that can be readily understood by the intended audience. A policy that is easy to understand is less likely to result in dispute and also assists those involved in administering the policy. However, the policy should not be simplified to the point that it becomes legally uncertain. Thus the objective should be to produce a policy that is both easily read and understood and legally and practically effective in achieving the desired policy objectives. There are many ways in which a policy can simply, accurately and unambiguously expose its intent, namely by means of purpose clauses, clauses stating key or basic concepts and definitions, explanatory provisions and examples.

1.4.   In a policy, content and language should be used in ways that promote effective communication. This can be achieved by using clear, concise text, by ensuring that internal consistency regarding the use of language is achieved and by avoiding ambiguity in the policy. It is also suggested that the active instead of the passive voice and everyday words should be used.

1.5.   In drafting the policy it must be made clear whether any matter or action prescribed in the policy is **mandatory or discretionary** by using the words *"must"* or *"may"*.(**Or "will" "shall")**

1.6.   **Gender-neutral language** should be used, for example: *"chairperson"* rather than *"chairman"*.

1.7.   Policies should be written in the **present active tense** for example: *"the CoGHSTA believes that the CoGHSTA therefore does this"*.

1.8.   In a policy the **presentation or layout** should be used to promote effective communication. Presentation techniques include the use of headings, tables of provisions, page headers, white space and typefaces that help readability.

2. GUIDELINES FOR POLICY FORMULATION, DEVELOPMENT AND REVIEW

2.1.   The **format of policies** of the **CoGHSTA** should be the same and drafted in the same style, font and font size. All policies of the **CoGHSTA** should be drafted in Arial size 12 with single line spacing.

2.2.   Provisions in a policy should be **numbered numerically.**

2.3.   **Figures** should be used in the numbering of divisions and subdivisions and the following sequence is recommended:
Roman numerals: I, II, III, IV, V, etc.
ALPHA: A, B, C, D, E, etc.
Arabic: 1, 2,3,4,5, etc.
Alpha: a, b, c,d, e, etc.

2.4.   Letters may be added to figures if a **revised policy** inserts a new paragraph between existing paragraphs that use figures, e.g. between paragraph 19 and paragraph 20, the paragraph inserted will be paragraph 19(a).

2.5.   Policies should be drafted in **English (and other official languages that are recognized by the RSA Constitution)**

3. Elements of the policy

3.1. A policy of CoGHSTA must contain the elements and conform to the proposed Format as set out in clause 5.

3.2. Policy may also contain the following optional elements:

3.3 Reference to other relevant policies and procedures

3.4. Examples to illustrate the working of the policy

3.5. Where in the policy "hierarchy" the policy fits, i.e. how it interacts with other policies

3.6. Enforcement mechanism and appeal process (if applicable)

3.7. Exceptions to and exemptions from the working of the policy

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 Government
- 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 provinces 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. They must be written in alphabetical order; e.g, AA; Affirmative Action

BEE; Black Economic
Empowerment
etc.)

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. PREAMBLE/BACKGROUND)

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

5.2.   preamble/background) should always start on a new page.

6. PURPOSE AND OBJECTIVES OF THE POLICY

6.1.   The purpose as well as all objectives of the policy should be included in this section. These form 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 shall list all the legal prescripts that form the basis and authority for the policy pronouncements 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 policies covered as well as the organizational depth and width of the policy.

10. DEFINITIONS

10.1.   Special focus could be on defining words and concepts 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 whom enquiries on the policy are made, should be stated here.

POLICY TITLE	DEPARTMENTAL POLICY DEVELOPMENT FRAMEWORK
COMPILED BY :	RESEARCH AND POLICY CO-ORDINATION _____ 15/03/2013. SENIOR MANAGER : LEGAL SERVICES DATE
ACKNOWLEDGED BY :	_____ 15|3|2013 GENERAL MANAGER: REGULATORY DATE AND COMPLIANCE
RECOMMENDED BY:	_____ 15/03/2013 SENIOR GENERAL MANAGER:CORPORATE DATE SERVICES
ADOPTED BY :	_____ 25/03/2013 HEAD OF DEPARTMENT DATE
APPROVED BY:	_____ 27/03/13 MEMBER OF THE EXECUTIVE COUNCIL DATE