

VIEWPOINT:

The Public Service Commission and the Minister for Public Service and Administration

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A draft white paper on the transformation of the South African Public Service (South Africa 1995b) was published in the *Government Gazette* of 15 May 1995 for general information and comment. An important issue which it raised is the establishment of an Office for the Minister for Public Service and Administration.

Why is it necessary to have such an Office as a separate department? Two reasons are given in the draft white paper: to clarify the distinction between the roles of the Public Service Commission and the Minister for the Public Service and Administration; and to create a viable executive structure to execute government functions.

A conclusion can be drawn that the roles of the Public Service Commission and the Minister for Public Service and Administration are not clear cut, and that a viable structure for executing government functions is currently non-existent. Is this, in fact, true? Is the role of the Public Service Commission indistinct? Which institution in the past was responsible for the execution of those government functions that will now be the responsibility of the new department?

The lack of definition of the role and functions of the Public Service Commission is by no means a new phenomenon, this despite the fact that the functions of the Public Service Commission and its predecessor, the Commission for Administration, were prescribed by legislation. A fundamental reason for this lack of definition is perhaps the problematic position of the Commission within central government: is the Commission an institution of Cabinet, or an institution of Parliament?

From its inception the South African Public Service Commission has had more formal powers than its counterpart in Britain, although its primary role and functions were inherited from the British Civil Service Commission which, as an institution of parliament, aimed primarily to eliminate political patronage in the appointments of public servants (Wessels *et al* 1990:11–13). Furthermore, it seems that the government of the day in South Africa needed an institution to execute government policy on public service affairs as well as related ad hoc

tasks. Consequently the Commission was charged with additional functions which do not necessarily form part of its formal functional domain. Examples of such functions are the freezing of posts, savings in government expenditure, privatisation, and even line functions of other government departments such as drought-aid schemes (Wessels *et al* 1990:51). The Commission appears to have had little control over the substance of its often unpopular, additional duties. As a result of the executive government functions the Commission was charged with in the past, it was often viewed as an agent of the government of the day and even as a politically expedient institution (Wessels *et al* 1990:48).

As a result of the Commission's apparent expediency to political office-bearers in the past, some public servants lost faith in its ability to maintain the principles of merit and efficiency in the public service (Wessels & Viljoen 1992:16). Its close ties with the government of the day endangered its role as an institution of Parliament.

The most important advantage for the Commission which will come from the establishment of a separate Office for the Minister, is its increased independence within government as an institution of Parliament. It is especially pleasing that the draft white paper embodies earlier recommendations that the Commission should alter its *modus operandi* to become an independent instrument for Parliamentary control over government personnel issues, and to free itself from executive activities (Wessels *et al* 1990:54, 55). *The 1994 Annual Report of the Public Service Commission* (South Africa 1995a) already reflects these changes in the sense that, contrary to what occurred in the past, the report is addressed directly to the President for consideration and transmission to Parliament.

The establishment of a separate Office for the Minister for Public Service and Administration will necessitate a clear demarcation of the functions of the Commission from those of the Minister. There is also a need for a definition of the goals and functions of the Commission. This is apparent from the uncertainty expressed even by political office-bearers and heads of public service departments about the goals and real substance of the Commission's functions (Wessels *et al* 1990:28, 32, 40). According to the draft white paper, the division of responsibilities will enable the Minister and his new department to assume some of the functions currently undertaken by the Commission and thus fulfil a more appropriate role as implementer of reform and development in the public service (South Africa 1995b: Part 5.2.2).

If the new Office of the Minister for Public Service and Administration takes responsibility for those functions that were previously not provided for in statutes or legislation, it will probably limit confusion over the duties of the Commission. Another important advantage of this new department is that the Minister for Public Service and Administration like his colleagues in Cabinet, will have his own department to execute government policy relating to the public service and public administration.

Although in all probability the Public Service Commission will have more clearly demarcated and even extended duties, its position within government will probably be strong. Not only will it no longer be burdened with the numerous functions that harmed its image in the past, but it will be in a position to concentrate on issues of real import.

SOURCES

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