

Using web based Group Support Systems to enhance procedural fairness in administrative decision making in South Africa

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1 Introduction

The commitment to establishing a society grounded on democratic ideals, social fairness and fundamental human rights by constitutionally mandating that Government decision making be justified to those negatively affected by administrative decisions has been demonstrated by the RSA government. This undertaking is promulgated in the Promotion of the Administrative Justice Act No 3 of 2000 (PAJA). This commitment and the advent of the World Wide Web present us with opportunities to investigate with the use of computers in unthought-of areas about a few decades ago. The case in point is what we report about in this brief essay.

The objective of this study was to investigate whether web based Group Support Systems (GSS) tools could support and enhance procedural fairness in administrative decision making in South Africa. We report here on the work that emanates from a Masters dissertation by the first author. The work formed part of a larger project led by the second author that investigates the use of web based collaboration processes and tools to enable citizens to interact effectively with Government and public bodies in South Africa.

The rest of the essay is organised as follows; we discuss the PAJA, GSS tools and their potential in facilitating the implementation of PAJA and we end with a concluding discussion and limitations of the study

2 The Promotion of the Administrative Justice Act 3 of 2000

The PAJA, whose Code of Good Administrative Conduct is similar to the European Code of Good Administrative Behaviour, has its origin in section 33 of the 1996 Constitution of South Africa (South Africa, 1996).

The PAJA both empowers and constrains the power of administration in a delicate balance between paralysing an effective administration and encouraging lawful, reasonable and procedurally fair decision making. Procedural fairness involves following a minimum set of conditions so as to reach decisions which are impartial or free from any real or apparent bias.

Currently, there are no technology tools for an individual to communicate with the government when affected adversely by administrative decision making and procedural fairness is carried out manually through a letter sent by post to the affected person. On the other hand, the Government encourages and extensively uses web based applications as a medium of communication within itself and with the public (South Africa, 1997).

3 Group Support Systems and their potential in facilitating the implementation of PAJA

Despite the many different types and definitions of GSS (Denis et al, 2001) they all have a consistent underlying theme. In this study, we define a GSS as a combination of approaches, software and technology constructed to bring together and reinforce the dialogue, deliberations and decision making of groups (Shen et al, 2004).

Because of the unavailability and possible costs of formal web based GSS tools, we used web based e-mail in this study. Email fulfils all the requirements for it to be labelled as a GSS and its form of communication outside a private domain is over the internet.

We considered two case participants, one with a disability grant and the other with a child welfare grant. Using e-mail, we facilitated interaction between the participants and the administrator to deal with the application process.

Space does not allow us to present the full findings of the study. Detailed findings could be found on the Online Deliberations website, DI-AC Online 2005. Key findings include the following:

- Web based GSS resulted in lower costs and lower time in the appeal process

- There was an increased awareness of PAJA to the case participants
- There was faster feedback on the application progress
- There is a lack of technology infrastructure and where it exists there are no skills to fully utilise it
- There is a need for training in using the technology
- There is a fear of challenging those in authority
- There was general appreciation by the case participants for having been included in the study as they could see the benefits thereof
- The rejection letter was misinterpreted due to illiteracy
- The information in the rejection letters as required by the PAJA was incomplete.

The key available infrastructure that could be used to facilitate online deliberations in South Africa is the Multi Purpose Community Centre framework (MPCC) and the Batho Pele Gateway Portal. Our continuing work recognises this.

4 Concluding Discussion and Limitations of the Study

The implementation of PAJA created an opportunity for us to conduct this study which normally would have fallen outside the field of Information Systems and thus possibilities of investigation on online deliberations. The research was limited in its scope to two case participants. A greater sample space in terms of demography and gender would have generated a better representation of the potential of web based GSS to enhance procedural fairness in administrative action.

Additionally, we did not use a formal GSS tool such as GroupSystems© for reasons given in the previous section. Areas for further research therefore include the use of a wider demographic sample space and the use of a formal web based GSS tool. This is being pursued in the broader study as pointed out in the introduction.

5 Bibliography

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