

**CRITICAL ANALYSIS OF THE PERFORMANCE MEASUREMENT FRAMEWORK  
OF THE GAUTENG PROVINCIAL LEGISLATURE**

by

**EUGENIA MUZENDA**

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SUPERVISOR: PROF C ALERS

CO-SUPERVISOR: PROF VA CLAPPER

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## DECLARATION

**Name:** Eugenia Muzenda

**Student Number:** 68508309

**Degree:** PHD (Public Administration and Management)

**Title of thesis:** **Critical analysis of the performance measurement framework of the Gauteng Provincial Legislature**

I declare that the above thesis is my own work, and that all the sources I consulted have been indicated and acknowledged by means of a complete reference list.

I further declare that I submitted the thesis to originality checking software and that it falls within the accepted requirements for originality.

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**Signature**

26 February 2024

**Date**

## **DEDICATION**

This thesis is dedicated to my mother: Chiedza Madungwe

## **ACKNOWLEDGEMENTS**

To God Almighty who gave me strength to endure this journey: there is none like you, my Father. You will forever remain God in my life.

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## ABSTRACT

This study critically analysed ways in which the Gauteng Provincial Legislature (GPL) performance measurement framework is inapt for determining the effectiveness of the GPL. Thus, the purpose of the study was to investigate and improve the GPL performance measurement framework to correctly measure the contribution made by the GPL towards improving the lives of the citizens, which are outcomes. In simple terms, performance measurement involves developing performance indicators and measuring effectiveness or performance using these indicators.

The study employed a qualitative methodology. A descriptive exploratory case study design was chosen to address the 'how', and 'what' questions of the study. Data was gathered by analysing 31 GPL documents and interviewing seven (7) individuals purposefully selected within the GPL, with planning and performance reporting as one of their main Key Performance Areas.

The study found that due to the internally focused operational level (inputs, activities, and outputs) performance measurement framework, the GPL has been relatively effective from an internal perspective documented in the Annual reports of the GPL. However, from an external perspective, as expressed by the people of Gauteng who measure performance at strategic or outcomes level, the GPL has been ineffective. The study therefore recommends correctly balancing the operational and strategic focus areas within the GPL. Furthermore, the study proposes enhancements to the current GPL Theory of Change (ToC) and performance indicators to correctly assess the achievement of outcomes.

The study makes a seminal contribution by providing solutions to practical public sector problems, offering a clear distinction between operational and strategic objectives, as well as their associated performance indicators. This distinction makes it easier for practitioners to determine the performance indicators to focus on when assessing GPL outcomes. Additionally, the study addresses the gap in literature within the Public Administration field, particularly concerning the ways in which the GPL performance measurement framework is inapt for establishing the effectiveness of the GPL.

## KEY TERMS

effectiveness

Gauteng Provincial Legislature

law-making

oversight and scrutiny

outcomes

outputs

parliament

performance indicators

performance measurement

public participation

theory of change

## TRANSLATION (Xitsonga): NKOMISO

Ndzavisiso lowu wu xopaxope hi ndlela ya vukhensivusoli tindlela leti rimba ra mpimo wa matirhelo ra Huvo yo Endla Milawu ya Gauteng (GPL) ri nga fanelangiki hakona eka ku kumisisa matirhelo ya kahle ya GPL. Hikokwalaho, rimba ra ndzavisiso lowu a ku ri ku lavisisa na ku antswisa rimba ra mpimo wa matirhelo ra GPL ku pima hi ndlela leyi nga lulama mivuyelo, leyi ku nga vuhoxaxandla lebyi endlilweke hi GPL eka ku antswisa vutomi bya vaakatiko. Mpimo wa matirhelo wu khumba ku hlulukisa swikombo swa matirhelo na ku pima matirhelo ya kahle kumbe matirhelo hi ku tirhisa swikombo leswi.

Ndzavisiso lowu wu tirhise ntivamaendlelo ya risima. Dizayini ya ndzavisisakheyisi wo valanga wo hlamusela hi ku hlawulekisa yi hlawuriwile ku tirhana na swivutiso swa 'njhani' na swa 'yini' swa ndzavisiso lowu. Switiviwa swi hlengeletiwile hi ku xopaxopa tidokhumente ta GPL ta 31 na hi ku inthavhiyuwa nkombo wa vanhu hi ndlela leyi nga na xikongomelo lava va hlawuriweke endzeni ka GPL, ku ri na ku vika ka nkunguhato na ka matirhelo tanihi xin'wana xa Swiyengekulu swa vona swa Matirhelo ya Nkoka.

Ndzavisiso lowu wu kume leswaku hikwalaho ka rimba ra mpimo wa matirhelo ra levhele ya matirhelo lama kongomisiweke ma le ndzeni (swibumabumelo, migingiriko na swihumesiwa), GPL a yi ri eku tirheni kahle kusuka eka vonelo ra le ndzeni tanihilaha swi dokhumentaweke hakona eka swiviko swa yona swa Lembe na Lembe. Hambiswiritano, kusuka eka vonelo ra le handle, tanihilaha swi paluxiweke hakona hi vanhu va le Gauteng lava va pimaka matirhelo eka levhele ya xiqhinga kumbe ya mivuyelo, GPL a yi nga ri eku tirheni kahle. Hikokwalaho, ndzavisiso lowu wu bumabumela ku ringananisa hi ndlela leyi nga lulama swiyenge swa nkongomo wa matirhelo na wa xiqhinga endzeni ka GPL. Ku yisa emahlweni, ndzavisiso lowu wu ringanyeta miantswiso eka Thiyori ya Ncinco 9ToC) ya GPL ya nkarhi wa sweswi na swikombo swa matirhelo ku kambela hi ndlela leyi nga lulama mfikelelo wa mivuyelo.

Ndzavisiso lowu wu endla vuhoxaxandla lebyi nga na nhlohlotelolo swinene hi ku nyika switshunxo swa swiphiso swa sekitera ya mfumo leswi tirhisekaka, wu ri karhi wu nyika ku hambana loku nga erivaleni exikarhi ka swikongomelo swa matirhelo na swa xiqhinga, xikan'we na swikombo swa swona swa matirhelo leswi fambelanaka. Ku hambana loku ku olovisela vatirhi ku kumisisa swikombo swa matirhelo ku kongomisa eka swona loko ku kamberwa mivuyelo ya GPL. Hi ku engetela, ndzavisiso lowu wu

tirhana na vangwa leri nga eka matsalwa lama kumekaka endzeni ka ndzima ya mafambiselo ya vaaki, ngopfungopfu lama khumbaka tindlela leti rimba ra mpimo wa matirhelo ya GPL ri nga fanelangiki hakona eka ku tumbuluxa matirhelo ya kahle ya GPL.

## **MARITOKULU**

matirhelo ya kahle

Huvo yo Endla Milawu ya Gauteng

vuendlamilawu

vuangameri na nxopaxopo

mivuyelo

swihumesiwa

palamente

swikombo swa matirhelo

mpimo wa matirhelo

vutekaxiave ya vaaki

thiyori ya ncinco



## TRANSLATION (Northern Sotho): KAKARETŠO

Nyakišišo ye e sekasekile ka botlalo mekgwa yeo tlhako ya tekanyo ya phethagatšo ya Lekgotlatheramelao la Profense ya Gauteng (GPL) le sego maleba go utolleng bokgoni bja GPL. Ka gona, maikemišetšo a nyakišišo e be e le go nyakišiša le go kaonafatša tlhako ya tekanyo ya phethagatšo gore e lekanye ka nepagalao dipoelo, e lego tema ye e kgathilwego ke GPL mo go kaonafatšeng maphelo a badudi. Tekanyo ya phethagatšo e akaretša go godiša ditaetši tša phethagatšo le go lekanyetša bokgoni goba phethagatšo o šomiša ditaetši.

Nyakišišo e šomišetše mokgwa wa boleng. Maikemišetšo a nyakišišo ya go tsenelela ya teko ya tlhalošo e kgethilwe go šogana le dipotšišo tša “bjang” le “eng” tša nyakišišo. Data e kgobokeditšwe ka go sekaseka ditokumente tše 31 tša GPL le go botšiša dipotšišo batho ba šupa bao ba kgethilwego ka go GPL, le peakanyo le phethagatšo ba bega bjalo ka Dikarolo tša Phethagatšo tša Motheo tše dikgolo.

Nyakišišo e hweditše gore ka lebaka la legato la tirišo leo le nepišago la ka gare (dikgopolo, mešongwana le ditšweletšo) tlhako ya tekanyo ya phethagatšo, GPL e be e dutše e šoma gabotse go tšwa go kgopolo ya ka gare bjale ka ge e ngwadilwe ka pegong ya yona ya ngwaga le ngwaga. Le ge go le bjalo, go tšwa go kgopolo ya ka ntle, bjalo ka ge e tšweleditšwe ke batho ba Gauteng bao ba lekanyago phethagatšo mo legatong la peakanyo goba dipoelo, GPL e dutše e sa šome gabotse. Nyakišišo ka gona e eletša ka nepagalo go lekanyetša dikarolo tša nepišo tša tirišo le peakanyo ka go GPL. Se sengwe gape, nyakišišo e šišinya dikaonafatšo go Teori ya Phetogo (ToC) ya GPL le ditaetši tša phethagatšo go lekola ka nepagalo diphihlelelo tša dipeolo.

Nyakišišo e kgatha tema ye bohlokwa ka go fa ditharollo go mathata a lekala la setšhaba a nnete, e aba phapano ya go kwagala gare ga dinepo tša tirišo le peakanyo, gammogo le ditaetši tša phethagatšo tše di amanago. Phapano ye e dira gore go be bonolo go ditsebi go utolla ditaetši tša phethagatšo go nepiša go tšona ge go lekolwa dipoelo tša GPL. Go tlaleletša, nyakišišo e šogana le bofokodi go sengwalwa ka go karolo ya taolo ya setšhaba, kudu go amana le mekgwa yeo tlhako ya tekanyo ya phethagatšo ya GPL le sego maleba go utolleng bokgoni bja GPL.

## MAREO A MOTHEO

Bokgoni

Lekgotlatheramelao la Profense ya Gauteng

tira – melao

phošo le tekolo

dipoelo

palamente

phethagatšo

ditaetši

ditekanyo tša phethagatšo

go kgatha tema ga setšhaba

teori ya phethogo

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## ABBREVIATIONS

AGSA	Auditor General of South Africa
APA	American Psychological Association
APF	Assemblée Parlementaire de la Francophonie
APP	Annual Performance Plan
AR	Annual Report
AsgiSA	Accelerated and Shared Growth Initiative of South Africa
BBBEE	Broad-Based Black Economic Empowerment
CDC	Centres for Disease Control
CPA	Commonwealth Parliamentary Association
CREAM	Clear, Relevant, Economic, Adequate and Monitorable
DAC	Development Assistance Committee
FMPPLA	Financial Management of Parliament and Provincial Legislature Act
GCRO	Gauteng City Region Observatory
GDP	Gross Domestic Product
GEAR	Growth, Employment and Redistribution
GPL	Gauteng Provincial Legislature
HSRC	Human Sciences Research Council
IPU	Inter-Parliamentary Union
ISO	International Organization for Standardization
KZN	KwaZulu Natal
LSB	Legislature Services Board
MANCP	Multi Annual National Control Plan
MDF	Market Development Facility
MPL	Member of the Provincial Legislature
NA	National Assembly
NCOP	National Council of Provinces
NEPAD	New Economic Partnership for African Development
NDIIA	National Democratic Institute for International Affairs
OECD	Organisation for Economic Co-operation and Development
OCPOL	Oversight Committee on the Premier's Office and the Legislature

OUTA	Organisation Undoing Tax Abuse
PBMER	Planning, Budgeting, Monitoring, Evaluation, and Reporting
PFMA	Public Finance Management Act
PMG	Parliamentary Monitoring Group
POPIA	Protection of Personal Information Act
RACER	Relevant, Accepted, Credible, Easy and Robust
RDP	Reconstruction and Development Programme
RIA	Regulatory Impact Assessment
SA	South Africa
SALS	South African Legislative Sector
SALSA	Secretaries' Association of the Legislatures of South Africa
SMART	Specific; Measurable; Achievable; Realistic; Time-bound
SOM	Sector Oversight Model
SPME	Strategic Planning, Monitoring and Evaluation
ToC	Theory of Change
UCT	University of Cape Town
UN	United Nations
UNDP	United Nations Development Programme
UNECA	United Nations Economic Commission for Africa
USA	United States of America
USC	University of Southern California
USAID	United States Agency for International Development
USAf	Universities South Africa
UNISA	University of South Africa
WBI	World Bank Institute

## **CHAPTER 1: GENERAL INTRODUCTION**

### **1.1 Introduction**

To accurately determine the contribution of a public institution towards improving the lives of the citizens, it is imperative to have an appropriate performance measurement framework in place. In simple terms, performance measurement, explained in detail in section 1.5.7, involves developing performance indicators and measuring effectiveness using these same performance indicators (Dictionary of Business and Management, 2009:Online). The foregoing statement shows that performance measurement revolves heavily around performance indicators. Consequently, it is vital that public institutions use correct performance indicators to obtain valid, consistent, and truthful results (Castro, 2011:2), with a view to ultimately improve the lives of the citizens.

Performance indicators generally range from inputs, activities, outputs, outcomes and impact or effect (Kinyuira, 2019:32). If the intention is to assess the achievement of outcomes, it is crucial to have outcome related indicators that measure behavioural change, such as improved accountability, transparency, and participation; rather than relying on output indicators, such as number of reports produced (Parliamentary Centre and World Bank Institute (WBI), n.d.:9). The appropriateness of indicators to measure the effectiveness of an institution therefore has a critical role to play in establishing the performance of any public institution (Coelho & Monteiro, 2015:11).

South Africa adopted the outcomes / results-based approach in 2009, and effectiveness is thus measured at outcomes level (Republic of South Africa, 2009:12). Consequently, it is crucial for the Gauteng Provincial Legislature (GPL) to have well defined outcome indicators when arguing the overall performance / effectiveness of the GPL. For this study, effectiveness refers to the achievement of outcomes associated with the legislature's mandate, namely law-making, oversight and scrutiny, and public participation, as stipulated in Chapter 4 of the Constitution of the Republic of South Africa Act 108 of 1996. The Constitution of the Republic of South Africa Act 108 of 1996 will be referred to as the SA Constitution in the remainder of the thesis.

However, it should be noted that the GPL has a fourth mandate called cooperative governance, which emanates from Chapter 3 of the SA Constitution. Of specific interest is section 41(1)(h), which declares that all South African government spheres and organs of the state within each sphere must work together in mutual trust, good faith, and in harmony to faithfully serve the citizenry of the Republic. The GPL adopted prescripts of section 41 of the SA Constitution to be one of its mandates. Consequently, the GPL has four mandates, namely oversight and scrutiny, law-making, public participation, and cooperative governance (GPL, 2020b:11). However, since cooperative governance is not a traditional mandate and is seldom known, even by the people of Gauteng, greater focus is placed on the three traditional mandates: namely, law-making, oversight and scrutiny, and public participation.

Thus, focusing mainly on the three traditional constitutional mandates, this study critically analysed the appropriateness of the GPL performance measurement framework to establish the effectiveness of the GPL. This was done with the intention of enhancing the GPL performance measurement framework to correctly measure the achievement of the constitutional mandate or outcomes.

The aforementioned purpose of the study was achieved through putting together the seven chapters of the thesis. In Chapter 1, or the introductory chapter, the study overview, which includes the background information, problem statement, and rationale for the study, is presented. A systematic discussion and analysis of theories that underpin the study is contained in Chapter 2. Past studies or available literature on performance indicators and effectiveness of public institutions is presented in Chapters 3 and 4, respectively. Chapter 5 presents the study design and methods. In Chapter 5, the three sequential phases that were adopted by the study to respond to the main research question are clearly outlined. Phase one involved gaining a deeper understanding of the phenomenon through reviewing available literature and theories applicable to the study. Chapters 2, 3, and 4, form phase one of the study. Phase two focused on the collection, analysis, and interpretations of empirical data using a qualitative approach with a case study design. Phase two resulted in Chapter 6 of the study. The third and final phase involved drawing conclusions and providing recommendations regarding the GPL performance measurement framework. The third phase is articulated in Chapter 7.

As mentioned in the preceding paragraph, Chapter 1 describes the research problem, research questions, the aim of the study, and the objectives in a manner that highlights the link between these aspects. Following this introduction, the subsequent section presents the study's background information and rationale. The problem statement and research questions constitute section 1.3, while section 1.4 encompasses the research purpose and objectives. This is followed by a clarification of the key study concepts in section 1.5. The preliminary literature review is covered in section 1.6, and a summarised version of the methodology adopted by the study is introduced in section 1.7. The unique contribution of the study is presented in section 1.8, followed by the study's scope in section 1.9. Limitations of the study are discussed in section 1.10. The penultimate section (1.11) of Chapter 1 outlines the thesis chapter structure, while the last section (1.12) is a summary reflecting on the contents of this chapter.

## **1.2 Background information and rationale**

To improve the lives of the ordinary citizens, it is imperative that legislatures achieve their constitutional mandate of law-making, oversight and scrutiny, and public participation (Parliament of the Republic of South Africa:Online). However, available literature shows that not all legislatures optimally achieve these three mandates (The Conference Board of Canada, 2019:Online; Wike, Simmons, Stokes & Fetterolf, 2017:2; Beetham in Rolef, 2006:9), due to a number of reasons. The Parliamentary Centre and the World Bank Institute (WBI) (n.d.:07), provide three critical factors that affect the effectiveness or performance of legislatures, namely the surrounding governance context (for example the relationship between the market, the state and civil society); parliamentary culture (including beliefs, practices, values and expectations); and organisational capacity (including the strengths and weaknesses of politicians and administrators). This study hinges on the second and third factors.

Should legislatures not reach their constitutional mandate, the lives of ordinary citizens would remain unimproved and the public would lose confidence and trust in legislatures, and possibly resort to violent public protests and voter apathy (Schulz-Herzenberg, 2014:1). Once confidence and trust in legislatures are lost by the public, it means there will be no need for the legislatures' existence, which in turn means taking away the voice of ordinary citizens. This situation is undesirable because it excludes society from shaping its own destiny. It is therefore imperative for legislatures

to perform based on a correct performance measurement framework. A correct performance measurement framework would assist legislatures to obtain valid and truthful results regarding their performance and pinpoint areas of improvement.

Various attempts were made to develop performance measurement models for the legislative sector, with very limited success. For example, the National Democratic Institute for International Affairs (NDIIA), Inter-Parliamentary Union (IPU), and Commonwealth Parliamentary Association (CPA) developed minimum standards for legislatures to gauge their democratic and institutional level with no intention of analysing performance between different legislatures (Coelho & Monteiro, 2015:4). Coelho and Monteiro went further to mention that the Assemblée Parlementaire de la Francophonie (APF) developed a benchmark which borrowed a lot from the one developed by the CPA. The scholars also mentioned that the European Commission later decided to develop its own model to measure effectiveness based on the IPU and CPA instruments. Nonetheless, the European Commission model did not avail a guide with information on how to use the indicators, meaning they (indicators) could not be used by the wider community, including scholars (Coelho & Monteiro, 2015:4).

In short, nearly all the models were developed to be used by legislatures as a self-assessment tool for improvement and institutional development, and none of them succeeded in shaping objective performance indicators for measuring the effectiveness of those legislatures (Coelho & Monteiro, 2015:5). Attempts by Coelho and Monteiro in 2015 to develop objective indicators to measure the performance of legislatures were not successful either (Coelho & Monteiro, 2015:15).

At a Secretaries' Association of the Legislatures of South Africa (SALSA) development seminar in 2019, it was confirmed that a standardised performance measurement framework for the legislature sector to measure outcomes, did not yet exist (Mofekeng, 2019:13). Thus, the non-availability of an explicit performance measurement framework for the legislative sector was one of the motivations to conduct the current empirical study with a view to developing a solution specifically for the GPL. Currently, each legislature in South Africa has its own performance measurement framework, which is rarely scrutinised for its suitability in measuring the achievement of the constitutional mandate.



According to Dudovskiy (2018:Online), a contribution to the elimination of a gap in the literature is also a proper justification for conducting a study. For the GPL, there has not yet been an empirical study to assess the aptness of the performance measurement framework used by the GPL. Furthermore, within the discipline of Public Administration there is a dearth of information concerning the measurement of legislative sector performance. Consequently, due to this knowledge gap, there arises a need for this study.

Regarding the point about the inadequacy of information concerning the aptness of the GPL performance measurement framework, the researcher noticed that over the years, performance reported from an internal perspective (public sector officials) has been completely different from that reported from an external perspective (citizens). For example, in 2023, on the one hand six out of 10 Gauteng departments and the GPL were awarded clean audit outcomes by the Auditor General of South Africa (Ngcobo, 2023:Online). The Gauteng audit outcomes were celebrated internally as good performance because clean audits were claimed to be linked to service delivery (Ngcobo, 2023:Online). Earlier on, Fraser (2013:n.p) noted that the Auditor General of South Africa had been painting a positive performance picture for the 2011/12 financial year, as well as other years. On the other hand, various Gauteng public perception surveys on the performance of the GPL and the province at larger have been revealing a totally different picture of poor service delivery in Gauteng. Thus, this disjuncture between performance from an internal and external perspective also motivated the need to investigate the appropriateness of the GPL performance measurement framework.

Information presented in this section demonstrates the multi-dimensionality of the study problem, which further cements the need for this study. First and foremost, the non-availability of a standardised performance measurement framework for the legislative sector is a worldwide problem. Secondly, the fact that the issue of the need for a suitable performance measurement framework has been discussed in recent platforms such as the SALSA development seminar of 2019 and within the GPL during the planning sessions that were held in July and August 2022, demonstrates the topicality of the problem. Thirdly, considering that several organisations have been preoccupied with the issue of the performance measurement model for legislatures for

more than a decade (Bosley, 2007:15), shows the relevance of the matter. Finally, this topic is of great importance because it involves the improvement of the lives of people.

### **1.3 Problem statement and research questions**

Three key points have been raised in the foregoing section. The first one is that there is not yet a standardised performance measurement framework for the legislative sector; hence each legislature in South Africa has its own performance measurement framework. The second point is that there has not been any empirical study yet to assess the suitability of the GPL performance measurement framework to establish the achievement of the constitutional mandate. The third point is that there is a disjuncture in terms of GPL performance from an internal and external perspective.

These points build up to show that the GPL performance measurement framework has some weaknesses. However, even though it is clear that there is something wrong with the GPL performance measurement framework, the problem is that the ways in which the framework is problematic are not explicitly known. Not knowing how or in which ways the GPL performance measurement framework is weak is a problem for two reasons. Firstly, the GPL will continue without knowing the exact areas that require enhancement within the performance measurement framework, and how to enhance them. Secondly, the GPL will remain unaware of its true contribution to changing the lives of the people of Gauteng and potential areas of improvement.

Based on the foregoing problem that the weaknesses in the GPL performance measurement framework are not explicitly known, the ensuing subsections, 1.3.1 and 1.3.2, clearly state the primary and secondary research questions, respectively.

#### **1.3.1 Research question**

Based on the background information and the above research problem, this study seeks to answer the following main research question:

In what ways is the GPL performance measurement framework inapt to determine the effectiveness of the GPL?

#### **1.3.2 Secondary research questions**

This study is guided by the following secondary research questions:

1. What are the factors that influence effectiveness? (Phase one - Chapter 2)
2. What does the available literature say about the various types of indicators in general, and specifically the performance indicators for the legislative sector? (Phase one - Chapter 3)
3. What does the available literature say about public institutions' performance, specifically the legislative sector of South Africa, and the reasons behind that performance? (Phase one - Chapter 4)
4. What is the most appropriate research design and methodology for assessing ways in which the GPL performance measurement framework is inapt to determine the effectiveness of the GPL? (Chapter 5)
5. What is the nature and scope of operations of the GPL? (Phase two - Chapter 6)
6. How has the GPL been performing over the years and reasons thereof? (Phase two - Chapter 6)
7. How appropriate are GPL performance indicators to measure the achievement of the constitutional mandate? (Phase two - Chapter 6)
8. What enhancements can be made to the GPL performance measurement framework? (Phase three - Chapter 7)

#### **1.4 Research purpose and objectives**

The main purpose of this research is to investigate and enhance the GPL performance measurement framework to correctly measure the achievement of the constitutional mandate or outcomes. The overall research purpose was achieved by undertaking three study phases that sought to respond to the following objectives, which mirror the study questions. The study objectives are presented as follows:

1. To investigate factors that influence effectiveness. (Phase one - Chapter 2)
2. To unpack what the available literature says about the various types of indicators in general, and specifically, the performance indicators for the legislative sector. (Phase one - Chapter 3)

3. To identify, collect, peruse, and evaluate what literature says on the performance of public institutions, specifically the legislative sector of South Africa, and reasons thereof. (Phase one - Chapter 4)
4. To determine the most appropriate research design and methodology for assessing ways in which the GPL performance measurement framework is inapt to determine the effectiveness of the GPL. (Chapter 5)
5. To discover the nature and scope of the GPL operations. (Phase two - Chapter 6)
6. To investigate the performance of the GPL over the years and the reasons thereof. (Phase two - Chapter 6)
7. To investigate the appropriateness of GPL performance indicators to measure the achievement of the constitutional mandate. (Phase two - Chapter 6)
8. To propose enhancements to the GPL performance measurement framework. (Phase three - Chapter 7).

Sections 1.3 and 1.4 clearly outlined the research problem and questions as well as the purpose and objectives of the study respectively. Fundamental study concepts such as effectiveness, performance, and model were exposed in sections 1.3 and 1.4. The following section is dedicated to explaining how these concepts were used in this study.

## **1.5 Clarification of the study concepts**

In alphabetical order, this section defines concepts that are of great importance to this study. For this study, the meaning of the concepts should be read and understood as provided below.

### **1.5.1 Citizens**

While the terms customers or consumers are usually associated with recipients of private sector services and goods, the vocabulary associated with recipients of goods and services offered by the public sector is debatable (World Bank, 2018:2). The World Bank mentions that some of the terms used to describe recipients of public goods and services are clients (emphasis is that the service is being provided by a professional body), users (reflects usage of a service for continuous enjoyment), and beneficiaries (denotes deriving an advantage, but most probably as a passive recipient). Another

term commonly used by the World Bank for recipients of public services is citizens. According to the World Bank (2018:2), the term citizens is meant to include a broad diversity of persons likely to be impacted by public services delivery. Alongside the natives and naturalised persons traditionally known as citizens (Cambridge Dictionary:Online), refugees, foreign nationals, and undocumented migrants are also affected by the delivery of public services, leading them to be regarded as citizens (World Bank, 2018:2). This study adopts the World Bank definition of citizens, which includes all people who are recipients of goods and services irrespective of citizenship status.

### **1.5.2 Effectiveness**

The Development Assistance Committee (DAC) Working Party on Aid Evaluation (2010:20) defines effectiveness as the degree to which an intervention's objectives are achieved. This foregone definition is almost similar to the definition of **performance**, which is the extent to which an intervention achieves results in line with stated plans or goals (DAC Working Party on Aid Evaluation, 2010:29).

Although the DAC Working Party on Aid Evaluation view effectiveness and performance as almost the same, other scholars hold a different perspective. For example, Brewer, Choi and Walker (2007:201) mention that while some scholars equate performance with effectiveness, others use different indicators, such as efficiency, bureaucratic quality, rule of law, and corruption to measure government performance. The previous point still does not assist in understanding the meanings of effectiveness and performance or how they differ.

Fortunately, the International Organization for Standardization (ISO) 9000 (2015:Online) provides a clearer distinction between effectiveness and performance by indicating that effectiveness is the degree to which planned activities and results are achieved, whereas performance is a measurable quantitative or qualitative result. Put differently, performance is what it is irrespective of goals or objectives, and effectiveness is related to planned goals / objectives. Effectiveness can only be determined by first getting measurable results, which is performance (ISO 9000, 2015: Online), making performance a prerequisite for measuring effectiveness. The

definition of effectiveness by Gager (2018:n.p.), which is the extent to which an initiative is successful in producing the desired results, is aligned to that of the ISO 9000 (2015: Online).

This study acknowledges the ISO 9000 (2015:Online) distinction between effectiveness and performance, which is that the latter is a prerequisite of the former. Nonetheless, given that reputable organisations, such as the DAC Working Party on Aid Evaluation (2010:29), offer similar definitions for the terms 'effectiveness' and 'performance', the terms are used interchangeably in this study, but aligning with the ISO 9000 (2015:Online) interpretation of effectiveness. Accordingly, for this study effectiveness and performance are used interchangeably to refer to the achievement of outcomes related to law-making, oversight and scrutiny, and public participation, as stipulated in Chapter 4 of the Constitution of the Republic of South Africa Act 108 of 1996.

### **1.5.3 Efficiency**

According to Manzoor (2014:1), scholars have addressed the topic of efficiency over the years, initially focusing on increasing outputs. Subsequently, the aspect of public values which is associated with meeting the expectations of the recipients of goods and services was introduced. Bester (2007:7) is aligned to incorporating the values component in defining efficiency, and further indicates that there is a distinction between private and public sector efficiency.

On the one hand, private sector efficiency is defined as a gauge of how economically inputs such as expertise, funds, and time are transformed into results (Erkoc, 2018:551; DAC Working Party on Aid Evaluation, 2010:21). This definition of efficiency is in line with that of ISO 9000 (2015:Online), which associates achieved results with utilised resources. On the other hand, Mihaiu, Opreana and Cristescu (2010:156) state that public sector efficiency pertains to the relationship between social and economic results achieved through the execution of an initiative and the resources invested in it. Bester (2007:77) agrees with Mihaiu, Opreana and Cristescu (2010:156), affirming that public sector efficiency should be more than a measurement of budget versus expenditure. In Bester's view, it should go further to assess the extent to which an

organisation delivers on its initial objectives (outputs) and goals (outcomes). This introduces the concept of social efficiency, which is not necessarily considered by the private sector. In the public sector, in addition to providing a service or product, it is also vital to assess the extent to which that service is beneficial to the community (Bester 2007:77). Consequently, in the public sector, producing a service or product, even at a minimum cost, but disregarding the community's needs, is regarded as inefficient (Erkoc, 2018:552; Manzoor, 2014:1; Bester, 2007:18).

Bester (2007:18) used Gershon's work from 2004 to indicate that in the public sector, efficiency is determined by the way resources are used, and the processes and procedures of delivering services and products, resulting in:

- a decrease of inputs, while maintaining the same level of results;
- achieving more outputs using the same inputs;
- paying reduced prices for inputs needed to provide a product or service;
- an improvement in the output per unit cost of input ratio; and
- meeting social community needs.

Mihaiu, Opreana and Cristescu (2010:156) state that there is a relationship between efficiency and effectiveness in the sense that the latter is an essential condition to attaining the former. This clarification is vital to avoid confusing the two terms.

This study focuses on the public sector, consequently the definitions of public sector efficiency by Mihaiu, Opreana and Cristescu (2010:156) and Bester (2007:18) were adopted. The DAC Working Party on Aid Evaluation (2010:21) and ISO 9000 (2015:n.p.), definitions of efficiency are not wholly relevant to this study because they focus more on the private sector.

#### **1.5.4 Legislature**

The Republic of South Africa, regarded a constitutional democracy (Action 24 2018:5), is governed by the Constitution of the Republic of South Africa Act 108 of 1996, which is the supreme law of the land. According to Section 42 of the SA Constitution, the South African Parliament has two 'Houses' at national level, namely the National Assembly (NA) and the National Council of Provinces (NCOP). Section 42(3) of the SA Constitution requires the NA to oversee the executive, pass laws, and ensure

public participation. Section 42(3) of the SA Constitution instructs the NCOP to ensure that the interests of provinces and the local government are represented and considered at national level by providing opportunities for debate of provincial issues.

Section 103(1) of the SA Constitution shows that South Africa has nine provinces, namely Gauteng, Eastern Cape, the Free State, KwaZulu-Natal (KZN), Mpumalanga, Limpopo, the Northern Cape, the Western Cape, and the North West. Each province has its respective provincial legislature. The legislative powers of provincial legislatures in respect of law-making and oversight and scrutiny are stipulated under Section 114 of the SA Constitution. In line with section 114(1), provincial legislatures may amend, pass, consider, or reject any bill before them as well as initiate legislation save for money bills. Section 114(2) specifies that a provincial legislature must have oversight mechanisms to hold the executive arm of the state accountable to it. Provincial legislatures are compelled to ensure public access and involvement in their business in line with section 118 of the SA Constitution. Noting their mandate as stated above, it is clear that the nine provincial legislatures are parliaments of the nine respective provinces of the country. It is against this background that the words parliament and legislature are used interchangeably in this study. In South Africa the Legislative Sector comprises the National Parliament comprised of the NA and the National Council of Provinces (NCOP) as well as the nine provincial legislatures, namely the Eastern Cape, Gauteng, the Free State, KZN, Mpumalanga, Limpopo, the Northern Cape, the Western Cape, and the North West (Legislative Support Services, 2012:n.p).

### **1.5.5 Performance Indicator**

A factor that illustrates results in relation to what was planned is called a performance indicator (Jahangirian, Taylor, Young, 2017:749; DAC Working Party on Aid Evaluation, 2010:29). The definition of a performance indicator provided by Heini (2007:33), which states that it is “*a strategic instrument which allows to evaluate performance against targets*” is almost similar to the preceding one. Lorino (2013:n.p.) takes the discussion further by indicating that performance indicators are not objective measures because their authors define them in line with the goals they pursue. Consequently, performance indicators provide an incomplete picture of the real



performance. Hence, the need for a set of performance indicators arises to allow an exhaustive assessment of performance (Lorino, 2013:n.p.).

According to Heini (2007:32) some authors use the phrases performance measures and performance indicators interchangeably. However, it is vital to indicate that these two concepts have different meanings. According to Jones (2020 :n.p), a performance indicator indicates something, whereas a performance measure measures something, and a key performance indicator is simply a performance indicator that is more vital than others. In other words, a performance measure is direct and precise, for example a room temperature measured in fahrenheit whereas a performance indicator is indirect. For example, “the number of complaints is an indicator of dissatisfaction but not a direct measure of it, and increased customer satisfaction is a leading indicator of market share gain” (Baldrige Glossary, 1996:n.p.). Legislature services are usually indirect, hence the usage of performance indicators as opposed to performance measures for this study.

Noting their importance, performance indicators are supposed to be **S**pecific, **M**easurable, **A**chievable, **R**ealistic and **T**ime-bound (SMART) (Drucker 1954, in Castro 2011:3). Schiavo-Campo and Tommas (1999, in Castro 2011:3) came up with the CREAM criteria that is similar to that of Drucker. CREAM stands for **C**lear, **R**elevant, **E**conomic, **A**dequate and **M**onitorable. In other words, indicators should meet the CREAM criteria.

### **1.5.6 Performance Measurement**

It is vital not to confuse performance measure with performance measurement. Whereas the former measures something, the latter (performance measurement) “is a process or an activity which involves the quantification of the results of actions and their comparison to predefined goals” (Heini, 2007:32). The Dictionary of Business and Management (2009:Online) clarifies Heini’s (2007) definition of performance measurement even better by indicating that it is a “process of developing indicators to assess progress towards certain predefined goals and reviewing performance against these measures”. First and foremost, it is important to note that Heini (2007) focuses solely on numbers, whereas the Dictionary of Business and Management encompasses both quantitative and qualitative performance indicators. This study

adopted the definition of performance measurement as given by the Dictionary of Business and Management (2009), which is all-encompassing and clearer compared to Hein's (2007) definition. Secondly, it is important to note that the definition of performance measurement by the Dictionary of Business and Management (2009:Online) has two components: the development of indicators (covered in Chapter 7) and the reviewing of performance done in Chapter 6, albeit using the current GPL performance indicators.

### **1.5.7 Public administration**

There are two constructs of public administration, and these are Public Administration as a discipline or field of study, and public administration as a practice or process (Coetzee, in Uwizeyimana & Basheka, 2017:3). The former has an upper case 'P' and 'A' whereas the latter has a lower case 'p' and 'a'. The discipline of Public Administration is concerned with how governments are regulated (Coetzee, in Uwizeyimana & Basheka, 2017:3). Looking at it from an academic perspective, Sarker (2019:1) states that a discipline focuses on an explicit way of knowledge creation and learning. Consequently, an academic discipline is a mode of thinking, or a particular way of creating knowledge, teaching and learning in an academic setting (Sarker, 2019:1). Public Administration as a discipline / field of study originated in 1887 with the publication of Woodrow Wilson's article titled 'The Study of Administration' (Link, 1968:431). According to Link (1968:431), Wilson defined "*administration as the practical operation and functioning of government*".

According to Sarker (2019:3), Public Administration as a discipline is still in its infancy stage in developing nations compared to developed nations. For the discipline of Public Administration to continue growing in developing countries, certain elements must be in place, including a strong political ideology, oversight and scrutiny, fitting institutional framework, thorough rule of law, active civil service systems, appropriate accountability and transparency (Sarker, 2019:6).

As a practice, Pandey (in Sarker, 2019:1) defines public administration as a set of organisations, processes, groups, society, and individuals allied in executing regulations and other guidelines administered by executives, judiciary, and legislatures. This is administration in the public interest. While Public Administration

as a field of study started in 1887, public administration as a practice has existed since the beginning of human civilisation (Coetzee, in Uwizeyimana & Basheka, 2017:3). The focus of public administration as a process includes upholding the ethics and answerability of public administrators, improving the internal efficiency of public resources, and enhancing effectiveness / results of public programmes (Sarker 2019:3).

The foregoing definitions of public administration are aligned to how public administration is defined in South Africa. Public administration as a practice, is defined as the scheduling, organising, guiding and coordinating of processes by the three spheres of government (national, provincial and local) and their employees, with the aim of serving the public good (University of Pretoria, 2020:Online; Public Administration Management Act 11 of 2014:8; Maluleke, 2010:50). In short, public administration as a process or practice represents the activities performed by government for the benefit of the citizens (Coetzee, 1988:19), which is the main focus of this thesis.

### **1.5.8 Public sector**

Dube and Danescu (2011:3) mention that “*in general, [the public sector] consists of governments and all publicly controlled or publicly funded agencies, enterprises, and other entities that deliver public programs, goods, or services*”. The Cambridge Academic Content Dictionary (2021:Online) defines the public sector as industries, businesses, and organisations that are controlled and owned by government. The conclusion that can be drawn from the two foregoing definitions is that the public sector comprises all state organs that should deliver public goods and services to the citizens. Thus, in South Africa, the three arms of the state (executive, legislatures, and judiciary), and their entities in the three spheres of government; namely, national, provincial, and local, form the public sector. This is based on the roles and responsibilities bestowed upon these three arms of the state as stipulated in the SA Constitution. Section 85 of the SA Constitution highlights that the President is the head of the executive, which is required to develop and implement policies, as well as prepare and initiate legislation, among other responsibilities. The judiciary authority of the Republic of South Africa is bestowed upon the courts, which are required to apply the law without prejudice, favour, or fear, according to section 165 of the SA

Constitution. The roles and responsibilities of legislatures were outlined above under section 1.5.4. According to Mihaiu, Opreana and Cristescu (2010:133), the public sector is usually driven directly or indirectly by public representatives / politicians, and its hierarchical and bureaucratic nature slows down decision-making and the delivery of goods and services.

It is imperative to mention that scholars such as Black *et al.* (in Development Policy Research Unit, 2017:1) confine the definition of public sector to the executive arm of the state only, at the exclusion of legislatures and the judiciary. Nonetheless, this study adopted a broad definition of public sector comprising the executive, judiciary, and legislatures. Moreover, although the term government is usually used to refer to the executive arm of the state, for this study, government is used to refer to the three arms and spheres of the state, hence used interchangeably with public sector or institution.

This section unpacked the key study concepts. The fundamental study concepts informed the preliminary literature review presented in section 1.6 below and the detailed literature review presented in Chapters 2, 3, and 4. Accordingly, the reader's attention is now directed to a preliminary literature review based on the concepts of the study.

## **1.6 Preliminary literature review**

In conducting their work, legislatures are guided by various legislations. In South Africa the main legislations that guide the work of legislatures are the SA Constitution and the Financial Management of Parliament and Provincial Legislatures Act (FMPPLA), 10 of 2009. Section 13(a) of FMPPLA requires legislatures to prepare strategic plans and Annual Performance Plans (APPs) as some of the tools to measure their (legislatures) performance in executing the constitutional mandate. Section 14 (2) of FMPPLA states that:

“the strategic plan for Parliament's administration must—

- (e) *include performance measures and indicators for assessing the administration's performance in implementing the strategic plan*”.

Section 15(2)(d) of FMPPLA goes further to indicate that “The [APPs] must specify performance targets related to each of the performance measures and indicators for assessing Parliament’s performance in achieving the objectives and outcomes detailed in the strategic plan”. It is clear from FMPPLA that there is a need to develop appropriate indicators to measure performance at various levels including outputs and outcomes. According to Castro (2011:1), performance indicators, discussed in detail in Chapter 3, are a crucial part of performance-based management, which is aimed to improve, effectiveness, efficiency and accountability of an organisation or initiative. Indicators enable the measuring and monitoring of results of an institution in a standardized, timely and cost-effective way. As such, performance indicators for measuring effectiveness should be different from those that measure efficiency (Castro, 2011:2).

In terms of effectiveness, which is the focus of this study and discussed in detail in Chapter 4, available literature shows that public institutions have not been performing optimally. For example, using corruption as a proxy indicator for government performance, Gordon, Roberts, Struwig and Dumisa (2012:12) conducted a study that revealed that approximately three-quarters (74%) of South Africans believed the incidence of corruption had increased in the past three years. Ten percent (10%) of South Africans were of the view that corruption had declined; whereas 12% indicated that it had remained the same over the period. Sixty three percent (63%) of South Africans mentioned that the government and parliament were not doing enough to fight corruption (Gordon *et al.*, 2012:12,14). In the eyes of the citizens, this points to poor performance by the government and the parliament of South Africa because their efforts have not resulted in less corruption and good governance (Matebese-Notshulwana & Lebakeng, 2020:200; Pelizzo & Stapenhurst, 2013:1).

To further demonstrate the non-optimal performance of the South African public institutions, research findings of a relatively recent study by Wike *et al.* (2017:2) revealed that 22% of the public had a lot of trust, and another 22% had some level of trust in their South African government. This translates into 44% of South Africans that gave an affirmative response. Among the surveyed African countries, South Africa scored the lowest in terms of trust at 44%, as compared to Tanzania (89%), Ghana (70%), Kenya (68%), Senegal (60%), and Nigeria (54%) (Wike *et al.*, 2017:2). Taking

a look at the results on a global level, the same study revealed that people in the sub-Saharan Africa (save for South Africa and Nigeria) and Asia-Pacific regions trusted their national governments more, compared to those from Latin America, the Middle East, and southern Europe (Wike *et al.*, 2017:2).

In the same study, 56% of South Africans registered their dissatisfaction with the way democracy was working in the country, compared to median values of 38% and 52% for the surveyed African countries and globally, respectively (Wike *et al.*, 2017:2). The fact that, in 2017, 44% and 56% of South Africans surveyed trusted the government, while 56% were dissatisfied with the way democracy worked, suggests that the country still has some work to do to boost public trust in the government and the perceived functionality of democracy.

Moving away from the public sector in general, to looking at the performance of parliaments in particular, a study conducted by Beetham (2006, in Rolef, 2006:9) revealed that using trust as a proxy of effectiveness; parliaments from both developed and developing nations have been less effective. The study revealed that 42% of the people in East Asia trusted their parliament(s), followed by Africa at 41%, the European Union at 35%, Latin America at 16%, and finally Europe at 14%.

The Conference Board of Canada (2019:Online) further confirms low citizen trust levels in developed countries' parliaments by indicating that they (trust levels) have been on a downward trend for an extended period. The developed countries average confidence / trust levels in their parliament(s) fell from 47% in the 1980s, to 42% in the 1990s, and further to 39% in the 2000s (Conference Board of Canada, 2019:Online). As with the developed nations, public trust in the SA Parliament also fell from 66% in 1990 to 45% in 2013 (Holmberg, Lindberg & Svensson, 2015:5) and further down to 25% in 2017 (Parliament of the Republic of South Africa, 2018:6,7).

Based on these trust facts, it can be concluded that parliaments from both developing and developed countries have not been performing at the optimal level. Nonetheless, there are methodological challenges associated with using trust as a proxy to measure the performance of an institution (Baniamin & Jamil, 2018:382). This is because whereas some scholars view institutional trust as a result of institutional performance (Horáková, 2020:58; Mizrahi *et al.*, 2020:455; Vilhelmsdóttir & Kristinsson, 2018:228),

other scholars, such as Perry (2021:1) and the OECD (2017, cited in Suriyanrattakorn & Chang, 2021:1) argue that government trust influences the effectiveness and efficiency of public institutions.

Putting aside the methodological challenges associated with using trust as a proxy to measure performance, figures in the preceding paragraphs confirm poor performance by both developed and developing parliaments. The available literature advances several reasons behind this sub-optimal performance by legislatures. Scholars such as Czapanskiy and Manjoo (2008:29) suggest limited access to information as one of the possible reasons behind declining public participation and trust in the public institutions, as discussed in Chapter 4. Another factor that influences performance of legislatures is political will (Sarker, 2019:6; Coelho & Monteiro, 2015:15; Pelizzo & Stapenhurst, 2013:2), also discussed in detail in Chapter 4. These scholars agree that there is a need for legislators to develop the political will to perform their work in a meaningful way for the effectiveness of parliaments to be realised.

Organisational capacity, discussed in Chapters 2 and 4, likewise affects the performance of parliaments (Parliamentary Centre & WBI, n.d.:7). The Canadian International Development Agency (CIDA) (2011:10) shares the foregoing sentiment by indicating that inadequate capacity causes parliaments to fail to effectively execute their mandate. The World Bank (n.d.:10), mentions that inadequate staffing is one of the challenges that make it difficult for most parliaments in developing countries to do their work of law-making, oversight, and public participation. The World Bank (n.d.:10) adds that inadequate staffing hampers rigorous administrative processes, including research.

Rapoo (2003:3) conducted a deep-stick study that showed that most South African legislatures lack sufficient capacity and skills to verify information submitted by departments, and hence end up relying on information from the executive. This practise weakens the oversight functions of legislatures. This demonstrates that there is agreement among scholars that organisational capacity, including the skill to develop appropriate indicators, affects the effectiveness of legislatures. Thus, there is a need for parliaments to enhance their effectiveness through building the capacity and skills of parliamentary staff and Members of Parliament (MPs) (CIDA, 2011:10).

Having gained a fair understanding of the study concepts in this section through an introductory literature review, the following section announces the research design and methods that were employed by this study. The data gathering phase was guided by the study objectives, questions and the literature review, including theories that underpin the study (Mgutshini, 2021a:Online). Thus, flowing from this section, section 1.7 introduces the research design and methodology that were employed by the study to investigate the depth and breadth of the inaptness of the GPL performance measurement framework. This was done with the intention to propose some enhancements to the framework to correctly assess the achievement of the constitutional mandate.

### **1.7 Overview of research design and methodology**

This section provides an overview of the methodology that was adopted by the study. Detailed information on the scientific approach to the study, which is interpretivist, as well as the research design and methods are provided in Chapter 5.

This study adopted a case study design. A case study design was adopted because not much is known about the phenomenon (GPL performance measurement) and it is one of the best designs to address the descriptive (what and how) questions of this study (Yin, 2012:5). Considering that all the research questions could be addressed qualitatively, the study adopted a qualitative approach. The qualitative data gathering methods that were employed for this study are documents analysis and in-depth individual semi-structured interviews. Thus, for this study, 31 GPL documents which include APPs, Annual reports, and research reports explained in detail in Chapter 6, Table 6.1 were analysed, and seven GPL managers were interviewed for the purpose of gathering data for this study.

The study relied heavily on the analysis of both published and unpublished documents, including articles published in Public Administration journals. A systematic review approach to analysing documents was adopted to gain a deeper understanding of the study phenomenon (Grant & Booth, 2009:95). To supplement data that was obtained from documents, seven in-depth semi-structured interviews with individuals were conducted, and data saturation was attained. The study was interested in individuals who were familiar with planning and performance reporting within the GPL.



Consequently the study adopted a purposive sampling approach (Yin, 2016:95; Nieuwenhuis, 2010b:79; Schurink, 2009:816). To comply with ethical requirements for studies that involve human participants, the study was guided by the Belmont ethics code which is founded on three basic principles of respect for persons, beneficence, and justice (Al Tajir, 2018:2; Belmont Report, 1979:4). To proceed with the interviews, an ethical clearance letter was obtained from UNISA (see Appendix B) after completing all processes, including the submission of a gatekeeper letter from the GPL, and obtaining the required permissions (see Appendix C). Consent to conduct interviews and record them was sought and obtained from each of the seven interviewees. It was explained to the interviewees that their participation was voluntary, and they should not expect any reward in return (Belmont Report, 1979:7). Interviewees were also informed that they were free to withdraw from the study at any point if they wished to do so for whatever reason. The interviewees were further informed that the information they provided was confidential and that an effort would be made to conceal their identities during the report writing phase (Al Tajir, 2018:5). It was also made known to the interviewees that parts of the thesis would be published in accredited journals for use by scholars in the Public Administration and related academic fields (Evans, 2019:513; Mason, 2002:81), and the interviewees consented to this. Please refer to Appendixes D and E for the participant information sheet and consent form respectively.

Data from documents and interviews were coded and analysed using ATLAS.ti software. Please refer to Appendix F for the semi-structured interview guide that was used to collect data from the study participants. The content analysis strategy was utilised to analyse and assess data for this study. This approach is more appropriate for textually rich documents and transcripts (Nieuwenhuis 2010a:101), as was the case with this study.

Since the researcher has been an employee of the GPL, it was crucial to put measures in place to ensure the trustworthiness of the findings. These measures included making use of an additional researcher to code and analyse data in order to achieve more than one analytical viewpoint (Lemon & Hayes, 2020:606; Merriam & Grenier, 2019:26; Bamberger, Rugh, & Mabry, 2006:290). Please refer to Appendix G for the

confidentiality agreement with the co-coder. Measures to ensure credibility of the findings are explained in detail in Chapter 5, section 5.6.1.

The research design and methods discussed in this section permitted the collection, presentation, analysis, and interpretation of data about the GPL performance measurement in relation to the effectiveness of the institution. This led to recommendations on how to enhance the GPL performance measurement framework to aptly measure the achievement of the constitutional mandate. This is one of the significant contributions of this study and is discussed further in section 1.9. However, before discussing the study contributions, it is vital to outline the study limitations linked to the methodology adopted by the study.

### **1.8 Limitations of the study**

In this section, the limitations of the study are discussed. Thus, the study findings should be read and interpreted with these limitations in mind.

According to Bamberger *et al.* (2006:276), qualitative research methodologies involve shortcomings such as non-random and often small samples, which hinder the generalisation of findings. Additionally, specific factors are not measured and correlated, and the findings are usually considered too subjective to be credible. This study employed a qualitative approach using a case study design, making the points stated in the foregoing sentence applicable. However, measures were put in place to mitigate the limitations.

On the issue of the generalisation of findings, it should be noted that this is not applicable to qualitative, but only quantitative studies (see section 5.6.3). For qualitative studies, the notion of transferability, which is about the extent to which the study findings could be applied to other settings, is applicable. As mentioned in section 5.6.3, to allow for transferability of the findings, the research process was described in full to enable other researchers and practitioners to make judgements about the transferability of the research findings to their environment(s) (Korstjens & Moser, 2018:122).

To address the credibility of findings, triangulation of methods, investigators, theories, and data sources was employed for this study (Lemon & Hayes, 2020:606; Merriam &

Grenier, 2019:26; Bamberger *et al.*, 2006:290). Regarding the point about the study not being able to measure and or correlate some factors, it should be noted that this was not initially the intention of the study. Rather, the intention was to gain deeper insights about the phenomenon. Thus, this shortcoming is not applicable to the current study.

Another limitation of the study is that data gathering happened during a time when the GPL was planning to restructure the institution. So, people were not very certain about their employment, hence they were tense and staff morale was low. Consequently, it is possible that the responses of the seven participants were influenced by the prevailing environment in the institution. Nonetheless the data they provided was triangulated against other data sources to increase the credibility of the information.

The final limitation is that the study relied heavily on secondary data including reports with findings that were interpreted by other authors. Unfortunately, it is difficult to know the true intentions of the originators of the documents that were analysed for the current study. However, to lessen the limitation, detailed information about the methodologies and limitations of the research reports that formed secondary data sources for this study were provided in section 6.2. The methodologies and limitations of the original studies were taken into consideration during the interpretation stage of the current study findings.

## **1.9 Contribution of the study**

This study was relevant and contributed to Public Administration as a discipline that focuses on the work done by public administration practitioners. According to Wessels (2008, in Cameron, 2013:578), the study of Public Administration should assist in solving practical public sector problems and contribute to meeting academic knowledge development needs. Research that is purely focused on the practical needs of practitioners is called practice orientated, and research that seeks to strengthen or weaken theory or establish conditions to prove the applicability of theory is regarded theory oriented (Cameron, 2013:577). This research sought to satisfy both ends. On the one hand, the study addressed the gap in literature concerning the nature of the inaptness of the performance measurement of legislatures such as the GPL. This was achieved by juxtaposing information from the literature on effectiveness and

performance indicators, along with information about the internal and external perspectives on GPL performance, to the performance indicators of the GPL documented in the strategic plans and APPs. The study found that the GPL performance measurement was mainly at operational level rendering it inapt to establish the effectiveness of the GPL.

In addressing the gap in literature, the study similarly used a few theories such as the Normative Ethics theories, Performance Model, Expectation Disconfirmation model, the Individual and Jurisdictional models, and the Theory of Change (ToC). According to Nieuwenhuis (2010:112), the process of bringing analysed data into context with current theory or reveal how it verifies existing knowledge or brings new understandings, constitute the researcher's exceptional contribution to the development of science or knowledge. The current study revealed that the theories are still relevant today and applicable to the GPL, which is a contribution towards meeting the academic knowledge development needs in the academic discipline of Public Administration.

On the other hand, the study findings and recommendations endeavoured to address the South African Legislative Sector (SALS) practitioners concerns of plans and performance indicators that are not outcome-based. According to Wessels (2010, in Uwizeyimana & Basheka, 2017:23) Public Administration researchers have always been criticised for producing research that is irrelevant to the needs of the practitioners. Consequently, this research addressed one of the Public Administration practitioners' needs. Considering that there is not an acceptable performance measurement framework for the legislative sector yet, this study offers recommendations on how to enhance performance indicators for the GPL to measure the achievement of the constitutional mandate. In fact, the study managed to separate operational from strategic objectives and associated performance indicators. Put differently, the study managed to separate inputs, activities, and outputs from outcomes. This now makes it easy for practitioners to know which performance indicators to focus on when concerned about outcomes or measuring the difference the GPL is making towards changing the lives of the citizens. This on its own is a major contribution of this study.

This section outlined the unique contribution of the study, and it is imperative to define the boundaries of the study that assisted to shape the exclusive contribution of this research. Thus, the reader's attention is directed towards the scope of the study presented in the following section.

### **1.10 Scope of the study**

Demarcations define the scope and boundaries of a study, which can take various forms including timeframes, geographic location, and selecting a problem to be studied (Simon & Goes, 2013:12). One of the first steps in delineation is selecting the problem. For this study, the problem was inadequate information about the nature of the inaptness of the GPL performance measurement framework to establish the effectiveness of the GPL. Consequently, there was a need to investigate the GPL performance measurement framework and propose enhancements to suitably assess the achievement of the constitutional mandate. Focusing solely on this problem, rather than all the problems of the GPL, made the study manageable.

The GPL produces a lot of documents, but this study focused on the strategic plans, APPs, and annual reports of the fifth (2015-2019) and sixth (2020-2024) legislative terms. This formed the second step in demarcating the scope of this study. There are two main reasons for studying the fifth and sixth legislative terms. The first reason is that documents from these legislative terms were relatively easy to access compared to documents from the earlier terms. This is because the records management system of the GPL is poor. The second reason is that according to the University of Portsmouth (2012:Online), analysing a lot of documents can be time consuming and draining. Noting the number of documents that are produced in a single legislative term, the decision was taken to restrict the scope of the study to the fifth and sixth legislative terms.

Adopting a case study approach was also one way of demarcating the boundaries of this study. The GPL was chosen as a case study for this investigation for two main reasons. The first reason is that the researcher has been employed by the GPL and has a strong understanding of how the institution operates. The other reason is that the GPL has been regarded a leading legislature in the country (Besdziek & Youash, 2002:21). For example, SALS adopted the public Sector Oversight Model (SOM) in

2012 (SALS 2012:5), which had been initiated by the GPL in 1998 (Besdziek & Youash, 2002:21).

The scope of the study outlined in this section resulted in a thesis with a structure explained in the ensuing section.

### **1.11 Thesis chapter structure**

This thesis consists of seven chapters. The contents of each of the seven chapters are highlighted as follows:

**Chapter 1** being the general introductory chapter, outlined the background information, rationale, and the problem statement of the study. The chapter provided the research questions, main purpose of the study, study objectives, and clarification of study concepts. The chapter similarly outlined a preliminary literature review and introduced the methodology that was adopted by the study, and the limitations as well as the significance of the study. The study scope was also discussed, followed by the structure and outline of the thesis chapters, and finally a chapter summary.

**Chapter 2** starts by building the study conceptual framework. The chapter then goes on to identify and unpack Public Administration theories that underpin this study. These theories assist the reader(s) to understand what suitable performance indicators and achievement of results entail. This chapter opens phase one of the study and closes with a chapter summary.

**Chapter 3** starts by outlining the link between objectives, indicators, and targets. The chapter goes on to discuss the functions and characteristics of indicators. The chapter then systematically unpacks the various types of indicators in general, and those specifically for the legislative sector. Chapter 3 forms part of phase one of the study and ends with a summary of the chapter contents.

**Chapter 4** systematically evaluates literature on the performance of public institutions, including the legislative sector of South Africa, and reasons behind that performance. This chapter closes phase one of the study and ends with a critical reflection of the contents presented in this chapter.

**Chapter 5** outlines the philosophical assumptions, research design, and methods adopted by the study. The chapter demonstrates the suitability of the research design and methodology used to respond to the main and secondary research questions. In this chapter, measures to ensure trustworthiness of the study findings and ethical considerations are also unpacked. The chapter concludes with a chapter summary.

**Chapter 6** presents data that was gathered from 31 GPL documents and seven interview transcripts. In the same chapter, data analysis, and interpretations in the form of intense and thick descriptions of the phenomenon are presented. Study findings are clearly outlined in this chapter. Chapter 6, which opens and closes phase two of the study ends with a chapter summary.

**Chapter 7** forms the third and last phase of the study. In this chapter, study conclusions and recommendations about the GPL performance measurement framework are presented. Chapter 7 ends with a summary of the chapter, as well as a reflection of the entire thesis contents.

## **1.12 Chapter summary**

This chapter demonstrated the need for this research by arguing the necessity of understanding the nature of the inaptness of the GPL performance measurement. This inaptness makes it challenging to obtain an accurate understanding of the GPL's effectiveness. From the research problem, the 'what' and 'how' questions of the study were presented. Consequently, a preliminary research design, comprising an interpretivist approach to data gathering and analysis aimed at answering the study's research questions and exploring the phenomenon under investigation, was put forward and discussed. The study scope and the proposed thesis outline were also unpacked in this chapter.

Flowing from the identification of the problem in section 1.3 and the literature that validates the problem, as discussed in sections 1.2 and 1.6; as advised by Collins and Stockton (2018:8), the next steps involve building a conceptual framework and discussing the theories that underpin the study. Therefore, the following chapter focuses on the study's conceptual framework and the theories that reinforce this study.

## **CHAPTER 2: FACTORS THAT INFLUENCE EFFECTIVENESS**

### **2.1 Introduction**

The previous chapter introduced the thesis by outlining, among other aspects, the introductory remarks, the problem statement, research questions, and the objectives of the study. This chapter builds on the contents of Chapter 1 to respond to the first research question, which is: 'What are the factors that influence effectiveness?'

The chapter starts by tying together the information presented in Chapter 1, to formulate the study conceptual framework. The chapter then goes on to discuss some of the components of the conceptual framework (capacity and skills and ethical behaviour) and related theories that underpin the study. The normative theories are discussed first followed by theories about effectiveness. The remaining components of the conceptual framework are discussed in Chapters 3 (performance indicators) and 4 (effectiveness).

After the discussion on effectiveness theories, Chapter 2 proceeds to a discourse on determinants of citizens' expectations and satisfaction with government services. In the penultimate section, the chapter describes the Theory of Change (ToC) that outlines how and why a desired change, such as citizens' satisfaction, is anticipated to happen (ToC 2021:Online). A critical reflection of the chapter contents forms the last section of Chapter 2, which opens phase one of the study.

### **2.2 Study conceptual framework**

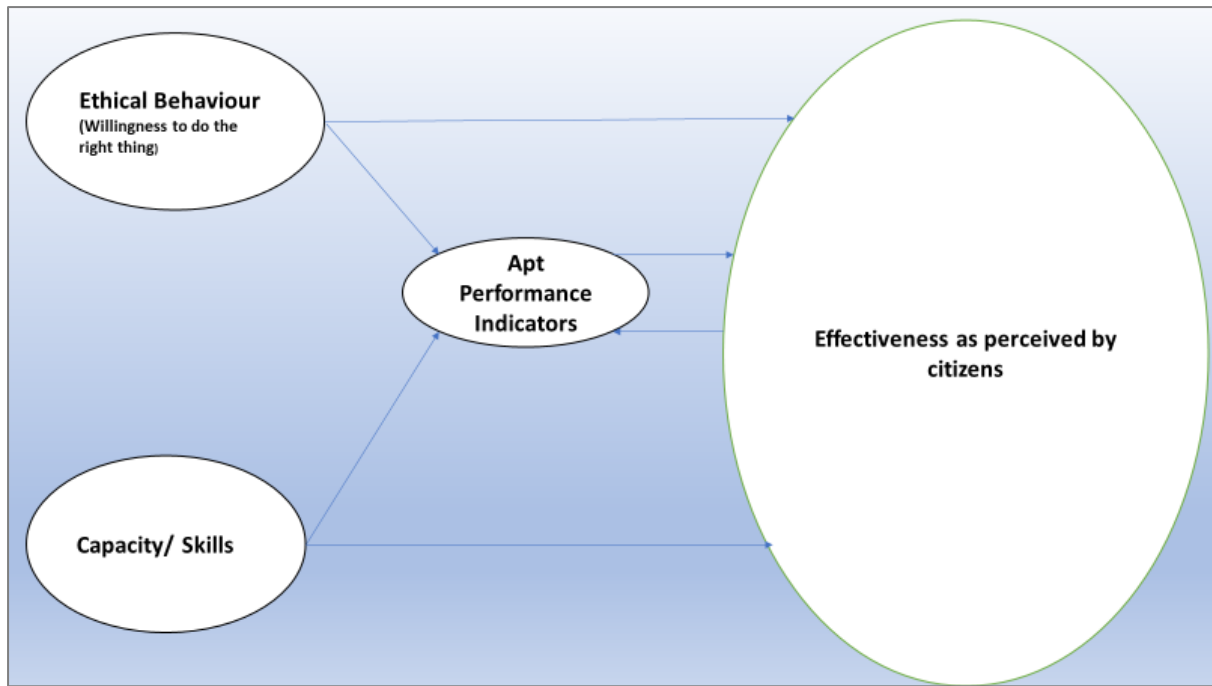
According to Collins and Stockton (2018:2), although some scholars use the terms "conceptual frameworks" and "theoretical frameworks" interchangeably, they are actually very different. A theoretical framework involves the use of one or more theor(ies) in a study, reflecting the researcher's core values and establishing a clearly defined lens for how the research will process new information or knowledge (Collins & Stockton, 2018:2). Ngulube (2020:29) makes it clear that a theoretical framework is not just about the use of a theory in a study but encompasses all concepts within a single theory. In other words, according to Ngulube (2020:29), a theoretical framework is based on the utilisation of all the constructs or concepts from a single theory. The moment a researcher uses some aspects or concepts of a theory, or uses all aspects



of more than one theory, it constitutes a conceptual framework, not a theoretical framework (Ngulube, 2020:29).

Collins and Stockton's (2018:8) views of a conceptual framework is different from that of Ngulube (2020). According to Collins and Stockton (2018:8), a conceptual framework is literature that would have been organised in a logical manner and visually presented. Collins and Stockton's (2018:8) views of a conceptual framework is aligned to that of Miles, Huberman and Saldaña (2014:20), who mention that it is a map of issues to be studied by a researcher. In agreement with the foregoing definitions of a conceptual framework, Waldt (2020:5) states that it is a mind map that links several aspects of the research process, and comprises a researcher's personal interests and relevant research founded on a strong review of literature. Put differently, a conceptual framework represents a researcher's imagination or tentative theory regarding the phenomena they are investigating and the reasons behind their occurrence (Maxwell, 2012:222). Maxwell (2012:223) shares the sentiments of Waldt (2020:5) regarding the basis of a tentative theory, which is one or more of the following aspects, namely the researcher's own observed knowledge, existing research and theory, thought experiments, and exploratory and pilot studies. For this study, the researcher relied on their experiential knowledge and existing literature to develop a conceptual framework of the study as depicted in Figure 2.1.

It is important to mention that a conceptual framework for a study is something that is built or created, not found or ready-made (Maxwell, 2012:223). According to Waldt (2020:8) and Collins and Stockton (2018:8), some of the key steps involved in constructing a conceptual framework include identifying a problem to be solved (see section 1.3), followed by a base of literature to validate the problem and document what has already been said about the problem (see sections 1.2 and 1.6). The final step is producing a diagram (see Figure 2.1) and an explanation of how the various concepts are associated, as presented in the ensuing paragraphs (Collins & Stockton, 2018:8) based on steps one and two.



**Figure 2.1: Study conceptual framework**

Source: Own compilation

The experiential knowledge that the researcher relied on to develop the study conceptual framework is documented in sections 1.2 and 1.3. As a longstanding employee of GPL for over a decade, the researcher believes that the GPL may not possess appropriate performance indicators to effectively measure the achievement of its constitutional mandate, primarily due to inadequate capacity, skills, and an unwillingness to do the right thing, both politically and administratively. Furthermore, the researcher contends that the GPL performs at a suboptimal level in terms of effects (outcomes and impacts). This suboptimal performance level, in the researcher's view, is a result of inapt performance indicators, inadequate capacity, skills, and unethical behaviour. In summary, the researcher holds the view that the GPL is ineffective in terms of both the development of apt indicators and the achievement of institutional outcomes and impacts.

Thus, the tentative theory of this study as depicted in Figure 2.1 is that the development of apt performance indicators for a public institution requires capacity, skills, ethical behaviour, and taking into consideration citizens' views of effectiveness.

Furthermore, with apt indicators, capacity, skills and ethical behaviour, the likelihood of achieving results (outputs, outcomes, and impacts) is high.

The following section discusses the normative ethics theories, which address capacity, skills, and ethical behaviour components of the conceptual framework as depicted in Figure 2.1.

### **2.3 Normative ethics theories**

A theory is a philosophical dimension of a phenomenon or a grand idea that powerfully explains, describes, predicts or regulates a phenomenon in a range of settings (Collins & Stockton, 2018:2; Waldt, 2017:185). For this study, it was essential to use multiple theories because government and governance related phenomena are complex and require more than one theory to unpack them (Waldt, 2017:184). This section focuses on normative ethics theories that explain what capacity, skills and ethical behaviour entail and how they are prerequisites for the development of appropriate indicators and achievement of results (outputs, outcomes, and impacts).

Normative ethics is preoccupied with principles of what is morally wrong and or right (Britannica - The Editors of Encyclopaedia, 2020:Online). Two broad categories, namely deontological and consequentialist or teleological, answer the main question of normative ethics: how essential moral values are arrived at and justified. While the deontological style demands doing certain things on principle or because they are naturally correct, hence emphasising the concepts of 'ought', 'obligation', 'duty' and 'wrong and right', the teleological line argues that certain actions are correct because of the goodness of their outcomes or consequences. On the one hand, the deontological approach, exemplified by Kantian Ethics, sets forth relational or formal principles such as impartiality or equality. On the other hand, the consequentialist line, represented by Utilitarianism and Aristotelian Virtue Ethics, provides practical or material criteria such as pleasure or happiness (Britannica - The Editors of Encyclopaedia 2020:Online).

Normative ethics can also be classified as either agent-centred or act-centred (Fisher & Dimmock, 2020:624). Whereas the agent-centred moral theory focuses on people's dispositions and character, the act-centred moral theory is rather about people's actions in isolation. Kantian and Utilitarianism Ethics are two dissimilar examples of

act-centred moral theories because of their focus on actions when making moral considerations and decisions. An act-centred moral theory can be either teleological (for example Utilitarianism) or deontological (Kantian) (Fisher & Dimmock, 2020:625). The Aristotelian Virtue Ethics would be regarded an agent-centred theory because it primarily focuses on people and their characters instead of singular actions. The central question for an agent-centred theory is not 'what should I do' but 'how should I be' (Fisher & Dimmock, 2020:625).

All theories that fall within the normative ethics theories category operate differently. Thus, the following subsections are dedicated to demonstrating how differently Kantian, Utilitarianism, and Virtue Ethics operate and influence the quality of performance indicators, as well as the results.

### **2.3.1 Kantian Ethics**

Kantian ethics is deontological because it focuses on duty (Britannica - The Editors of Encyclopaedia, 2020:Online; Wilburn, 2020b:545,a:583; Louden, 1986:473). It is also regarded as an act-centred ethical theory because it focuses on action (Fisher & Dimmock, 2020:625; Wilburn, 2020a:583). For Kant, morality is not determined by the results of people's actions, emotions, or external factors, but by a good will that acts from duty (Wilburn, 2020a:583). In other words, the theory emphasises that acting in conformity with duty should not be driven by desires other than duty itself; rather, it is about a good will that acts from duty, stemming from an understanding of one's moral duty (Wilburn, 2020a:583). For Kant, acting for duty's sake is the only way to give moral worth to an action (Fisher & Dimmock, 2020b:608).

Duties encompass both values and imperatives, as they serve to guide people's actions and instruct them on what to do respectively (Wilburn, 2020a:583). Kant identified two types of imperatives, namely hypothetical and categorical. While a hypothetical imperative, which depends wholly on one's goals, can change depending on the goal at hand, a categorical imperative does not depend on one's wants or desires, but is a moral duty that one has to fulfil regardless of goals or desires (Fisher & Dimmock, 2020b:609; Wilburn, 2020a:583). The categorical imperative approach is based on a principle that acts are either correct or wrong universally, regardless of

desires and results, and that a right does not disappear if circumstances change (Fisher & Dimmock, 2020b:614).

Kant's moral theory based on the categorical imperative principles includes the following three formulas for testing, whether an action is permissible or not:

1. The first formula states that people ought to act in such a way that their principle or maxim can be universalised. (Fisher & Dimmock, 2020b:611; Kant, 2020:601; Wilburn, 2020a:584)
2. The second formula states that people ought to treat humankind (others and self) as an end and at no time merely as a means. This means treating persons with dignity and respect and helping others attain their goals when possible, rather than using them as instruments for personal gain (Fisher & Dimmock, 2020b:613; Kant, 2020:601; Wilburn, 2020a:584).
3. The third formula, which is a combination of the first and the second formulas, states that people must act on principles that are acceptable in a communal of other rational agents. This formula, called "*the kingdom of ends*" focuses on the social level as opposed to the individual level. In short, this formula states that people should always act on a principle that can become a universal law and treat other people as ends (Fisher & Dimmock, 2020b:613; Kant, 2020:601; Wilburn, 2020a:584).

In summary, the formulas of Kant's categorical imperative focus on fairness, individual rights, justice, and consistency (Fisher & Dimmock, 2020b:614; Wilburn, 2020b:549). In relation to this study, these are crucial elements for the development of performance indicators and public sector effectiveness. Thus, public sector performance indicators, their developers and implementers should be fair and just to help communities, including minority groups and the disadvantaged, achieve their goals.

### **2.3.2 Utilitarianism**

This theory is both teleological because it focuses on the goodness of an outcome or consequences of one's action (Britannica - The Editors of Encyclopaedia, 2020:Online; Wilburn, 2020b:549) and act-centred, due to its focus on one's actions (Fisher & Dimmock, 2020a:625). Nonetheless, it is imperative to make it clear that

what matters the most for consequentialism is the outcomes of people's actions, and not their motivations or the actions themselves (Fisher, Dimmock & Imler, 2020:563). For a utilitarian or goal-based theorist, the ideal motive is utility maximisation (Louden, 1986:476). In simple terms, utilitarian theorists such as Bentham and Mill (cited in Wilburn, 2020b:549) argue that a morally right or correct action is one that produces the most pleasure or happiness or well-being, or one that lessens pain and misery in the world.

According to Fisher, Dimmock and Imler (2020:567), the theory is about answering two central questions which are, "*What is the good we are trying to maximize?*" and "*For whom are we trying to maximize the good?*" For Jeremy Bentham (1748–1832) the first of the "classical utilitarians" and hedonist, the good to be maximised is pleasure (Fisher, Dimmock & Imler, 2020:567). Regarding the second question, Bentham argues that the good is supposed to be maximised for the highest number of people. So, for Bentham, a morally correct act is one that promotes the utmost pleasure for most of the people. To note, is that pleasure must not be just promoted but maximised (Fisher, Dimmock & Imler, 2020:568). However, the problem with 'maximisation' is that it sets the standard of acting morally extremely high, which might be unachievable (Fisher, Dimmock & Imler, 2020:571). The other problem is that focusing on the greatest number of people might result in the majority being morally required to exploit the few for the maximisation of total pleasure (Fisher, Dimmock & Imler, 2020:572). Regarding this study, this principle could be problematic, because the public sector must cater for both the majority and minority, making Kant's categorical imperative focus on fairness, individual rights, justice, and consistency very relevant.

Bentham's utilitarianism is considered impartial because it does not give special preference to anyone, aiming instead for the maximisation of good for the maximum number of people (Fisher, Dimmock & Imler, 2020:569). The need for being impartial contradicts the individual and jurisdictional models discussed in section 4.4.3, which argue that demographics such as race, age, and gender affect citizen satisfaction (DeHoog *et al.*, 1990: 810, 812). If such demographics affect citizen satisfaction, it therefore suggests that in some cases public institutions may need to be biased when making decisions that affect those demographics. Thus, when developing

performance indicators earmarked for a certain type of results, demographics and other matters may need to be taken into consideration.

Related to the foregoing point about impartiality, Bentham's Utilitarianism is relativistic rather than absolutist (Fisher, Dimmock & Imler, 2020:568). The latter posits that certain acts, such as torture, are absolutely wrong in all circumstances, while the former holds a view that the rightness or wrongness of an action is always relative to the circumstance in which it happens (Fisher, Dimmock & Imler, 2020:568). For example, discrimination is usually regarded wrong. However, in the context of a country such as South Africa, which experienced the apartheid system that provided comprehensive services to White communities, while neighbourhoods for Black, and other national groups, got marginal services (Makgetla, 2020:25,27; Masiya *et al.*, 2019:33; Van Eeden, Ryke & De Necker, 2000:4,8), discrimination in the provision of services might be acceptable to address historical injustices.

Thus, the hedonistic (maximisation of pleasure) Utilitarianism approach discussed in the foregoing paragraphs is teleological, impartial, maximising, and relativistic (Fisher, Dimmock & Imler, 2020:568). Although contemporary philosophers such as Singer (1946) revolutionised Utilitarianism to develop a non-hedonistic version, they still retained the four elements of teleology, impartiality, maximisation, and relativistic (Fisher, Dimmock & Imler, 2020:576). However, unlike Bentham, Singer does not claim that the utmost good for the highest number can be reduced to pleasure, but that what improves one's life is completely determined by the satisfaction of their preferences (Fisher, Dimmock & Imler, 2020:576). Thus, when making moral decisions one should reflect on how best to guarantee the maximisation of total preference satisfaction, even if it does not provide pleasure for the people (Fisher, Dimmock & Imler, 2020:578). This idea of maximising total preference satisfaction aligns with positive disconfirmation of the expectancy disconfirmation model discussed in section 2.4.2. Positive disconfirmation occurs when the performance of a service as experienced by a consumer exceeds expectation (Van Ryzin, 2004:434; Oliver, 1980:460), resulting in high satisfaction levels. In other words, maximising positive disconfirmation is akin to maximising total preference satisfaction. Preference satisfaction appears relatively easier to measure compared to pleasure. Thus, for this study, a non-hedonistic version of utilitarianism seems more appropriate.

Nonetheless, like Bentham, Singer's Utilitarianism has been criticised for its impartiality principle required when weighing preference satisfaction. This criticism is particularly relevant when majority preferences seem to threaten those of minority groups. (Fisher, Dimmock & Imler, 2020:579). However, regardless of all the criticisms of Utilitarianism, because of the theory's main insight that consequences are crucial, it (theory) remains alive, retaining both non-hedonistic and hedonistic advocates (Fisher, Dimmock & Imler, 2020:579). For the current study, consequences in the form of appropriate indicators and achievement of outcomes matter. Thus, the Utilitarian lens should be considered in the development of indicators and measuring of public institution performance such as the GPL.

### **2.3.3 Virtue Ethics**

Unlike the Kantian and the Utilitarian approaches, which are act-centred moral theories, Aristotle's (384–322 B.C.) virtue ethics is an agent-centred moral theory because it focuses on a person's character as opposed to their actions in isolation (Fisher & Dimmock, 2020a:622; Louden, 1986:475). For this theory, the ideal motivation influence should not be utility or duty, but the virtues themselves (Louden, 1986:476). Virtues are those characters that are suitably related to a situation (Fisher & Dimmock, 2020a:625; Patterson-White, 2019:3). Thus, for Aristotle, the question "how should I be?" instead of "what should I do?" has more to do with morality (Fisher & Dimmock, 2020a:625). While Aristotle's virtues debate appears focused on individuals at first glance, the wellbeing of others is more evident (Patterson-White, 2019:4). Aristotle makes it clear that an individual's wellbeing must involve the wellbeing of others, and eventually of the entire community (Wilburn, 2020b:545; Patterson-White, 2019:4).

Aristotle was a teleologist since he supposed that everything has a final reason (Fisher & Dimmock, 2020a:622; Wilburn, 2020b:545). For Aristotle, the ultimate reason or goal and culmination of human existence is a good life (called *eudaimonia* in Greek), which is understood to signify flourishing (Fisher & Dimmock, 2020a:623). Although the central goal of Aristotle's ethics is *eudaimonia*, the theory of moral virtue argues that people must act with knowledge and do the correct thing for the reason that it is correct, not because of possible future pleasures or pain that may be experienced by an individual(s) (Smith, 2011:n.p).



Eudaimonia for humankind is achieved when people act in agreement with their telos (a Greek word for function) which is to reason (Fisher & Dimmock, 2020a:623). In other words, to reach eudaimonia, one's ability to function correctly in their thoughts and action is required (Smith, 2011:n.p). Thus, Aristotle identifies two virtue types, namely virtues of thought and virtues of character (Patterson-White, 2019:4). Virtues of thought or intellect are taught or learned, whereas those of character arise from habit, which is practising something or an action many times (Patterson-White, 2019:4; Smith, 2011:n.p.). Examples of virtues of thought include understanding, prudence, and deliberation, and those for virtues of character include truthfulness, temperance, and generosity (Patterson-White, 2019:4). A combination of these two virtue parts is what is called the 'moral theory of virtue' (Smith, 2011:n.p).

Neither of these two virtues arise naturally, but human beings have the natural capacity to acquire and do them habitually (Wilburn, 2020b:545; Patterson-White, 2019:4). Although humanity must balance between these two virtues of emotion and reason, the guiding facet will always remain reason or virtues of thought (Fisher & Dimmock, 2020a:627; Wilburn, 2020b:545). In other words, it is one's intellectual or logical understanding of virtue that permits them to distinguish what is right from wrong; and the moral virtue, through the guidance of virtues of thought, that assists one to do the right things and perform the right actions (Smith, 2011:n.p). Thus, virtues of thought guide virtues of character. For example, public servants deliver the right services by delivering the same services that they must deliver after learning how to do it (Patterson-White, 2019:4). For this study, regarding performance indicators and achievement of results, this means one must first learn what apt performance indicators are and how they are produced as well as what achievement of results entail. These are the virtues of thought associated with skills, which is one of the prerequisites of effectiveness discussed in section 4.2.5. Once one has the knowledge, the next step would be to keep practising to produce appropriate performance indicators and doing what it takes to ensure that outputs and outcomes are achieved. The act of practising the right thing (a habit) or willingness to do the right thing (discussed in section 4.2.5) is associated with virtues of character.

According to Aristotle, becoming virtuous or being able to do the right thing requires more than just knowing what the virtues are. It involves the ability to determine the "mean" between the two extremes of a deficiency and an excess. This requires

wisdom, rather than merely a mathematical computation of the average (Wilburn, 2020b:546; Patterson-White, 2019:4). Determining the mean involves asking the right questions for a particular situation, and this requires wisdom (Patterson-White, 2019:5). Thus, being virtuous is not a matter of merely following rules, but rather necessitates discernment (Patterson-White, 2019:5), aligning with the relativistic principles of both non-hedonistic and hedonistic utilitarianism approaches (Fisher et al., 2020: 568,576), discussed in section 2.3.2. In short, the ability to make excellent choices demands precise knowledge of the situation, sound reasoning skills, and a well-developed virtuous character (Wilburn, 2020b:546). The foregoing statement supports the point that capacity, skills, and willingness to do the right thing (ethical behaviour) are prerequisites of effectiveness.

Section 2.3 used normative ethics theories, namely Kantian, Utilitarianism, and Virtue ethics to explain what capacity, skills and ethical behaviour entail and how they are prerequisites for the development of appropriate indicators and the achievement of results. The following section discusses theories about citizens' satisfaction with government services, presented in Figure 2.1 as perceived citizens' effectiveness.

#### **2.4 Citizens' satisfaction with services theories**

According to DeHoog, Lowery and Lyons (1990:807), literature offers a wide array of explanations pertaining to citizen satisfaction, however, knowledge about the topic remains fragmented. Mangai (2016:93) agrees with DeHoog *et al.*, and goes further to mention three models that can be used to explain why citizens may be pleased or unhappy with service delivery. The three models are: Performance, Expectation Disconfirmation, and Individual and Jurisdictional (Mangai, 2016:93).

Before discussing the three models, it is vital to unpack what service delivery is. Public service delivery is defined as the provision of tangible public goods such as houses, and intangible services such as education, health, and police protection (Thakur, 2020:n.p.; Statistics South Africa, 2017:1; Akinboade, Mokwena & Kinfack, 2014:2). Services are regarded intangible because in most cases they cannot be felt, seen, heard, tasted, or smelled, which can be done with products such as food and clothing (SeniorCare2Share, 2021:Online; Thakur, 2020:n.p). Public service delivery

is the responsibility of municipalities or local government in many countries (Zondi, Nzimakwe & Mbili, 2017:629; Akinboade *et al.*, 2014:2).

Having explained the terms “service” and “service delivery”, the reader’s attention is now directed towards the three models that can be used to explain why citizens may be pleased or dissatisfied with services. Thus, the following sections discuss the performance, expectation disconfirmation, and individual and jurisdictional models, in that order.

#### **2.4.1 The Performance Model**

According to Roos and Lidström (2014:137), the performance model is about citizens’ satisfaction with inputs such as policies, and outputs such as welfare services, roads, and cultural institutions delivered by public institutions. Roos and Lidström (2014:137) go further to argue that with regard to outputs, citizens would be satisfied with improved provision of welfare services without additional spending but would appreciate spending on basic collective services such as roads and water. This model views satisfaction verdicts as influenced just by the performance of a service or product (Van Ryzin, 2004:434).

The performance model is aligned with institutional theory, which is based on endogenous motivations and rational choice. This theory views institutional trust as a result of institutional performance (Horáková, 2020:58; Mizrahi *et al.*, 2020:455; Vilhelmsdóttir & Kristinsson, 2018:228). For example, Mizrahi, Cohen and Vigoda-Gadot (2020:443) and Mishler and Rose (2001:30), mention that trust in institutions pivots on residents’ assessments of institutional performance and the residents’ confidence in the good intentions of civil servants in promoting the public interest.

However, the OECD (2017, cited in Suriyanrattakorn & Chang, 2021:1) does not view trust or citizen satisfaction as a product of performance, but the other way around. The scholars argue that government trust influences the effectiveness and efficiency of public institutions because less trust in the government results in increased transaction and implementation costs because of uncertainties. Citrin and Stocker (2018, cited in Perry, 2021:1) agree with the OECD (2017, cited in Suriyanrattakorn & Chang,

2021:1), and mention that public trust improves compliance with regulations, respect for property rights, and tax collections. According to Perry (2021:1), public trust has played a central role in assisting governments to successfully deal with the COVID-19 pandemic. In other words, trusted governments have found it relatively easy to implement policies to deal with the pandemic compared to less trusted governments, showing that citizens' satisfaction influences the efficacy of an institution (Perry, 2021:1).

Going back to the performance model aligned with institutional theory, it should be noted that its main weakness is its failure to take into consideration that citizens may be displeased with public services because of reasons not related to the actual performance on the ground (Mangai, 2016:93). For example, although a service might be good, a citizen may rate it negatively simply because it (service) was not provided by their political party (Mutymbizi, Mokhele, Ndinda & Hongoro, 2020:18; Beck, Rainey & Traut, 1990:75); or because they live in an informal settlement and notice the differences between services delivered between formal and informal areas (Mangai, 2016:93 & 106; Moore, 2015:n.p; Mishler & Rose, 2001:36).

The point that citizens may be displeased with public services due to reasons not related to the actual performance on the ground is aligned to the politically motivated bias school of thought regarding citizens' opinions on the performance of public institutions (Van den Bekerom, *et al.* 2021:129). According to Van den Bekerom *et al.* (2021:129), studies based on the theory of politically motivated reasoning posit that negative opinions of public institutions are not general, but are significantly dependent on individuals' beliefs, attitudes and preferences. Political party affiliation is one such example that influences perceptions of either the performance or under-performance of a legislature (Kimball & Patterson, 1997:701). Past studies have found that citizens tend to rate the performance of a legislature more positively when it is controlled by their preferred political party (Kimball & Patterson, 1997:701; Squires, 1993:488).

The issue of preferences in rating the performance of public institutions supports a recent study that was conducted by Van den Bekerom *et al.* (2021:145). According to the study, citizens who preferred private organisations rated public organisations harshly. Nonetheless, the preferences approach contradicts the publicness school of

thought which concluded that, all other things being equal, citizens generally rate public services or institutions lower than their private counterparts (Van den Bekerom *et al.*, 2021:130). According to Van den Bekerom *et al.* (2021:130), the foregoing point is not true, but citizens' preference is the main factor.

The preferences discussed in the foregoing paragraphs are based on interaction with, or exposure to, a service provider (Van den Bekerom *et al.*, 2021:145). Thus, to indirectly lessen citizens' inclination to judge public institutions harshly, practitioners should strive to encourage a preference for the public over the private sector through extensive public engagements and interactions (Van den Bekerom *et al.*, 2021:145,147; World Bank, 2018:4).

The foregoing account explains why Mishler and Rose (2001:36) concluded that performance judgements do not only involve the total performance of a public institution, but also individual values and circumstances. The expectation disconfirmation model discussed in the following section acknowledges some of these individual values and circumstances.

#### **2.4.2 Expectation Disconfirmation Model**

This model begins with the idea that persons who pass judgments about a service or product already hold certain expectations regarding the service or product's benefits or characteristics (Chatterjee & Suy, 2019:244; Mangai, 2016:93; James, 2011:1419; Oliver, 1980:460). Put differently, there is consensus among scholars that expectations and the perception of performance influence how a product or service is evaluated, or how citizen satisfaction is formed (Mizrahi *et al.*, 2020:449; Chatterjee & Suy, 2019:244; Mbassi, Mbarga & Ndeme, 2019:112; Oliver, 1980:460). Yi (1989:2) agrees with the foregoing statement and adds that, apart from expectations, the evaluation process, which involves passing judgements, is another crucial factor associated with citizen satisfaction. As mentioned earlier, consumers' expectations stem from various sources, including word of mouth, past experiences with a service or product, and the media (Van Den Bekerom *et al.*, 2021:145; Van Ryzin, 2004:436; Kimball & Patterson, 1997:701).

This model derived its name from the disparity between what one expected to receive or experience, and what was actually experienced after using a service or product. Thus, expectancy disconfirmation is the difference between expectations and the actual performance, which can either be positive or negative (Van Ryzin, 2004:434). Positive disconfirmation occurs when performance of a service, as experienced by a consumer exceeds expectation, while negative disconfirmation arises when performance falls short of expectations (Van Ryzin, 2004:434; Oliver, 1980:460). This model posits that high performance or low expectations lead to more positive disconfirmation, resulting in higher satisfaction levels. Conversely, high expectations or low performance produce further negative disconfirmation, resulting in lower satisfaction levels (Horáková, 2020:62; James, 2011:1419; Van Ryzin, 2004:436; Yi, 1989:20). Thus, for this model, satisfaction is theorised as citizens' summary judgements about the difference between their experience of a service and their expectations (Mangai, 2016:94; James, 2011:1425; Van Ryzin 2004:436). High expectations often arise during election campaigns by politicians who promise exaggerated services (Masiya, Davids & Mangai, 2019:33; Akinboade *et al.*, 2014:3,20).

Van den Bekerom *et al.* (2021:145) and Kampen, Van De Walle and Bouckaert (2006:1) took the discussion further by stating that negative performance information has a greater impact on citizens' assessments of public institutions performance compared to positive performance information. Put differently, for the same amount of negative and positive performance information, the former has greater consequences in the negative direction compared to consequences in the positive direction brought about by the latter. This suggests that simply disseminating positive institutional performance information will not do much to improve the reputation of a public institution in the eyes of the citizens (Van den Bekerom *et al.*, 2021:145).

A simplistic way of showing the difference between the performance and expectation disconfirmation models is as follows:

For the performance model, an increase in outputs results in increased satisfaction levels (Roos and Lidström, 2014:137), but for the expectation disconfirmation model, enhanced outcomes (positive disconfirmation) (Yi, 1989:2) leads to improved

satisfaction levels. In the words of Demin (2018:1592), on the one hand, the performance model is about results which are associated with goods and services produced (outputs). On the other hand the expectation disconfirmation model pertains to effect, which is related to the change realised as a result of outputs of an intervention (outcomes) (Demin, 2018:1592; Llosse & Sontheimer, 1996:14). Thus, Demin (2018:1592), demonstrates that the concepts of results and effect are not complete synonyms. Nonetheless, for this study, the term 'results' is used to refer to outputs, outcomes, and impacts. Thus, the terms results and effect are used interchangeably.

As mentioned in section 1.1, South Africa adopted the outcomes / results-based approach in 2009 (Republic of South Africa, 2009:12), which makes the outputs approach irrelevant. This makes the expectation disconfirmation model more relevant for South Africa than the performance model. However, the expectation disconfirmation model is not without weaknesses. While the performance model does not consider any individual values and circumstances, the expectation disconfirmation model considers some, such as past experiences, though not all. For example, the model does not take into consideration individual values and circumstances such as age, race, and income characteristics, which were found to be determinants of satisfaction (Masiya et al., 2019:33; Moore, 2015:n.p; Mishler & Rose, 2001:36; Brown & Coulter, 1983:50). The individual and jurisdictional models discussed in the following section explore these additional individual values and circumstances.

### **2.4.3 The Individual and Jurisdictional Models**

For the individual level model, the variables for citizen satisfaction are gender, race, income, age, home ownership, local political efficacy, general political efficacy and community attachment (DeHoog *et al.*, 1990:810). In other words, citizen satisfaction is determined by demographic factors, political efficacy, and how attached an individual is to the community they live in. For the jurisdictional model, which is not very different from the individual model, the satisfaction variables are the prominent racial composition of an area, jurisdiction average income level, socioeconomic matrix of a neighbourhood, whether the area functions under a fragmented or consolidated government system, and the quality and quantity of services provided in a jurisdiction (DeHoog *et al.*, 1990:812).

The jurisdictional model argues that people tend to cluster together in certain communities based on their socioeconomic status (DeHoog *et al.*, 1990:810). This clustering is influenced by related expectations of the people that form the community. Thus, according to DeHoog *et al.* (1990:810), a particular community is likely to share the same expectations and value judgements of the services and products delivered to it. Other writers, such as Mangai (2016:94, 2017:40-41) and Sharp (1986:70-71) support the point made by DeHoog *et al.* (1990:811) that there is a relationship between neighbourhoods and their expectations and what satisfies them. For example, the upper class areas are usually interested in amenities such as restaurants, parks, and health clubs, while the working-class areas value housekeeping services, such as refuse collection, and the lower class areas push for social services, such as food programmes, and primary health care (Mangai, 2016:94, 2017:40-41; DeHoog *et al.*, 1990:811; Sharp, 1986:70-71). The individual and jurisdictional models are related to the cultural theory, which views “*institutional trust* [or citizen satisfaction] as an *exogenous category*”. This means trust is determined by the cultural and historical roots of society, and not the political system and performance of an institution (Horáková, 2020:58).

An analysis of these two closely related models (individual and jurisdictional) shows that both have demographic or socioeconomic factors as variables for satisfaction. The only difference is that the individual model considers these variables at an individual level, while the jurisdictional model considers the socioeconomic averages of a community. These models also differ in the sense that the individual model focuses on attitudinal or political efficacy variables, while the jurisdictional model pays more attention to the structure of a government (consolidated or fragmented) variables (DeHoog *et al.*, 1990:807-808) as well as the quality and quantity factors of services.

Regarding the adoption of a model from among the three models; namely, performance, expectation disconfirmation, and individual and jurisdiction, a combination of the expectation disconfirmation, and the individual and jurisdictional models might work better for South Africa. Many scholars have emphasised the undeniable influence of citizen expectations on determining satisfaction with services (Chatterjee & Suy, 2019:244; Moore, 2015:n.p; Van Ryzin, 2004:436; Yi, 1989:2;



Oliver, 1980:460). Similarly, the significance of the variables of the individual and jurisdictional models in determining citizen satisfaction with services has been highlighted (DeHoog *et al.*, 1990:810,812). In a study they conducted in Ghana and Nigeria, Mangai (2016:107; 2017:48), confirmed the applicability of the two models in developing countries. Mangai concluded that citizens' satisfaction with services is strongly associated with their perceived and experienced quality of services (expectation disconfirmation models), and it (satisfaction) varies with political, demographic, socio-economic, and geographical indicators (individual and jurisdictional models).

Considering the applicability of the individual and jurisdictional models, to developing countries such as South Africa, it is imperative to discuss the models' variables that affect citizen satisfaction. Thus, the upcoming section focuses on the variables influencing citizens' expectations and satisfaction with government services.

## **2.5 Determinants of citizens' expectations and satisfaction with government services**

In this section, nine determinants of satisfaction with government services are discussed. These nine determinants, as mentioned in section 2.4.3 are race, age, gender, income, home-ownership status, community attachment, fragmented versus consolidated government systems, general and local political efficacies, and quality and quantity of services. Accordingly, the forthcoming nine segments are dedicated to evaluating determinants of citizens' satisfaction with government services.

### **2.5.1 Race**

Several writers have documented the association between citizen satisfaction with government services and race (de Kadt, Dallimore, Mkhize, Khanyile & Parker, 2021:71; de Kadt, Hamann, Mkhize & Parker, 2021:4; Fatti, de Kadt, Naidoo & Parker, 2021:119; Parker, Götz, Hamann & Maree, 2021:15; Chatterjee & Suy, 2019:244; Masiya *et al.*, 2019:33; Beck *et al.*, 1990:76; DeHoog *et al.*, 1990:808; Brown & Coulter, 1983:50,54; Fitzgerald & Durant, 1980:589). Although there is consensus regarding the association between race and satisfaction with government services, there is no agreement among scholars regarding the root cause(s) of dissatisfaction

among races, such as Blacks. For example, Beck *et al.* (1990:76) mention that the claim that the dissatisfaction of Blacks with services was linked to inferior service levels in black communities was dismissed by later studies that employed objective measurements of service delivery. The studies that utilised objective information such as official records could not find proof of such racial discrimination. If there is no discrimination based on race in terms of service provision, it therefore means that dissatisfaction of Blacks is because of other factors. These factors include attitudes (discussed in section 2.4.1) and economic interests (Beck *et al.*, 1990:76), that were discussed earlier under the jurisdictional level model (section 2.4.3). Using the economic interests' approach, the explanation for Blacks' dissatisfaction could be that they (Blacks) have been receiving services they are not interested in. For example, if Blacks are interested in social services, delivering amenities would not satisfy them. With regards to attitudes, as discussed in section 2.4.1, it could be that the Blacks do not support the political party in power that deliver services in their jurisdiction.

Nonetheless, Masiya *et al.* (2019:33) disagree with Beck *et al.* (1990) regarding discrimination not being a cause of Blacks dissatisfaction. According to Masiya *et al.* (2019:33), in South Africa, Blacks have the lowest satisfaction levels because of the historical disparities that were caused by the apartheid system. The apartheid system provided comprehensive services to White communities, while neighbourhoods for Blacks and other national groups received marginal services (Makgetla, 2020:25,27; Masiya *et al.*, 2019:33; Van Eeden, Ryke & De Necker, 2000:4,8) and this historic gap has not yet been fully addressed. These authors found that post-apartheid policies have not improved the situation in some areas. For example, most of the low cost government houses are located in places even further than the original apartheid townships, offering only partial access to services (Masiya *et al.*, 2019:35) and with limited economic opportunities (Makgetla, 2020:25; Akinboade *et al.*, 2014:7). Additionally, informal settlements where most low-income earners live, have limited access to basic services (Mutymbizi *et al.*, 2020:19). According to Makgetla (2020:48), the inequalities in workplaces / provinces / geographic areas, infrastructure, ownership and educational systems that were created during the apartheid era continue to be reproduced by economic forces. This lowers the satisfaction levels of people who stay in places such as Khutsong, Khayelitsha, and Ficksburg, among other areas that are service delivery protest hotspots (Masiya *et al.*, 2019:34). Thus,

for South Africa, race is a determinant of government satisfaction with services because of the apartheid system and current policies that in some cases continue to perpetuate the historical disparities (High Level Panel, 2017:31).

### **2.5.2 Age**

According to DeHoog *et al.* (1990:809) and Brown and Coulter (1983:50), there is no agreement among scholars regarding age as a determinant of citizen satisfaction with government services. While scholars such as Walsh, Evanschitzky and Wunderlich (2008:994-995) and Lyons and Lowery (1989:83) argue that age does not affect citizen satisfaction, more studies support the contrary view that age is, in fact, a determinant of citizen satisfaction (Mizrahi *et al.*, 2020:457; Ranjane & Heroth, 2011:9; Brown & Coulter, 1983:54; Fitzgerald & Durant, 1980:589,590).

Most of the studies that found a correlation between age and customer satisfaction concluded that young people (below 35 years) compared to people above 35 years were less satisfied with government services (de Kadt, Dallimore, *et al.*, 2021:71; Merten, 2016:n.p; Cloete, 2015:515; Grant, 2014:n.p; Fitzgerald & Durant, 1980:589). One possible explanation for this situation is that many youths in South Africa have low levels of education, and are unskilled and unemployed as compared to the older generation (Hamann, Götz, Matjomane & Mushongera, 2021:31; Mlatsheni & Graham, 2021:n.p; Merten, 2016:n.p; Akinboade *et al.*, 2014:3).

According to Statistics South Africa (2021:13), as at the third quarter of 2021 (July to September), the official and expanded South African unemployment rates stood at 34.9% and 46.6%, respectively. During the fourth quarter of 2021 (October to December), while the official unemployment rate for South Africa went up by 0.4% to 35.3%, the expanded jobless rate went down by 0.4% to 46.2% compared to 2021 quarter three figures (eNews Chanel Africa (eNCA), 2022:Online).

According to the official definition, unemployed people refer to people aged 15-64 who were not employed and were actively looking for work during the interview week, and the expanded definition of unemployment includes people who had given up looking for work, in addition to those catered for in the official definition. During the same third quarter of 2021, the unemployment rate of persons with education levels below matric

stood at 51.8%. The unemployment rate for those with matric, degrees, and other tertiary qualifications stood at 37.8%, 2.7% and 7.2% respectively, and 46% of young people aged 15-34 were officially not in employment, education or training (Statistics South Africa, 2021:11,13,14). The South African youth unemployment rate for 15-24 year old job seekers, using the expanded definition, rose from 63.30% in the first quarter (January- March) of 2021 to 64.40% in the second quarter (April-June) of 2021 and to a new record of 66.5% during the third quarter of 2021 (Trading Economics, 2022:Online). These youth unemployment rates were among the highest chronicled in the world (Mlatsheni & Graham, 2021:n.p). Mlatsheni and Graham found that these alarming youth unemployment rates are entrenched in the historic labour market structural dynamics that leave the youth at the margins of the economy with very low incomes. Thus, in South Africa, age seem to be a determinant of government satisfaction with services.

### **2.5.3 Gender**

As with age, there is no consensus among scholars regarding gender as a determinant of citizen satisfaction with government services (DeHoog *et al.*, 1990:809). On the one hand, scholars such as Mizrahi *et al.* (2020:457), Squires (1993:488), and Brown and Coulter (1983:54), argue that gender affects citizen satisfaction and trust in public institutions. For example, a study of seven states in the United States of America (USA) conducted by Squires (1993:488), found that women's optimistic judgements of a legislature were higher than those of men. On the contrary, a study on police services in the USA by Brown and Coulter (1983:54) revealed that females were less satisfied with government police services than males. This could be attributed to the fact that females experience more hardships, such as receiving unfair treatment by police officers, than males. In general, females face more hardships, such as poverty, than males (Cheteni, 2019:3). For example, Maree (2021:43) argues that in Gauteng, South Africa, females experience food insecurity more than males. According to Statistics South Africa (2021:14) and Mlatsheni and Graham (2021:n.p), more females than males are unemployed. Consequently, these hardships are likely to cause females to register lower satisfaction levels with government services as compared to males.

To further support the point that gender affects government effectiveness scores, in 2020/21 the difference in the Gauteng Quality-of-Life Index scores between males and

females was very small, but statistically significant (Fatti *et al.*, 2021:120). The Quality-of-Life Index is computed by amalgamating answers to 33 survey questions into seven dimensions: namely, services, socioeconomic status, government satisfaction, life satisfaction, health, safety, and participation. Responses to the 33 questions are combined into a single score out of 100, called the Quality-of-life Index (Fatti *et al.*, 2021:113). In 2020/21, the Gauteng Quality-of-Life index fell to 61 from 64 of 2017/18 and the government satisfaction, socio-economic status, life satisfaction, health, and participation were the main contributing dimensions (de Kadt, Hamann, *et al.*, 2021:4). Gauteng males had a Quality-of-Life index of 62, while the index for females was 61. There is a possibility that females also scored the government satisfaction dimension and other dimensions lower than males, resulting in an overall lower Quality-of-Life index of 61 for females and 62 for males with a 1 point difference that was statistically significant (Fatti *et al.*, 2021:120).

On the other hand, some scholars argue that gender does not affect citizen satisfaction (de Kadt, Dallimore, *et al.*, 2021:71; Walsh *et al.*, 2008:995). This may be attributed to the fact that although females continue to face more hardships than males, de Kadt, Dallimore *et al.* (2021:71) found that there was no significant differences between the two genders on feelings of inclusion and exclusion. One would expect that the gender that faces the most hardships would feel more excluded, and hence have lower satisfaction levels with government services. However, de Kadt, Dallimore, *et al.* found that this was not the case in Gauteng.

An analysis of the foregoing narrative suggests that gender may be indirectly related to satisfaction with government services. Consequently, in a country like South Africa gender issues should not be ignored.

#### **2.5.4 Income**

The Cambridge Dictionary (2022:Online) defines income as funds obtained from performing work, or from investments. The Accounting Dictionary (2021:Online) expands the foregoing definition by mentioning that income can be revenue that an organisation earns from selling its services and goods. This shows that it is not individuals only that can have or earn an income, but also organisations and governments (national, provincial, or local).

For a nation, income, also known as economic wealth, is measured in terms of Gross Domestic Product (GDP) per capita (Ndlovu *et al.*, 2013:1). GDP is the entire market or financial worth of all the completed services and goods produced within a nation's borders in a specific time, and it works as an all-inclusive scorecard of a given nation's economic health (Fernando, 2020:n.p; Ndlovu *et al.*, 2013:64). GDP per capita, which is a measurement of the GDP per person in a nation is calculated by dividing a country's GDP by the total population of that country, and is measured in United States Dollars (Fernando, 2020:n.p; Ndlovu *et al.*, 2013:65).

Several authors opine that there is a relationship between income and citizens' satisfaction with services, with lower income groups less satisfied compared to the higher income groups (Fatti *et al.*, 2021:112; Maree, 2021:44; Masiya *et al.*, 2019:37; Mangai, 2016:106; Cloete, 2015:516,519; Walsh *et al.*, 2008:977; Beck *et al.*, 1990:75; DeHoog *et al.*, 1990:809; Fitzgerald & Durant, 1980:589). The foregoing point is demonstrated in sections 4.3.5.1 and 4.3.6.1 wherein high-income countries such as Canada, China, Malaysia, and the USA had relatively high national government trust levels and citizens' satisfaction with the working of democracies in their nations respectively.

Lower income groups tend to express less satisfaction with public institutions compared to higher income groups. This can be attributed to the disparity in access to goods and services, such as housing, education, food, and health. Lower income households (mainly Blacks, young people, women, and people with no education or incomplete schooling) in most cases have less access to essential goods and services than higher income households (Hamann *et al.*, 2021: 32,35; Masiya *et al.*, 2019:33; Brown & Coulter, 1983:54). Higher income groups have better services because they are able to supplement government services with additional services they acquire privately (Statistics South Africa, 2020a:25; Lyons & Lowery, 1989:79,80). Therefore, their communities are in most cases better compared to those of the low-income groups (Mkhize, de Kadt, Naidoo & Parker, 2021:60). According to Moore (2015:n.p), the difference in services experienced by the rich and the poor result in low-income groups being less satisfied with government services than the high-income groups.

However, scholars, such as Brown and Coulter (1983:54), and Beck *et al.* (1990:75), argue that income does not affect citizen satisfaction with public institutions. For example, Beck *et al.* (1990:75) mentions scholars, such as Campbell, Converse, and Rodgers, who conducted a study in 1976 and found that the least educated residents, presumably the poor, were most pleased with services. Likewise, Brown and Coulter (1983:54) reported that they could not find any association between the two variables. This conclusion was since they could not find a significant association between education (a proxy for poverty) and satisfaction with police treatment of people or response time, which are regarded government services in a study they conducted in Alabama in 1983.

Other than income, another determinant of citizens' satisfaction as expressed in the Jurisdictional model is quality and quantity of goods and services (DeHoog *et al.*, 1990:812). Thus, the following section explores the relationship between the quality and quantity of services and citizens' satisfaction with services.

### **2.5.5 Quality and quantity of services**

Several authors argue that one of the reasons behind dissatisfaction among low-income groups is poor services (Masiya *et al.*, 2019:20,36; Mbassi, Mbarga & Ndeme, 2019:111,119; Mangai, 2016:106; Akinboade *et al.*, 2014:2). Poor service delivery can be in the form of quantity, quality, or access to services.

Although an increase in the quantity of services usually results in improved access, in some cases, this does not necessarily lead to improved quality, as demonstrated in the following example. In South Africa, the 2019 General Household Survey revealed an increase in the number of households with access to services such as sanitation, water, and electricity (Statistics South Africa, 2021b:34, 37,42,46). However, the Gauteng 2020/21 Quality-of-life survey exposed a decrease in the number of households expressing satisfaction with the quality of services (Dallimore *et al.*, 2021:85). For example, the survey found that the percentage of households mentioning that their water was always clean, decreased from 82% in 2017/18 to 75% in 2020/21 (Dallimore *et al.*, 2021:86). Regarding electricity, although 93% of Gauteng residents indicated that they had access to electricity, only 68% of them mentioned

that they were satisfied with the energy sources they had access to (Dallimore *et al.*, 2021:87). Concerning sanitation, of the 93% households that reported access to adequate sanitation during the 2020/21 Quality-of-life survey, 73% expressed satisfaction with the service(s), which is a percentage point down from 74% recorded in 2017/18. The same 2020/21 Quality-of-life survey revealed that 46% and 42% of Gauteng households were satisfied with the roads and streetlights, respectively, where they lived. This represented a decline from 55% in 2017/18 for both indicators (Dallimore *et al.*, 2021:87). The foregoing account suggests that satisfaction is closely related to subjective matters like quality, as compared to objective issues such as quantity.

Related to the quality of services as a determinant of citizens' satisfaction with government services is uninterrupted access to services (Dallimore *et al.*, 2021:87; Masiya *et al.*, 2019:34). Interruptions in services are usually caused by infrastructure failures and or disconnections imposed on those who would have failed to pay for the service(s) (Masiya *et al.*, 2019:34). Regarding infrastructure breakdowns, the 2020/21 Quality-of-life survey revealed that 22% of the Gauteng respondents mentioned that they experienced electricity interruptions every week and 6% never experienced electricity interruptions (Dallimore *et al.*, 2021:87). The survey further revealed that whereas only 57% of those who reported that they experienced electricity interruptions regularly indicated satisfaction with their energy sources, a whopping 91% of those who never experienced interruptions said they were satisfied with their sources of energy (Dallimore *et al.*, 2021:87). This scenario clearly demonstrates how the interruption of services affects citizen satisfaction levels with that particular service; and this usually affects the overall rating of a municipality (Taylor, Draai & Jakoet-Salie, 2020:1). This cements Fitzgerald and Durant's (1980:585) argument that satisfaction with government services cannot emanate from objective measures only, but mostly from subjective opinions.

Nonetheless, Brown and Coulter (1983:51,57), and Stipak (1979:46) refute this relationship between services provision (quality and quantity) and citizens satisfaction altogether. For example, Brown and Coulter reported the non-existent relationship between the provision of police services and citizen satisfaction. Similarly, Stipak (1979:46) found a very weak, or no association between park and recreation services



as well as police services and citizens' evaluation of these two services. Stipak (1979:46) concluded that any demographic variables, such as race, age, income, and gender were better correlated to citizen satisfaction than quality and quantity of services. According to Brown and Coulter (1983:51,57) quality and quantity do not affect citizen satisfaction levels, as citizens assess service provision based on their subjective service expectations.

Brown and Coulter's (1983:57) argument that residents assess what they receive in terms of their expectations is aligned to that of writers such as Chatterjee and Suy (2019:244), Yi (1989:2), and Oliver (1980:460), who support the Expectation disconfirmation model discussed in section 2.4.2. Using the same Expectation disconfirmation model, the following section explores how homeownership status affects citizen satisfaction levels.

#### **2.5.6 Homeownership status**

Regarding ownership of dwellings, the 2019 General Household Survey revealed that while most households living in dwellings that were either paid off or occupied rent-free were in Limpopo (85.9%), and the Eastern Cape (84.7%), the Western Cape (58.7%) and Gauteng (52.4%) had the least (Statistics South Africa 2021b:32). Instead, Gauteng (35.3%) and the Western Cape (25.9%) had the most households that lived in rented houses, with the least in the Eastern Cape (11.8%) and Limpopo (12.5%) (Statistics South Africa, 2021b:32). One possible explanation for Gauteng and the Western Cape having the highest percentage of households living in rented dwellings and informal settlements is labour migration from other provinces and other parts of the world (Yu, 2021:n.p; Statistics South Africa, 2019:14). According to Yu (2021:n.p), Gauteng and the Western Cape were the richest provinces in South Africa in 2019, accounting for 49% of the country's economic wealth. These two provinces offer prospects for better employment and a better life (Yu, 2021:n.p; Moore, 2015:n.p), hence they attract immigrants who are there mainly for work, but who have their permanent homes elsewhere. This explains why the 2019 General Household Survey revealed that the Western Cape (75.5%) and Gauteng (70.3%) accounted for most of the salaried households (Statistics South Africa, 2021b:57). The same 2019 General Household Survey likewise exposed that grant, compared to salaries were

mentioned as the main source of household income in the Eastern Cape (61.1%) and Limpopo (59.0%). Remittances were stated as one of the significant sources of income for Limpopo (25.5%), Mpumalanga (22.2%), Eastern Cape (21.3%), and North West (20.0%) (Statistics South Africa 2021b:57). According to Makgetla (2020:28), these four provinces plus KwaZulu-Natal (KZN) have been called the labour-sending regions to the provinces of Gauteng and the Western Cape.

While the Western Cape received most of the local migrants from the Eastern Cape, local migrants into Gauteng came mostly from Limpopo, KZN, the Eastern Cape, and Mpumalanga provinces (Yu, 2021:n.p; Statistics South Africa, 2019:14). Yu (2021:n.p) went further to mention that, based on an analysis of the 2011 census data, whereas Cape Town happened to be the city of choice for most of the migrants into the Western Cape, Tshwane, Johannesburg, and Ekurhuleni metropolitans attracted most of the migrants into Gauteng.

A close look at the three preceding paragraphs provides an explanation of why homeownership among households was mostly prevalent in Limpopo and the Eastern Cape in comparison to Gauteng and the Western Cape in 2019 regardless of them being wealthy provinces with better incomes. This is mainly because there were more labour migrants in Gauteng and the Western Cape, who used their earnings to secure their permanent homes outside of the two wealthy provinces.

Moving on to unpacking the relationship between homeownership and satisfaction with government services, DeHoog *et al.* (1990:809) mention that there is no consensus among scholars regarding the association between the two. In fact, it is very difficult to find studies about the relationship between homeownership and government effectiveness. Nonetheless, there is some information about the relationship between reliance on the government for services and satisfaction with service delivery. For example, Fitzgerald and Durant (1980:586,587) and Mutyambizi *et al.* (2020:18) conducted studies in which they found that citizens who were more reliant on government services for the sustenance of their basic survival were more critical of service delivery compared to those who were less dependent. Examples of government services, or public goods and services such as housing and education

were explained in section 4.3.1. Consequently, for this section, government services refer to housing. According to the findings of Fitzgerald and Durant (1980:586,587) and Mutyambizi *et al.* (2020:18), citizens that rely more on government housing for their survival were more likely to be critical than citizens who did not. Thus, it is important to qualify that it is not just homeownership in general that affects citizen satisfaction with government services, but the type of homeownership, which is government subsidised in this case. Accordingly, it is vital to ascertain the association between government housing ownership and satisfaction with government services in South Africa, which is the focus of the upcoming paragraphs.

The spokesperson of the National Department of Human Settlements, Xolani Xundu, mentioned that between the 1994/95 financial year and December 2018, 3.3 million government houses were built (Wilkinson & Khumalo, 2019:n.p). Xundu also mentioned that about 1.2 million plots of land serviced with electricity, water, and sanitation were availed. In addition, close to 370,000 Government rental units that were constructed before 1994, were maintained or refurbished, and then transferred to be owned by rightful beneficiaries within the same period. According to Xundu, as at December 2018, amalgamating the number of houses that were built, the serviced plots, and the rental units that were maintained or refurbished, the South African government provided 4.8 million housing opportunities (Wilkinson & Khumalo, 2019:n.p). Statistics South Africa (2021b:33) highlights that households that benefitted from the government housing subsidy rose to 18.7% in 2019 from 5.6% in 2002. Gauteng had the highest number of government-subsidised properties, followed by the Western Cape, while the provinces of Limpopo and the Northern Cape had the least number of government-subsidised properties (Centre for Affordable Housing Finance, 2021:Online).

According to Moore (2015:n.p), it is usually the Gauteng and Western Cape provinces that experience most service delivery protests, with housing being one of the top issues. Considering that government-subsidised houses are usually associated with low quality (Selaluke, 2022:n.p; Statistics South Africa, 2021b:33), the foregoing statements cements Fitzgerald and Durant's (1980:586,587) findings that citizens who depend more on government services tend to be more critical compared to those who depend less on government services. In other words, aligned to the Expectation

disconfirmation model, citizens who depend more on government subsidised services tend to have higher expectations compared to those who depend less on government services. Thus, the negative disconfirmation associated with citizens with higher expectations discussed in section 2.4.2 results in lower citizens' satisfaction levels (Horáková, 2020:62; James, 2011:1419; Van Ryzin, 2004:436; Yi, 1989:20). Thus, for South Africa with a reasonable number of government subsidised houses and a grant system, the issue of welfarism cannot be ignored when it comes to determining citizens' satisfaction.

Related to homeownership, be it government subsidised or not, is the issue of community attachment. Accordingly, the following section discusses how community attachment affects citizens' satisfaction with public institutions.

### **2.5.7 Community attachment**

Community attachment, also known as social investment, refers to the extent to which residents are integrated into, and emotionally attached to, an area or community (DeHoog *et al.*, 1990:809). The assumption is that those who are attached or invested in an area will be more satisfied with government services (DeHoog *et al.*, 1990:809). Earlier on, Lyons and Lowery (1989:843,844) had ascertained that psychological and social investments in a community are associated with loyalty behaviour such as speaking good about the community and continuing to participate in democratic processes as opposed to staying away. Loyalty behaviour is one way of protecting the investments of individuals attached to, or invested in, a community (Holian, 2011:16; Brunner & Sonstelie, 2003:254). According to DeHoog *et al.*, (1990:809), "this positive orientation [loyalty behaviour] might also generalise to positive service evaluations to begin with". Those not invested in a neighbourhood were found to be less incentivised to adopting positive responses, but destructive responses, such as leaving an area and stopping to participate in democratic processes. This, according to DeHoog *et al.* (1990:809), might likewise take a broad view of negative service evaluations by the people not invested in a community. Thus, community attachment is most likely related to service evaluations, even though indirectly (DeHoog *et al.*, 1990:809).

Homeownership discussed in section 2.5.6 is regarded a form of investment in a community according to Lyons and Lowery (1989:843, 844). Information presented in

section 2.5.6 shows that homeownership was prevalent in Limpopo and the Eastern Cape, while most of the households that lived in rented houses were found in Gauteng and the Western Cape in 2019 (Statistics South Africa, 2021b:32). According to Lyons and Lowery (1989:843,844), this suggests that households in provinces such as Limpopo and the Eastern Cape were more attached to their communities, compared to those in Gauteng and the Western Cape. Lyons and Lowery mention that households that are attached to a community engage in positive behaviours, such as participating in a demonstration, rather than leaving the community, which is regarded as destructive behaviour associated with non-investors. However, although Gauteng and the Western Cape had the most renters, it is interesting to note that most of the service delivery protests were witnessed in these two provinces, compared to other provinces, as observed by Moore (2015:n.p). This contradicts Lyons and Lowery's (1989:843,844) point of view about demonstrations being associated with communities with highly invested households. However, this further cements Fitzgerald and Durant's (1980:586,587) point about government subsidised housing in Gauteng and the Western Cape being associated with more demonstrations.

Furthermore, provinces that experienced major drops in voter turnout during the 2019 general elections, as compared to the 1999 general elections, were Limpopo (34.72%), the Eastern Cape (30.52%), North West (29.87%), Free State (28.8%), and Mpumalanga (27.1%) (Kahla 2019:n.p), and not Gauteng and the Western Cape as insinuated by Lyons and Lowery (1989:843,844). This is also true for the 2021 local government elections, where the lowest voter turnout was experienced in provinces such as Mpumalanga and the North West (Independent Electoral Commission of South Africa, 2021:1; Subramoney, 2021:n.p). This suggests a complicated relationship between community attachment and citizen satisfaction with government services. Considering this complicated relationship, the reader's attention is directed towards another determinant, which is fragmented versus consolidated government system.

### **2.5.8 Fragmented versus consolidated government system**

According to DeHoog *et al.* (1990:811), there are two main schools of thoughts around a better approach to service delivery between the fragmented and the consolidated

government systems. The two schools of thought are the public choice approach and the traditional reform view. On the one hand, the former argues that fragmented arrangements or smaller cities offer their residents improved accessibility and better services compared with a consolidated system. A study that was conducted by Mbassi *et al.* (2019:119) confirmed that accessibility significantly influences citizen satisfaction with services. On the other hand, the traditional reform view reasons that the consolidated approach is better because political lines of accountability are clearer and there is a better application of skills under this approach (DeHoog *et al.*, 1990:811).

DeHoog *et al.* (1990:811) go further to mention that of the two schools of thought, several studies, including the one conducted by Rogers and Lipsey in two Nashville metropolitan areas strongly support the public choice approach. Other scholars that support the public choice approach are Fitzgerald and Durant (1980:587). In a study they conducted, Fitzgerald and Durant (1980:589) concluded that people who resided in larger cities of more than 50 000 inhabitants were less satisfied compared to those who lived in smaller cities. They attributed this to complexities, such as traffic congestion and the safeguarding of public order, associated with running a big city.

However, a study conducted by Lowery and Lyons (1989:87), in which they compared five consolidated and another five fragmented government cases produced mixed results. Whereas there were two matched jurisdictions that showed that unhappiness with government services was pronounced in consolidated government systems, the other three matched areas exhibited the opposite pattern by revealing that greater dissatisfaction was associated with a fragmented government system (Lowery & Lyons, 1989:87). In a fragmented government system, they found that residents could afford to be dissatisfied because they had the alternative of moving from one small city to another, unlike in a consolidated set up (Lyons & Lowery, 1989:859). Thus, in a fragmented set up, residents were able to compare cities, unlike in a consolidated setup where there was almost nothing to compare with. This explanation is aligned to Moore's (2015:n.p) observation that dissatisfaction is caused by a perception that one area is better than another. This explains why there are more protests found in informal settlements compared to rural and urban formal settlements (Mutymbizi, Mokhele, Ndinda & Hongoro, 2020:18). For example, in South Africa, a few informal settlements

are adjacent to high-income areas (Alexandra versus Sandton and Kya Sands versus Fourways) making comparison between the areas easy. However, rural settings or townships such as Soweto are usually big, not too close to high-income areas and almost homogenous, making it difficult to compare one area to another.

Nonetheless, considering the mixed results they got, Lowery and Lyons (1989:87) concluded that dissatisfaction has very little to do with a jurisdictional structure, but more likely with other factors. Consequently, the following section looks at other factors, such as general and local political efficacies.

### **2.5.9 General and local political efficacies**

General political efficacy is an index at country level that combines residents' responses on their views on voting; general understanding of, and interest in, politics and government; perceptions on the attitude of public servants; and public involvement perceptions (DeHoog *et al.*, 1990:833). As with general efficacy, local political efficacy is also an index, but at local sphere level that aggregates citizens' responses on the extent to which they care about their local government politics; opinions on whether the local government care about its people or not; perceptions about the extent to which local politicians serve the interests of the public; and perceptions regarding the responsiveness of public servants to service delivery issues. For both the general and local efficacies, the higher the score, the better the efficacy (DeHoog *et al.*, 1990:834). In turn, the higher the efficacy, the higher the citizens' satisfaction levels.

Brown and Coulter (1983:50) agree with DeHoog *et al.* (1990:834) about general and local efficacies being determinants of citizens' satisfaction with public institutions. According to Brown and Coulter (1983:50), to better understand residents' satisfaction with government services, knowing "*citizens' cost-benefit evaluation of government*" is more vital than any individual demographic characteristics. The following South African example is a good illustration of the relationship between general and local political efficacies and citizens' satisfaction with public institutions.

The 2020/21 Quality-of-life survey that was conducted by the Gauteng City Region Observatory (GCRO) revealed that 32%, 26% and 17% of the respondents reported that they felt they could not influence neighbourhood developments, nobody cared

about them, and they did not belong where they lived, respectively (de Kadt, Dallimore, *et al.*, 2021:65). The researchers also found that more than 50% of the Gauteng respondents experienced at least one of these adverse emotions. The above were responses to some of the questions used to determine the general and local political efficacy indexes (DeHoog *et al.*, 1990:833,834), and the foregoing figures suggest that South Africa, and specifically the Gauteng province, has low general and local political efficacy indexes.

Considering the importance of general and local political efficacies, as observed by Brown and Coulter (1983:50), this explains why South African citizens' satisfaction with the three spheres of government has been on a downward trajectory (Mushongera *et al.*, 2021:101). According to Mushongera *et al.*, satisfaction with the national government dropped from 43% in 2017/18 to 33% in 2020/21. The provincial and local governments saw declines from 45% and 37% in 2017/18 to 29% and 26% in 2020/21 respectively (Mushongera *et al.*, 2021:101). In addition to declining citizens' satisfaction with the three spheres of government, Taylor, Draai and Jakoet-Salie (2020:1) also mention the declining levels of trust in the South African local government.

The main conclusion that can be drawn from a close look at the nine variables of citizen satisfaction, namely race, gender, age, income, homeownership status, community attachment, fragmented versus jurisdictional government systems, general and local political efficacies, and quality and quantity of services is that all nine determinants are important for both developed and developing nations. This means both institutional (for example political efficacies – endogenous motivation) and cultural background (for example education levels, race and age – exogenous motivation) factors (Horáková 2020:69) are important determinants of citizens' satisfaction with public institutions. Thus, a developing country like South Africa with a history of apartheid cannot afford to ignore the nine variables of citizen satisfaction.

To understand the full path leading to the final result, which is satisfaction, the following section presents the Theory of Change (ToC).



## 2.6 Theory of change

According to Stein and Valters (2012:4), there is no agreement among scholars on how to define a ToC. The Center for ToC (2021:Online) agrees with Stein and Valters that there is not a common definition for a ToC. The Center mentions that the expression ToC is used to refer to both the methodology (process) used to create a ToC as well as the final product itself. Nonetheless, a few writers present a ToC as a process (UNWOMEN, 2011:14; Center for ToC, 2021:Online). For example, the Center for ToC (2021:Online) defines the ToC as an all-inclusive picture of how and why a desired change is anticipated to happen in a specific context. The ToC is focused on mapping out or linking the activities to results, by first identifying the desired impact and then working backwards to determine the outcomes, outputs, activities and inputs that should be in place for the desired impact to be achieved (Center for ToC, 2021:Online).

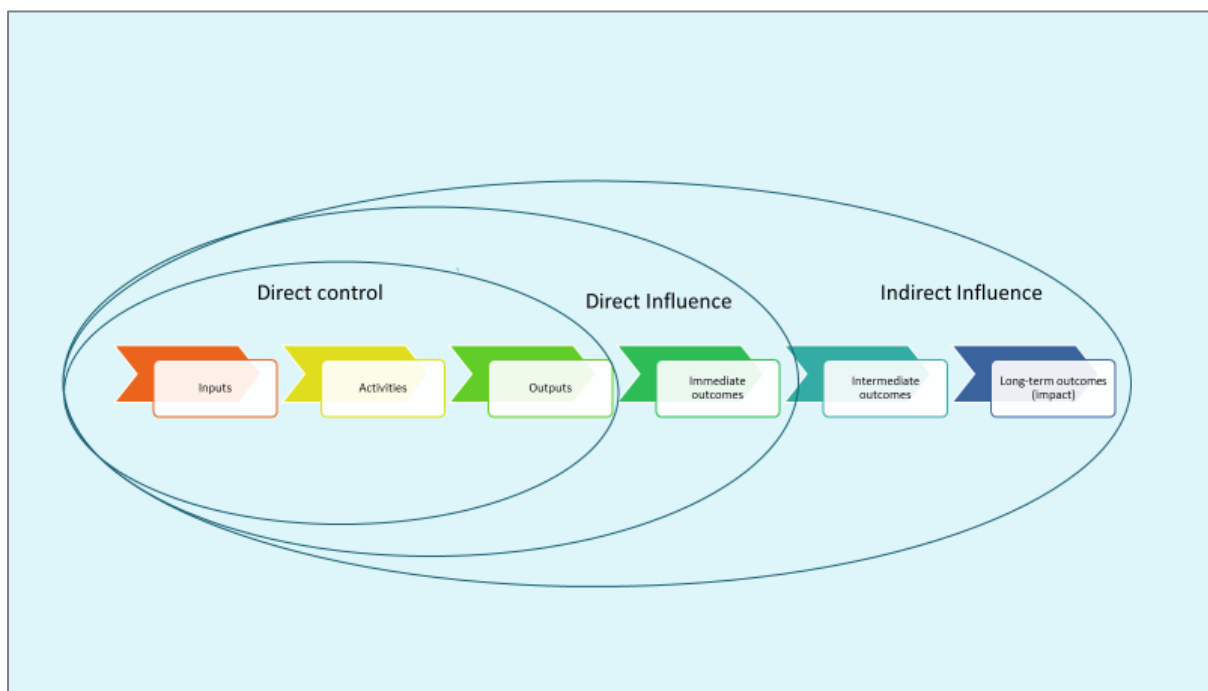
Thus, according to the Center for ToC (2021:Online) a ToC pertains the following six steps to map out an initiative:

- Identifying the end result (impact).
- Linking the impact backwards through to inputs (for example improved quality of life as an impact through to inputs, such as funds / budget and human capital).
- Outlining the fundamental assumptions about the context.
- Identifying the necessary activities / interventions to achieve the desired results.
- Developing indicators to gauge achievement of outcomes.
- Detailing a narrative that explains the logic of the intervention as done in the paragraph after Figure 2.2.

According to Stein and Valters (2012:3), how Weiss (1995), one of the respected voices in the field of evaluation defined a ToC, agrees with the definition offered by the Center for ToC. Weiss defined a ToC as a theory of why and how an intervention works. In other words, this is about describing a set of beliefs and assumptions about how and why an initiative will work through clarifying both the small steps that result in desired outcomes, as well as connections between the activities and results of an initiative (Stein & Valters, 2012:3). By indicating that a ToC explains and reflects the

fundamental procedures and ways in which desired change in the form of, for example, practices, knowledge, attitudes and behaviour of an individual or institution is anticipated to happen shows that the UNWOMEN (2011:14) also views a ToC as a process, as explained by Weiss in 1995 and the Center for ToC. According to the Center for ToC (2021:Online), a properly defined ToC can assist stakeholders with understanding and assessing impact in difficult to measure areas, such as governance.

There are several ways of representing a ToC, but the four main options are a linear results chain, an outcomes hierarchy, a triple column or row, and a set of principles (BetterEvaluation, 2018:12,13). Several organisations and scholars agree with the BetterEvaluation that unlike the other three, a results chain (see Figure 2.2), defined as a visual depiction of the envisioned pathway of the performance management process, is simple, and commonly used to depict a ToC (Kinyuira, 2019:29; United States Agency International Development (USAID), 2016:2; Foundations of Success, 2007:1).



**Figure 2.2: A results chain**

Source: Adapted from BetterEvaluation (2018:12) and Montague & Birch-Jones (2017:n.p.)

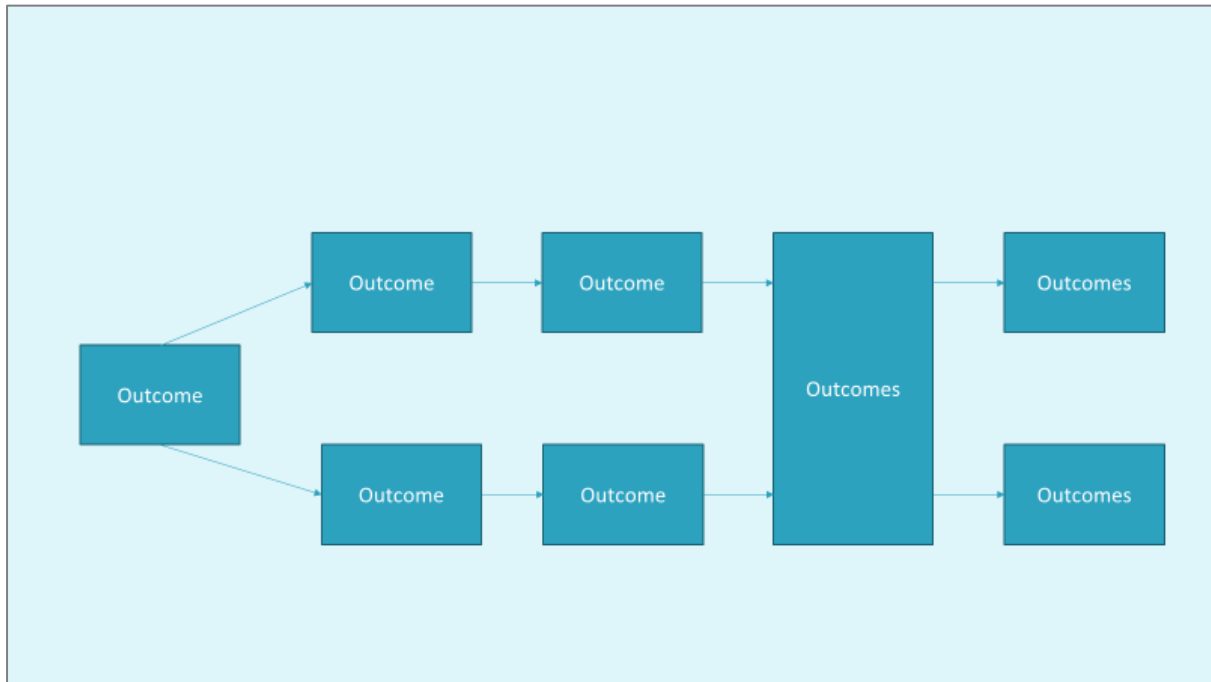
According to Kinyuira (2019:30), the use of a results chain assists institutions with accounting for impacts that are external to an institution and beyond its control. Kinyuira (2019:30) goes further to indicate that a results chain is also useful for making a distinction between immediate, intermediate, and long-term results, as depicted in Figure 2.2.

The above results chain depicted in Figure 2.2 shows that inputs / resources are used to carry out activities to produce outputs (Kinyuira, 2019:32; Parliamentary Centre and WBI, n.d.:9). According to Kinyuira (2019:32), an organisation has full control over its inputs, activities, and the outputs it produces. Outputs are then converted into immediate outcomes, which an organisation has direct influence over (Kinyuira, 2019:32). Immediate outcomes are converted to intermediate outcomes. An example of an intermediate outcome is participation (Parliamentary Centre and the WBI, n.d.:9). Any single organisation will have limited influence over intermediate outcomes (Kinyuira, 2019:32). Intermediate outcomes result in impacts, also known as long-term outcomes, as shown in Figure 2.2. As with intermediate outcomes, it is very rare for a single organisation to have a direct influence on impacts. In most cases, legislatures will indirectly influence or contribute to impacts such as improved quality of life, and good governance (Kinyuira, 2019:32; Parliamentary Centre and WBI, n.d.:9).

Whereas direct influence happens when it is possible to take specific actions or steps to try to get something to happen, indirect influence occurs when it is only possible to take actions that inspire required results, but it is almost impossible to control the results or push for a decision (Dupree, 2010:Online). Barnes (2015:Online) agrees with Dupree (2010) and mentions that indirect influence means keeping the influence objective in mind and taking actions that do not directly deal with the situation to be influenced.

A second way of representing a ToC is through an 'outcomes hierarchy'. The outcomes hierarchy shows all the outcomes (from short-term to longer-term) needed to bring about the ultimate impact or goal of an intervention (BetterEvaluation 2018:13; BetterEvaluation:Online). The outcomes hierarchy is suitable when the causal chain is complex, with manifold components, and it does not show the activities linked to the outcomes as does the results chain. However, the activities are shown in a separate

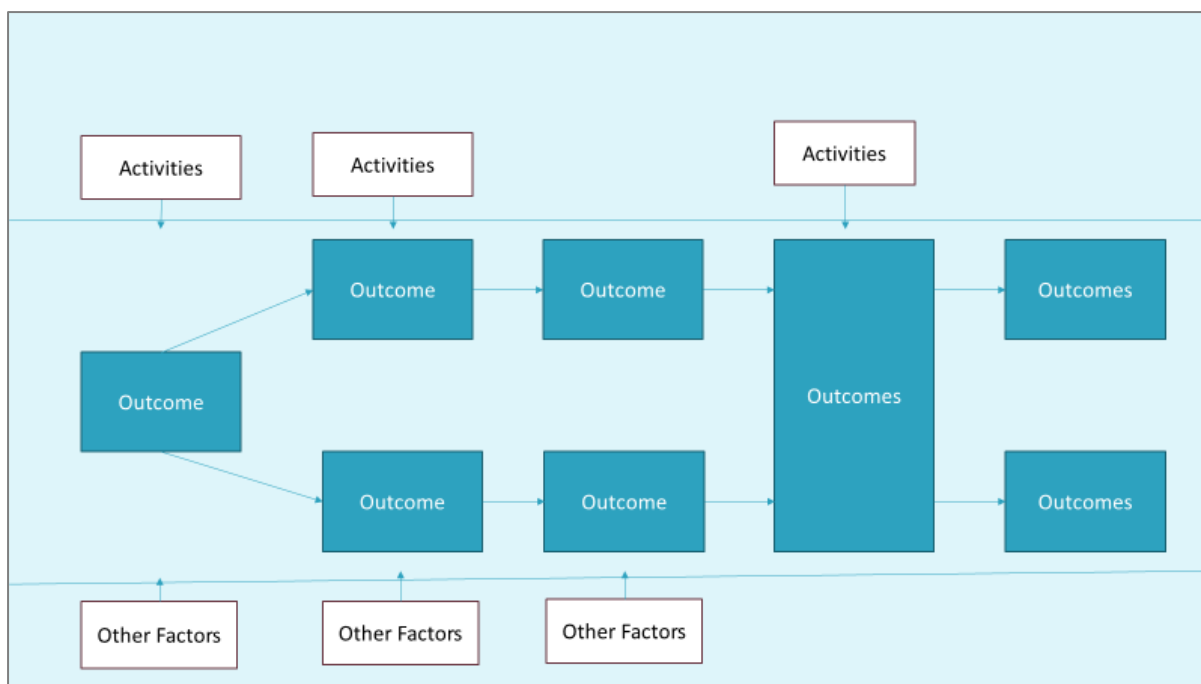
table (BetterEvaluation, 2018:13; BetterEvaluation:Online). This approach is suitable if the activities do not just happen at the start of the outcomes chain, but at different points along it (BetterEvaluation:Online).



**Figure 2.3: The outcomes hierarchy**

Source: Adapted from BetterEvaluation (2018:12)

A triple column or row, as shown in Figure 2.4 depicts the causal trail in terms of intermediate outcomes, and the activities which directly yield them, as well as the effect of other programmes and factors (BetterEvaluation, 2018:12). This is the third way of representing a ToC. To note is that whereas the outcomes hierarchy includes the short-term outcomes, the triple row involves intermediate outcomes at the exclusion of short-term outcomes. The other point to note about the difference between the outcomes hierarchy and the triple column is that unlike the latter, the former does not have other contextual factors and programmes to consider.



**Figure 2.4: The triple row or column**

Source: Adapted from BetterEvaluation (2018:14)

The fourth way of representing a ToC is a set of principles (BetterEvaluation, 2018:14). This approach is suitable for adaptive, up-and-coming programmes and projects, in terms of principles. For example, to strengthen research capacity in second and third world countries, some of the following principles were identified:

- Networking, collaborating, communicating, and sharing experiences.
- Understanding the local context and precisely evaluating current research capability.
- Embedding strong support and supervision as well as mentorship structures.
- Building in monitoring, and evaluation as well as learning from the beginning (BetterEvaluation 2018:14).

Whereas the first three approaches have elements that can be used for a ToC for a public institution, such as a legislature, the fourth approach may not be very appropriate considering that the public institutions have always been there. Nonetheless, the principles could be taken to be assumptions for a ToC for an institution.

## **2.7 Chapter summary**

This chapter, which opened phase one of the study, sought to investigate the factors that influence effectiveness through identifying and unpacking Public Administration theories that are most applicable to this study. The chapter started by presenting the study conceptual framework. This was followed by a discussion on normative ethics theories that were a lens to understanding what ethical behaviour and skills entail and how they are prerequisites for the development of appropriate indicators and achievement of results. Theories that are a lens to understanding how citizen satisfaction is arrived at, considering that citizen satisfaction influences performance indicators and vice versa, were also discussed in this chapter. The determinants of citizens' expectations and satisfaction with government services were also discussed. The penultimate section of the chapter provided an explanation of a ToC and the various ways of representing it, and then the chapter summary. The following chapter discusses performance indicators, which are another component of the conceptual framework depicted in Figure 2.1.

## **CHAPTER 3: PUBLIC INSTITUTIONS PERFORMANCE INDICATORS**

### **3.1 Introduction**

The previous chapter presented the study conceptual framework and theories that underpin the study. This chapter focuses on performance indicators, which are one of the components of the study conceptual framework. Thus, Chapter 3 responds to the second research question, which is ‘What does the available literature say about the various types of indicators in general, and specifically performance indicators for the legislative sector?’

After this introduction, the chapter builds on the Theory of Change (ToC) discussion presented in section 2.6 and provides additional context about indicators through an explanation of the link between objectives, indicators, and targets. This is followed by a discussion about the functions and characteristics of indicators. A detailed account of the various types of indicators forms the following section. The second last section is a presentation of work that has been done thus far concerning indicators for the legislative sector to measure performance. The chapter concludes with a critical reflection of the contents presented in Chapter 2.

### **3.2 The link between objectives, indicators, and targets**

The Multi Annual National Control Plan (MANCP) Network (2015:7) defines an indicator as a mechanism that makes use of measures to judge the extent to which objectives are being achieved. This definition, which links indicators to objectives, is not very different from that of Llosse and Sontheimer (1996:1) which states that indicators are measures of an initiative or organisation’s inputs, outputs, outcomes, and impacts to judge progress towards the achievement of objectives. The Market Development Facility (MDF) (2005:6), argues that indicators provide clear information about an initiative and its achievement. Although the MDF does not explicitly state the term objectives, its definition of indicators is aligned to that of MANCP Network and Llosse and Sontheimer. The Joint United Nations Programme on HIV/AIDS (UNAIDS) (2010:77) defines an indicator as “a quantitative or qualitative variable that provides a valid and reliable way to measure achievement, assess performance or reflect changes” associated with an initiative. According to the UNWOMEN (2010:n.p),

indicators have precise, noticeable, and quantifiable characteristics and can be utilised to demonstrate changes an initiative is making towards attaining specific objectives or outcomes.

Two issues are emerging strongly from these definitions. Firstly, is the notion of indicators being either qualitative or quantitative or both. This study adopts the position that an organisation should have a set of both qualitative and quantitative indicators to gain a holistic picture of its performance, as advocated by Fitzgerald and Durant (1980:585). Secondly, all these definitions suggest that there is a need to first define an objective(s) before developing indicators that are used to monitor and assess the achievement of objectives. Noting the strong link between objectives and indicators, it is vital at this juncture to briefly unpack what objectives are.

According to MANCP Network (2015:5), objectives set out what is envisioned to be attained and are usually structured hierarchically into three levels. The first level is called the high-level objectives comprising the institution's vision, goals or missions and is about impacts. Strategic objectives, the second level, are typically medium-term objectives and relate to outcomes according to the MANCP Network. The third level, called operational objectives, usually derived from strategic objectives, is about more precise and shorter-term objectives that produce outputs (MANCP Network, 2015:5).

As hinted in section 1.5.6, objectives must be **S**pecific, **M**easurable, **A**ttainable, **R**elevant, and **T**ime-bound (SMART). The '**M**' component of the SMART criteria is crucial for the development of indicators. To permit the development of indicators, objectives should be verifiable or measurable qualitatively and or quantitatively. If an objective is not measurable, then it means that indicators cannot be developed, and it will also be difficult to assess the level of objective(s) achievement (MANCP Network, 2015:6).

The degree to which objectives are broad, intangible, difficult to quantify, and long-term, decreases from high-level to operational objectives (Indeed Editorial Team, 2021:Online). Thus, high-level, and strategic objectives may fail to fulfil the Specific; Measurable; Achievable; Realistic; Time-bound (SMART) criteria the way operational objectives do. In other words, high-level and strategic objectives may not be as specific as operational objectives (MANCP Network, 2015:6).



From these objectives, indicators and targets can be formulated. According to MANCP Network (2015:9) a target “relates to the ultimate desired change in behaviour or situation”. Targets are anticipated results (usually quantitative, but sometimes qualitative), and indicators are used to determine the achievement of targets (UNAIDS, 2010:46). For example, whereas a target could be 100% of public hearings held, the indicator would be: percentage of public hearings held.

Although there is not an agreed upon method of setting targets, factors such as baseline data, historical trends, expectations of stakeholders, research findings and performance of similar activities are to be considered (UNAIDS, 2010:46). The consideration of expectations of stakeholders resonates with the expectation disconfirmation model discussed in section 2.4.2.

Section 3.2 introduced the concept of indicators and how they (indicators) are linked to objectives and targets. In line with the focus of one of the main components of this study (GPL performance indicators), the next section focuses solely on indicators paying special attention to their functions and characteristics.

### **3.3 Functions and characteristics of indicators**

Llosse and Sontheimer (1996:3) argue that indicators have a few uses. According to Llosse and Sontheimer, during the strategic planning phase, indicators are used to assist in clarifying the objectives and logic of an intervention. In performance accounting, indicators assist to inform the efficient allocation of resources, and provide early warning data during programme execution. The writers go further to mention that performance indicators are also used to measure the achievement of results of an initiative. Data generated by performance indicators can similarly be used for benchmarking purposes as well as to measure the satisfaction levels of stakeholders (Llosse & Sontheimer, 1996:3). Marais, Human and Botes (2008:379) share the same sentiments as Llosse and Sontheimer (1996) pertaining to the various functions of indicators. According to Marais *et al.* (2008:379), indicators are used to monitor change; gauge economic, social and environmental welfare; and afford comparisons based on benchmarks or past performance and targets. Nonetheless, Marais *et al.* (2008:380) took the above discussion further by indicating that indicators are there to

enhance decision-making, ensure accountability, recognise success, facilitate ongoing learning and modifications, and identify knowledge deficiencies.

It should be noted that the type and function of indicators have transformed over the years. The preceding paragraph outlined the current functions of indicators, and it is vital to outline how these functions have changed over the years. In the 1940s and 50s, indicators were purely economic and focused on the Gross Domestic Product (GDP) (Marais *et al.*, 2008:379). In the 1960s, social indicators emerged and there were a lot of studies that focused on the quality of life and environmental issues. In the 1980s, the idea of sustainable development was born, and this triggered the need to develop indicators that measure progress and change. In the 1990s, the United Nations Development Programme (UNDP) developed a Human Development Index (HDI), an index that measures GDP, life expectancy, and educational attainment (Ndlovu *et al.*, 2013:9; Studies in Poverty and Inequality Institute, 2007:35). This was done in realisation of the fact that development was not about economic growth only, but also about other factors, such as longevity and knowledge (Ndlovu *et al.*, 2013:9). In the 2000s where we are now, the New Public Management paradigm ushered in a renewed emphasis on efficiency and effectiveness and indicators to measure them (Marais *et al.*, 2008:379).

With the increased sophistication of matters that confront humanity in the 2000s, and the associated indicators to measure those matters, it is imperative to outline some of the main characteristics of good indicators:

- Indicators are not supposed to define a specific level of achievement. As such, words such as ‘enhanced’, ‘increased’, ‘decreased’, ‘reduced’, ‘improved’ are not supposed to be part of an indicator (UNWOMEN, 2010:Online).
- The possibility of gathering meaningful and reliable data should always be high for good indicators (UNAIDS, 2010:15).
- Indicators should be clear, focused and specific, and undoubtedly describe what is being measured (UNAIDS, 2010:15; UNWOMEN, 2010:Online). In short, indicators should be ‘SMART’. However, to avoid repetition, where objectives are ‘SMART’ there might be no need to have ‘SMART’ indicators. As a result, “when to become ‘SMART’, [either] during the formulation of the intervention logic [activities, results, objectives, goals] or while formulating the

indicators, is of less importance” (MDF, 2005:5). What is important and needed is that one of these stages adopts the ‘SMART’ criteria.

- Indicators should be action focused in the sense that stakeholders should be very clear on the actions to be taken after obtaining data from an indicator (UNAIDS, 2010:26).
- Every indicator should be definable for everyone, including those outside an organisation, to understand what it (indicator) seeks to measure (UNAIDS, 2010:21). Each indicator should have meta-data which include a title, definition, purpose, rationale, method of measurement, a numerator, and a denominator (for quantitative indicators), calculation, data collection methods, tools and frequency, data disaggregation, guidelines to interpret and utilise data, strengths and weaknesses, challenges, and relevant sources of supplementary information (UNAIDS, 2010:23).
- The MANCP Network (2015:8) summed the above points by indicating that “indicators provide for the M of SMART ... [and] should be RACER”. RACER stands for **R**elevant (linked to the objectives to be attained), **A**ccepted (agreed upon and understood by all relevant stakeholders), **C**redible (clear, dependable and can be measured by different researchers in the same way over time), **E**asy to monitor (should not be too hard and or costly to monitor), **R**obust (not easily manipulated, misunderstood, and not open to more than a single interpretation) (MANCP Network, 2015:8). The Robustness point is supported by Lake (2019:1) who mentions that indicators must be defined in such a way that exterior aspects, outside the control of an institution, cannot interfere with them.

According to Roser (2015:Online), quantitative indicators are easily manipulated. To show how easy it could be to manipulate a quantitative indicator, Roser gave an example of an indicator related to the unemployment rate. Roser mentioned that to report low unemployment figures, a government could get unemployed people into not very helpful job training programmes so that they are not reported as unemployed. Another example that Roser gave is of a person who would work for one hour per week and they would be classified employed. Instead of indicators about creating meaningful jobs for

people; adopting the foregoing two examples, will give an impression of a low unemployment rate (Roser, 2015:Online). Thus, an indicator related to the unemployment rate could be more easily manipulated than one related to actual meaningful jobs for people. According to Bergen (2020:Online), indicators that can easily be manipulated are not for the achievement of goals and objectives, but for reporting of influenced success, which will, for example, keep funding flowing and ensure the payment of staff performance bonuses. It is therefore imperative that objectives must be 'SMART' to avoid indicators that can be manipulated (Bergen, 2020:Online).

In this section, the functions and characteristics of indicators were outlined. The following section continues to unpack indicators through outlining their various types.

### **3.4 Types of indicators**

There are several ways to categorise indicators. For example, indicators can be classified as direct or indirect, according to information gathering approaches, information sources, timing and purpose, composition, and degree of measurability (Marais *et al.*, 2008:381-382). Marais *et al.* went further to state that groups into which indicators are segregated, are not mutually exclusive, noting that an indicator can belong to more than one category. For example, an indicator can be objective, external, baseline, single and quantitative, fitting into more than one category. This section unpacks the various types of indicators according to several categories proposed by Marais *et al.* (2008:381) and based on an extensive literature search they conducted.

#### **3.4.1 Direct versus indirect indicators**

According to Llosse and Sontheimer (1996:15), direct indicators exactly match the results at any level of performance. For example, the number of goods produced is a direct output indicator and change in beneficiary knowledge about an issue is a direct outcome indicator. The MDF (2005:5) agrees with Llosse and Sontheimer (1996) by indicating that a direct indicator directly locates the issue of interest. However, the MDF (2005:5) goes further to mention that it (a direct indicator) is mostly used in technical subjects and at operational level. Nonetheless, they can also be used in

public administration and at a strategic level. An example of a direct indicator at a strategic or outcomes level according to the MDF (2005:5) would be the percentage of people in a country who live below the poverty line.

If an indicator is not direct, then it is indirect. An indirect indicator, also known as a proxy-indicator, refers to the matter of interest in an indirect way (MDF, 2005:5; Llosse & Sontheimer, 1996:15). There are three main situations where indirect indicators work better than direct indicators. Firstly, proxy-indicators are used in situations where the topic of interest is qualitative and difficult to measure directly. Such qualitative subjects include quality of life, behavioural change, and good governance. Secondly, indirect indicators can also be used where it is possible to use direct indicators, but the topic is too sensitive, for example, income and 'safe sex' issues. Thirdly, in situations where the use of direct indicators is too costly, the use of proxy-indicators may be deemed more feasible and prudent (MDF, 2005:5; Llosse & Sontheimer, 1996:15).

Proxy-indicators are based on a known association between the performance variable and the indicator selected to represent it. For example, using a decrease in the number of customers complaints as a proxy-indicator of enhanced customer processing (Llosse & Sontheimer, 1996:15).

### **3.4.2 Data gathering approach**

Indicators can be classified according to the approach that was used to gather data (Marais *et al.*, 2008:381). According to Marais *et al.* (2008:381), the two main approaches are objective and subjective. Brudney and England (1982:132) provide a clear distinction between the focus, service function, service goals, and policy perspectives between subjective and objective approaches, as depicted in Table 3.1. On the one hand, the objective approach is about facts that are independent of the researcher's values, such as income levels (Marais *et al.*, 2008:381; Beck *et al.*, 1990:76; Brudney & England, 1982:132). On the other hand, the subjective approach is about perceptions and opinions of individuals or groups of people (Marais *et al.*, 2008:381; Brown & Coulter, 1983:50; Brudney & England, 1982:132). Thus, the subjective approach would make use of subjective indicators, such as the satisfaction

levels of citizens with houses, while the objective approach would use objective indicators, such as number of houses built (Marais *et al.*, 2008:381).

**Table 3.1: The subjective versus objective approach**

<b>Dimension</b>	<b>Subjective</b>	<b>Objective</b>
Focus	Citizen-Based	Agency-Based
Service Function	Political	Economic
Service Goals	Responsiveness and Equity	Efficiency and Effectiveness
Policy Perspective	Impact-Oriented	Output-Oriented

Source: Brudney & England (1982:132)

Despite criticisms of subjective data and indicators discussed in the forthcoming paragraphs, international organisations such as the World Bank and the United Nations support the usage of subjective data to measure citizen satisfaction with services. According to the Worldwide Governance Indicators (WGI) (2021b:Online), stakeholders' perceptions and views matter because they (perceptions) influence decisions made by users. Stakeholders' perceptions represent the lived realities of the users, which may be different from formal rules contained on paper usually captured objectively. In areas such as corruption, it is difficult to gauge governance in any other way except by depending on perceptions and experiences of the respondents (WGI, 2021b:Online) through stakeholder satisfaction surveys in most cases. According to the World Bank (2018:2), placing citizens at the centre of public institutions, utilising, among other means, stakeholder satisfaction surveys causes public administration to be more efficient and effective, and also increases citizens' trust and satisfaction in government. Aligned to the position of the World Bank about the importance of subjective measures, is indicator 16.6.2 of the Sustainable Development Goals (SDGs), which is about capturing the percentage of citizens satisfied with their past experience of government services (United Nations:Online).

Nonetheless, some writers, such as Stipak (1979:46) and the World Bank (2018:11), caution against using perception surveys to gauge citizen satisfaction with services. This caution is because in some cases citizen responses are distorted by other issues, such as political preferences, rather than reflecting actual performance on the ground, as discussed in section 4.3.1 (performance model). Furthermore, it is possible that

what the public indicate as important in a survey, may not actually be what drives their overall satisfaction with a service (World Bank, 2018:6). For example, according to the World Bank, (2018:6), Van Ryzin and Immerwahr conducted a study in New York City in 2004 in which participants stated that schools, fire, garbage, and police were the most important services. However, street cleanliness alone was found to be the most important factor in improving citizen satisfaction levels (World Bank, 2018:6). The other danger that stems from using citizens' opinions to gauge government effectiveness is that it is difficult to conduct statistical operations on subjective data (Stipak, 1979:46).

To try and resolve the challenges associated with subjective measures, several writers, such as Chatterjee and Suy (2019:243-244), Kelly and Swindell (2003:610), Yi (1989:3), Brown and Coulter (1983:50), and Brudney and England (1982:132), propose certain enhancements and modifications to the approach. For example, Stipak (1979:46) emphasises the importance of avoiding general questions and ensuring that the questions asked to citizens, as well as their responses, are unequivocally linked to the actual products or services provided by a government.

Kelly and Swindell (2003:610) observed that citizen satisfaction surveys were successfully used to measure performance, but the scholars recommend adopting a multiple-indicator approach for better results. For example, in addition to citizen satisfaction surveys, indirect methods, such as consumer repeat purchases and complaints could also be employed (Yi, 1989:3). While cautioning about the dangers associated with perception-based questions, the World Bank (2018:11) supports the use of subjective information. To minimise the challenges of subjectivity, the World Bank (2018:12) recommends including a combination of evaluation / perception-based, and experienced-based questions in a questionnaire. While experience-based questions ask respondents to narrate what they did or experienced, perception-based questions ask respondents to rate a service, usually on a Likert scale (World Bank, 2018:11).

Brown and Coulter (1983:50) demonstrate the importance of both subjective and objective information. The scholars mention that official public sector documents, also called 'objective' measures, are used to assess performance criteria such as

efficiency, effectiveness, and equity of policy outputs, inputs, and impacts. Likewise, subjective indicators associated with gauging a sample of citizens' perceptions towards a service are also effectively utilised for assessing effectiveness. Although Brown and Coulter (1983:50) argue that objective measures can also be used to measure effectiveness, outcomes and impacts, Brudney and England (1982:132) hold a different view. According to Brudney and England (1982:132), whereas subjective measures of service performance are based on the views of citizens and are outcomes or impact orientated, objective measures are agency-based and output orientated, as captured in Table 3.1.

Regarding the second problem about the difficulty of conducting statistical operations on subjective data, it is evident that Stipak subscribes to Sackett's hierarchy of evidence, discussed in Chapter 5, section 5.5.1.2 (*Systematic Reviews*), which views qualitative studies as inferior to quantitative studies (Mgutshini, 2021:31;32; McGill University:Online). However, scholars such as Mgutshini (2021:31) argue that the qualitative versus quantitative is a philosophical debate with no right or wrong answer. What is more important is to analyse the research questions and make a determination of whether they would be best answered qualitatively (subjectively) or quantitatively (objectively), as explained in Chapter 5.

### **3.4.3 Source of information**

This category has two sub-categories, namely the micro / internal indicators and the macro / external indicators (Marais *et al.*, 2008:381). The former gauge the internal targets of an institution, for example, percentage of senior management positions reserved for youths, while the latter involve gauging conditions that are outside of an organisation, for example the province's Gross Net Product (Marais *et al.*, 2008:381).

### **3.4.4 Timing in the intervention logic**

There are several sub-categories in this category. One of the categories is the **Baseline indicators**, which involve the description of the current situation, for example, number of houses with electricity (Marais *et al.*, 2008:381). Another sub-category is **target indicators**, which involve setting goals and objectives. An example of a target indicator is to construct 100 dwellings (Marais *et al.*, 2008:381). **Input**



**indicators** form another sub-category. Input indicators gauge the quantity, and sometimes the quality of resources, such as financial and human, offered for activities of an initiative (UNAIDS, 2010:29; Llosse & Sontheimer, 1996:11). Cloete (2007a:5) provides the following examples of input indicators: number of persons assigned on a full- and or part-time basis to a project, and the types of skills individuals have against the required levels and availability. The former indicator measures quantity and the latter measures quality. Marais *et al.* (2008:381), bring a slight variation to the foregoing definition by indicating that input indicators measure efficiency, which is the ratio of inputs to outputs. Nonetheless, it should be noted that several scholars make a distinction between input and efficiency indicators, which Marais *et al.* (2008) seem to view as the same. Whereas input indicators gauge the quantity and quality of resources for an initiative, **efficiency indicators** measure the ratio of inputs required for every unit of output produced (Tomek, 2019:n.p; Llosse & Sontheimer, 1996:14). Measuring against best practices, the purpose of the ratio is to give its users a better picture of how much wastage or savings are involved in producing a product or providing a service (Tomek, 2019:n.p).

Several scholars and organisations, such as the UNAIDS (2010), Llosse and Sontheimer (1996), and Cloete (2007), do not include the notion of efficiency in defining an input indicator. Consequently, this study adopts the widely used definition of an input indicator, as opposed to that of Marais *et al.* (2008:381), which is more of an efficiency indicator.

Another category is **process indicators** where there is also no agreement in available literature regarding what it entails. According to the Centers for Disease Control Prevention (CDC) (2012:Online), process indicators measure the activities and outputs of a project or initiative, and as such, some “people use output indicators as their process indicators”. The reasoning behind is that the production of solid outputs suggest that the activities were executed correctly. The UNWOMEN (2010:Online) and the New Zealand Qualification Authority (2014:Online) agree with this reasoning and indicate that the use of process indicators is to monitor the quantities and qualities of activities carried out. Examples of process indicators provided by these organisations include the ‘number of people trained and the quality of training’. The former measures quantity, while the latter measures quality.

The CDC (2012:Online) also mentions that whereas some people treat process and output indicators the same, there are some people who separate the two. For the people that treat them separately, process indicators would be about measures of the activities whereas output indicators would be measures of the deliverables produced by activities. Parsons, Gokey and Thornton (2013:8) make a distinction between activity and output indicators. Activity indicators are about understanding the degree to which an intervention was executed as planned, and should contain three crucial elements: “who conducted the activity, what they did, and where were they working” (Parsons *et al.*, 2013:8). For example, when considering parliamentary public education sessions, it is vital to indicate whether the legislature or a consultant provided training (who), content of the public education sessions (what), the duration of each session (what), and whether the session(s) were done at the premises of a legislature or in communities or both (where).

Process indicators are predominantly useful in improvement focused appraisals, where they can be used to gain a deeper understanding of why outcomes were either achieved or not (New Zealand Qualification Authority, 2014:Online). So, after noticing that the desired results were not achieved, a process evaluation could be conducted to find out what went wrong and why and use the learnings for the next project or initiative. Noting how crucial process indicators are, this study supports the idea of separating process and output indicators.

For this study **output indicators** measure the quantity and sometimes the quality of products produced, for example, number of classrooms built (quantity), and compliance of those classrooms with the industry standards (quality) (MANCP Network, 2015:7; Parsons *et al.*, 2013:8; UNAIDS, 2010:29; Marais *et al.*, 2008:381; Cloete, 2007a:7; Llosse & Sontheimer, 1996:11). It is vital to point out that organisations such as the UNWOMEN (2010:Online) view output indicators beyond what the preceding statement says. The UNWOMEN indicates that outputs, just like outcomes and impacts, are results of an intervention and they should all reflect different levels of change. Outputs are supposed to reflect immediate changes; outcomes to display intermediate changes; and long-term changes are associated with impacts (UNWOMEN, 2010:Online). An example of an output indicator according to

the UNWOMEN (2010: Online) would be percentage of learners who completed training on 'xyz' and whose knowledge improved. MANCP Network (2015); UNAIDS (2010); Marais *et al.* (2008); Cloete (2007a); and Llosse and Sontheimer (1996) would regard this an immediate outcome indicator, a category of outcomes indicators discussed in the next paragraph.

**Outcome indicators** measure change in a situation / behaviour / knowledge / beliefs / attitudes about a matter as a result of outputs produced (MANCP Network, 2015:7). Outcome indicators usually come in three forms, namely immediate, intermediate, and long term (impact) (Kinyuira, 2019:32). Immediate outcome indicators have been discussed in the foregoing paragraph. Intermediate outcome indicators, according to the Parliamentary Centre and the WBI (n.d.:9), measure the level of accountability, transparency, and participation. Impacts indicators discussed in the forthcoming paragraphs measure long-term changes.

It should be noted that there are some scholars that do not differentiate between immediate, intermediate, and long-term outcomes, but treat them the same (Marais *et al.*, 2008:381; Cloete, 2007a:7). Furthermore, many scholars / organisations do not differentiate between immediate and intermediate outcomes; instead, they refer to them simply as outcomes. However, they treat long-term outcomes differently and refer to them as impacts (MANCP Network, 2015:2; Parsons *et al.*, 2013:9; UNAIDS, 2010:30; Hubli, 2001:5; Parliamentary Centre & WBI, n.d.:8).

It is also imperative to indicate that available literature has both directional and non-directional outcome indicators. Cloete (2007a:11-13) agrees with the UNWOMEN (2010:Online) that indicators should be non-directional by excluding words such as 'enhanced', 'decreased', 'improved'. Examples of outcome indicators Cloete provides contain the word 'change' and are non-directional. Some of these non-directional indicators include, "change in nutritional status of children; change in access to public transport, and change in electricity network coverage" (Cloete, 2007a:11-13). Nonetheless, it should be noted that some of the outcome indicators provided in literature include these directional words. "Reduced incidence of diseases (through vaccinations), improved farming practices (through extension visits) ...and reduced mortality ...(through improved nutrition)" are some of the outcome indicator examples

provided by Llosse and Sontheimer (1996:13). This difference could be attributed to whether the 'SMART' criteria was applied during the objectives or indicators development stage as advised by the MDF (2005:5). The UNWOMEN's (2010:Online) definition of a good indicator assumes application of the 'SMART' criteria at the objectives formulation stage, whereas Llosse and Sontheimer (1996) suggest that the 'SMART' criteria is implemented during the indicator development phase. Nonetheless, as indicated by the MDF (2005:5), when to become 'SMART' is not significantly crucial as long as it happens during either the objectives or indicators development stage.

Another category is **impact indicators**, which according to MANCP Network (2015:7) gauge how the outcomes influence the goal or bigger picture issues. Impact indicators measure the long-term effects of an initiative or project, such as a change in the quality of life of citizens (UNWOMEN 2010:Online). According to Cloete (2007a:7), the main focus is about the extent to which the original organisational goals have been attained (product effectiveness). It is rare for a single initiative or programme to cause an impact, but a number of multi-sectoral initiatives (Kinyuira, 2019:32; UNAIDS, 2010:29; Parliamentary Centre & WBI, n.d.:9).

According to Llosse and Sontheimer (1996:19) and Cloete (2007a:7) impact is very difficult to measure owing to the considerable length of time between programme execution and impact / results. Considering challenges associated with measuring impact, the use of leading and intermediate outcome indicators as proxies for impact is a way to circumvent the measurement challenge. For example, improved nutritional knowledge as a preliminary indicator of enhanced eating practices, which in turn leads to good health, could be used (Llosse and Sontheimer, 1996:15). This example clearly shows how an immediate outcome indicator could be used as a proxy to measure the achievement of intermediate outcomes, and how an intermediate outcome indicator could in turn be used as a proxy indicator to measure impact.

In line with Fitzgerald and Durant's (1980: 585) observations, as outlined in section 4.5.5, about the importance of subjective information, Cloete (2007a:7) mentions that when measuring impact, it is vital to assess how subjectively satisfied the stakeholders or recipients are with the product or services they receive. This assessment holds

importance, irrespective of the quantity and or quality of the products or services provided. Some of the useful regular ways to collect qualitative / subjective project monitoring data (proxies for impact) include focus group discussions, beneficiary assessment and rapid rural appraisals (Llosse & Sontheimer, 1996:19). Llosse and Sontheimer go further to indicate that before and after household surveys are also powerful tools that can be used to collect all-inclusive impact data, but it is almost impossible to use them for regular project monitoring because they are too costly. Therefore, the before and after household surveys are mainly used during the project identification phase, midterm reviews, end of execution, and ex-post evaluations (Llosse & Sontheimer, 1996:19).

According to Cloete (2007a:7), measuring impact involves assessing how, for example, stable, democratic, fair, affordable, equitable, and empowering the end result will be in the long term. In other words, it includes measuring how sustainable the results would be. This introduces the notion of **sustainability indicators**. These indicators represent the tenacity of the benefits of an initiative over time (Llosse and Sontheimer, 1996:15). For example, continued willingness by the citizens to participate in the business of a legislature, even long after the programmes that promoted participation are over, is related to sustainability.

At this juncture, it is also imperative to show the difference between impact and effectiveness indicators. Whereas impact indicators measure *how* the outcomes affect the goal(s) of an organisation (MANCP Network 2015:7), **effectiveness indicators** represent a *ratio* of inputs or outputs per unit of outcome or impact. An example of an effectiveness indicator would be the number of inoculations administered (or their cost) per unit decrease in morbidity rate or per unit decrease in the death rate (Llosse & Sontheimer, 1996:14). Making use of the COVID-19 vaccines as an example, this would be the number of vaccines administered against the number of hospitalisations or death (Washington State Department of Health, 2022:4). So, for example, a vaccine with a ratio of 10 vaccines as to nine (9) deaths would be regarded less impactful or effective compared to a vaccine with a ratio of 10 vaccines as to three (3) deaths. Although this study is about the inaptness of the GPL performance measurement to establish the effectiveness of the GPL, it is imperative to repeat what was mentioned in section 1.5.2 that effectiveness for this study entails the achievement of the

constitutional mandate or outcomes. Thus, the focus is on outcomes and impact indicators also known as 'citizen-focused indicators' (World Bank, 2018:1), and not effectiveness indicators. According to the World Bank (2018:1), 'citizen-focused indicators' gauge the level of consideration of the voices and needs of the public in the design, execution, and evaluation of public services (World Bank, 2018:1).

### **3.4.5 Composition of indicators**

This category has two sub-groups, namely the single and composite indicators (Marais *et al.*, 2008:382). On the one hand, as the name implies, a single indicator measures a single variable, such as adult literacy rate. On the other hand, a composite indicator combines numerous indicators, such as the HDI, which combines education, life expectancy, and per capita income (MANCP Network, 2015:7; Marais *et al.*, 2008:82). A composite indicator is used when a matter or objective is too complex to measure directly (MANCP Network, 2015:7).

### **3.4.6 Purpose of indicators**

Indicators serve various purposes, according to Marais *et al.* (2008:382). Marais *et al.* identify the following six sub-groups under the purpose of indicators category:

- Descriptive indicators, such as the highest level of schooling attained by people older than 18 years, are mainly there to describe only facts.
- Evaluative indicators, also known as normative indicators, help draw conclusions about the association between indicators, for example, the size of a household and highest level of schooling of the household head.
- Information indicators, such as the production of potatoes from 2000 to 2020, describe a condition or position over a period of time.
- Predictive indicators predict the occurrence of certain events, such as predicting the population's doubling point.
- System indicators, such as levels of noise pollution, offer a summary of distinct measurements based on scientific and technical insights.
- Performance indicators, which are the primary focus of this thesis, serve as an instrument for comparison, integrating a descriptive indicator and the target of an initiative. For example, 30% of people older than 18 years are illiterate, with a targeted reduction of 15% within three years (Marais *et al.*, 2008:382).

Therefore, the corresponding indicator would be the percentage of illiterate people older than 18 years for a specific year.

### **3.4.7 Measurability of indicators**

Indicators can either be quantitative or partly quantifiable or qualitative (Marais *et al.*, 2008:383). Quantitative indicators are regarded as objective, because they are measurable and visible, such as the number of houses. Partly quantifiable, as the name suggests, can be quantified to a certain degree, and qualitative indicators are usually subjective, very abstract, and measure the perceptions of stakeholders (Marais *et al.*, 2008:383).

Information presented in this section is for indicators in general and is applicable to any organisation. The ensuing section adopts a funnel approach and narrows the discussion from indicators in general to performance indicators for the legislative sector.

### **3.5 Performance indicators for the legislative sector**

As mentioned in section 1.2, several organisations and scholars attempted to develop some form of indicators to measure the performance of legislatures. The UNDP and the United States Agency for International Development (USAID), in collaboration with the State University of New York's Centre for Legislative Development, are some of the organisations that came up with strategies to evaluate parliaments (Bosley, 2007:10). However, the challenge with the UNDP and USAID frameworks is that they were designed to identify areas with problems that a programme could work on to rectify within a short time. Consequently, these frameworks are criticised for meeting the needs of the funders only, while excluding the needs of other stakeholders, such as civil society, researchers, and the media (Bosley, 2007:13).

Other than strategies by the UNDP and USAID, other stakeholders also made attempts to develop standards, toolkits, and scorecards to assess parliamentary performance. Organisations that made attempts to develop parliamentary performance standards include the Commonwealth Parliamentary Association (CPA), the National Democratic Institute, the Inter-Parliamentary Union, and the New

Economic Partnership for African Development (NEPAD) African Peer Review Mechanism (APRM) (Bosley 2007:15). The African Legislatures Project (ALP), the Institute for Democracy in South Africa (IDASA), the Canadian Parliamentary Centre (CPC), the Institute for Democracy and Electoral Assistance (IDEA) as well as media and small scale civil society organisations in Uganda and Albania attempted to develop parliamentary scorecards (Bosley, 2007:15). Table 3.2 below presents a summary of what was developed by a few organisations to assess the performance of legislatures in various areas.



**Table 3.2: An attempt by various organisations to develop indicators to measure performance of legislatures**

Organisation	Input Indicators	Process Indicators	Output Indicators	Immediate and Intermediate Outcome Indicators	Impact Indicators
	Input indicators measure quantity and quality of raw materials or resources of parliament, such as legislators, staff, financial and other resources (Parliamentary Centre and WBI, n.d.:9).	Process indicators measure actions or activities conducted by, legislators and staff designed to meet the objectives of a legislature (Parliamentary Centre and WBI, n.d.:9). Who, what and where issues pertaining an activity (Parsons <i>et al.</i> , 2013:8).	Output indicators measure quantity and quality of products of legislative activities such as laws, reports, and resolutions (Parliamentary Centre and WBI, n.d.:9).	Immediate outcome indicators measure direct results such as improved knowledge, attitude, skills and or a situation, and Intermediate outcome indicators measure behavioural change, such as improved accountability, transparency, and participation because of immediate outcomes (Parliamentary Centre and WBI, n.d.:9).	Impact indicators measure long-term results such as democracy; quality of life; sustainability; rule of law; clean government; and empowerment (Parliamentary Centre and WBI, n.d.:9).
<p><b>Commonwealth Parliamentary Association (CPA)</b></p> <p>Developed recommended Benchmarks on how a legislature should be constituted and function (CPA, 2018:1). The CPA has four Benchmark categories, namely:</p> <ul style="list-style-type: none"> <li>• general (which covers issues such as elections and eligibility of candidates, remuneration and benefits) (CPA, 2018:2-5)</li> <li>• organisation of a parliament (covers issues such as rules of</li> </ul>	For example, point 5.1.4 of the CPA recommended benchmarks for democratic legislatures is about sufficient resources for use by staff and legislators to do their work (CPA, 2018:12).	-	-	<p>Values of a parliament, for example accessibility, transparency and Integrity, openness and engagement; and freedom of information about the business of a legislature, are discussed in section IV (CPA, 2018:16-17).</p> <p>Powers of a legislature in law-making, oversight, public involvement are discussed in section III. (Commonwealth Parliamentary Association (CPA) 2018)</p>	

Organisation	Input Indicators	Process Indicators	Output Indicators	Immediate and Intermediate Outcome Indicators	Impact Indicators
<p>procedures, organisation of Committees, and parliamentary staff) (CPA, 2018:5-11)</p> <ul style="list-style-type: none"> <li>• functions of a parliament (where in the three constitutional mandates are covered) (CPA, 2018:12-15), and</li> <li>• values of a parliament (accessibility, openness, engagement, transparency, integrity, and freedom of information (CPA, 2018:16-17)</li> </ul>					
<p><b>Inter-Parliamentary Union (IPU)</b> This is a self-assessment toolkit for legislatures to assess their democratic performance against values such as transparency, accessibility, representativeness, effectiveness, and accountability (IPU, 2008:4,7).</p>	<p>The toolkit has questions about legislative inputs such as the availability of research and information to legislators (IPU, 2008:19).</p>	-	-	<p>The toolkit has questions about the transparency and accessibility, representativeness, oversight over the executive, law-making, accountability as well as the involvement in international policy of a legislature (IPU, 2008:18-23).</p>	-
<p><b>African Peer Review Mechanism-New Partnership for Africa's Development (APRM-NEPAD)</b></p>	<p>The questionnaire covers issues such as the capacities of countries and access to</p>	-	-	<p>The questionnaire asks about steps taken to ensure broad-based participation (NEPAD, 2003:11).</p>	<p>The questionnaire covers issues such as poverty eradication; and financial,</p>

Organisation	Input Indicators	Process Indicators	Output Indicators	Immediate and Intermediate Outcome Indicators	Impact Indicators
<p>Although not developed to specifically measure legislative performance, the APRM is a self-monitoring tool aimed at promoting the embracing of policies, practices and standards by African countries that result in improved economic growth, political stability, and sustainable development as well as economic and regional integration (NEPAD, 2003:3).</p>	<p>information (NEPAD, 2003:11).</p>				<p>environmental and social sustainability (NEPAD, 2003:11,12)</p>
<p><b>The African Parliamentary Index (API)- Parliamentary Centre</b> Developed a set of indicators for measuring the performance of select African Legislatures in the areas of public participation and oversight and scrutiny (Parliamentary Centre, 2013:5).</p>	<p>The API has indicators on institutional capacity (Parliamentary Centre, 2013:8).</p>	<p>The tool evaluates how a legislature involves the public and the media in conducting its business - transparency and Integrity.  It also gauges the level of involvement of the select African legislatures in the budget process and oversight over the expenditure of the executive (Parliamentary Centre, 2013:8).</p>			
<p><b>African Legislatures Programme (ALP)</b> Rooted in three basic questions:</p>	<p>Issues around the availability of resources as well as the quality of legislators are</p>	<p>How and what questions are about the processes (Parsons et al., 2013:8; Bosley, 2007:32).</p>		<p>The basic functions of a legislature, namely representation, law-making and oversight are addressed to</p>	

Organisation	Input Indicators	Process Indicators	Output Indicators	Immediate and Intermediate Outcome Indicators	Impact Indicators
<p>1. How and why do African parliaments function the way they do?</p> <p>2. What conditions and adjustments are needed to improve African parliaments?</p> <p>3. What comprises “best practice” for benchmarking purposes?</p> <p>These questions are about the resources, performance, and context of a parliament (Bosley, 2007:32).</p>	<p>raised (Bosley, 2007:32).</p>			<p>measure effectiveness of a parliament (Bosley, 2007:32).</p>	
<p><b>Canadian Parliamentary Centre (CPC)</b>, worked with the World Bank Institute (WBI), to develop a performance scorecard for legislatures.</p> <p>The framework measures five areas of parliamentary performance (level and variety of activity, transparency and openness, accountability, participation, and the impact of an intervention) via stakeholder questionnaires in each of the four activity areas:</p> <ul style="list-style-type: none"> <li>• representation,</li> <li>• law-making,</li> </ul>	<p>The scorecard is about capacity building planning, thus it meets the needs of donor organisations and the legislature being evaluated, but not of the civil society to monitor and critically appraise legislatures (Bosley, 2007:16-17).</p>	-	-	-	-

Organisation	Input Indicators	Process Indicators	Output Indicators	Immediate and Intermediate Outcome Indicators	Impact Indicators
<ul style="list-style-type: none"> <li>• oversight, and</li> <li>• budgetary activity (Bosley, 2007:16).</li> </ul>					
<p><b>Institute for Democracy and Electoral Assistance (IDEA)</b></p> <p>The project is about citizen ownership of the democracy evaluation process and revealing good practice examples for sharing with other democracies instead of ranking them (democracies) against each other (Bosley, 2007:16).</p>				<p>The evaluation procedure is based on two values of parity between citizens, and popular control of communal decision-making.</p> <p>The above two principles are then analysed through seven key values, namely participation, representativeness, authorisation, transparency, solidarity, accountability, and responsiveness (Bosley, 2007:18)</p>	<p>The analysis of the two principles through the seven key values enables the calculation of a global democracy assessment score (Bosley, 2007:19)</p>
<p><b>The Centre for Governance in Africa at the Institute for Democracy in South Africa (CGA-IDASA)</b> focuses on the representative role of legislatures with a special focus on public involvement in southern Africa.</p> <p>The CGA also monitors the work of the Pan-African Parliament and the African Union (AU) (Bosley, 2007:19).</p>				<p>Public perceptions of a legislature's performance in being responsive and representative, effective, and efficient, accountable to the citizens, and legitimate are done. (Bosley, 2007:19-20)</p>	

Source: Own compilation

An analysis of Table 3.2 above reveals two main challenges associated with the work that was done by the various organisations that attempted to develop indicators for legislatures. Firstly, the organisations produced indicators that are not explicit, but questionnaires, benchmarks, and standards. Most of these questionnaires, benchmarks, and standards need to be analysed and interpreted to extract indicators from them, as demonstrated in the ensuing paragraphs. Secondly, some of the questionnaires, benchmarks, and standards pay focus mostly on inputs rather than outcomes and impacts. The instruments, mostly in the form of checklists for public administrators, developed by various organisations (as shown in Table 3.2), inspect the supply aspect of governance. They evaluate the capacity of public systems to serve citizens (World Bank, 2018:7). However, it is imperative to balance the supply side with the demand side of governance, which has not been fully achieved yet, according to the World Bank. One way of satisfying the demand side of governance, which is still a work in progress, is through soliciting the opinions of citizens through citizen satisfaction surveys regarding the outcomes and impacts of initiatives (World Bank, 2018:7). However, considering the weakness of being subjective, associated with perception- or evaluation-based questions in a survey, the World Bank (2018:12) recommends including a combination of evaluation and experienced-based questions in a questionnaire. As stated in section 3.4.2, whereas experience-based questions ask a respondent to narrate what they did or experienced, perception-based questions usually request a respondent to rate a service on a Likert scale (World Bank, 2018:11).

The following paragraphs or subsections provide examples of questions or statements in available literature from which indicators can be developed. These include parliamentary input, process, output, outcome, and impact statements as proposed by various scholars and organisations, which guided some of the recommendations presented in Chapter 7.

### **3.5.1 Parliamentary input statements and indicators**

A few organisations and scholars make it clear that capacity as a determinant of legislative performance, can also be classified as an input (Parliamentary Centre, 2013:9; Rosenthal, 1999; Parliamentary Centre & WBI, n.d.:13). Below are some examples of capacity related statements in available literature, which are also aligned

to a discussion about input indicators presented in section 3.3.4, that can be turned into input indicators:

- Availability of public representatives with problem-solving, strategic, and consensus-building capabilities Rosenthal (1999:np).
- The level of knowledge and skills legislators and support staff possess to perform their duties effectively (Parliamentary Centre & WBI, n.d.:13).
- The extent to which various political parties in a legislature have access to budget knowledge (Parliamentary Centre & WBI, n.d.:13).

Another example of an input is funds, and below are examples of funding and other related input statements in available literature:

- The degree to which a legislature has access to financial resources to do its work (Parliamentary Centre & WBI, n.d.:13).
- The degree to which a legislature has access to other resources such as information systems to do its work (Parliamentary Centre & WBI, n.d.:13).

From these statements, both qualitative and quantitative indicators can be developed. According to the USAID (2000:15), an example of a quantitative input indicator would be the number of staff in a legislature to perform a particular function.

### **3.5.2 Parliamentary process statements and indicators**

Examples of Parliamentary process- / activities statements / indicators based on the work of Parsons *et al.* (2013:8), as discussed in section 3.4.4 include:

- Public education sessions conducted by staff of a legislature ('who' executed the activity).
- Public education sessions about the functions of a legislature ('what' in terms of content).
- All sessions were conducted in communities, and not at the premises of a legislature ('where' did the activity happened).

### **3.5.3 Parliamentary output statements and indicators**

Examples of parliamentary output statements / indicators aligned to what was discussed in section 3.4.4 include:

- Number of bills passed by a parliament (Doyle, 2018:10).
- The quality of bills passed by a parliament (Cloete, 2007a:7).
- Number of reports produced by a parliament (Parliamentary Centre & WBI, n.d.:14).
- Number of reports produced by a parliament that achieve agreed upon quality standard(s) (Parliamentary Centre & WBI, n.d.:14).

### **3.5.4 Parliamentary outcome indicators**

Considering that this thesis is about the achievement of the parliamentary constitutional mandate — namely oversight, public representation and law-making — statements / indicators for each of the mandates are presented below.

#### **3.5.4.1 Oversight and scrutiny**

Some of the outcome statements to be refined to indicators for assessing the effectiveness of a legislature in executing the oversight and scrutiny mandate presented by various scholars include:

- The extent to which there is equal sharing of power with the executive (Rosenthal, 1999:n.p.).
- The extent to which a legislature interrogates the executive and ensures that it (executive) explains its actions for accountability and transparency to be realised (Parliamentary Centre, 2013:9; Rotberg & Salahub, 2013:4; IPU, 2008:19; USAID, 2000:15).
- The extent to which a legislature uses its inherent approval powers to authorise executive personnel actions as well as approve, disapprove, or delay bills that would have been introduced by the executive (Rotberg & Salahub, 2013:4).
- The degree to which a parliament exercises its power of the purse in appropriating funds, without which the executive will be unable to function (Parliamentary Centre, 2013:9; Rotberg & Salahub, 2013:4; USAID, 2000:15).



### **3.5.4.2 Representation**

Regarding representation, an assessment of the available literature produced some of the following statements that could be used to develop refined indicators to measure the effectiveness of legislatures in representing constituencies:

- The extent to which there is a fair representation of all constituencies in a legislature (Rosenthal, 1999:n.p.).
- Percentage of women and other vulnerable groups in a parliament (Rosenthal, 1999:n.p.).
- The degree to which a legislature is responsive to the needs and demands of the public (USAID, 2000:15; Rosenthal, 1999:n.p.).
- The extent to which information on proceedings of the legislature and agendas is readily available to the public (USAID, 2000:15; Rosenthal, 1999:n.p.).

### **3.5.4.3 Law-making**

The following are some of the statements regarding a legislature's effectiveness in law-making. These statements could be refined to law-making outcome indicators:

- The extent to which there is meaningful public participation during the law-making process (Rosenthal, 1999:n.p.).
- Change in percentage (%) of people who participate in the law-making process (Rosenthal, 1999:n.p.).
- Percentage of laws passed by a legislature that solve the most vital challenges faced by citizens (Rosenthal, 1999:n.p.).

Section 3.4.4 outlined some attributes of outcome indicators, including their ability to measure changes in situations / behaviours / knowledge / beliefs / attitudes brought about by outputs (MANCP Network, 2015:7). The foregoing statement is aligned to what was indicated in section 2.6, that outputs are converted to immediate outcomes, such as improved knowledge, which an organisation has direct influence over (Kinyuira, 2019:32). Section 2.6 went further to highlight that immediate outcomes are converted to intermediate outcomes, such as participation (Parliamentary Centre and the WBI, n.d.:9), which an organisation will have limited influence over (Kinyuira,

2019:32). In addition to participation, as discussed in section 3.4.4, intermediate outcome indicators, according to the Parliamentary Centre and the WBI (n.d.:9), also measure the level of accountability and transparency. An analysis of information presented in sections 3.5.4.1, 3.5.4.2 and 3.5.4.3 show that most of these statements have features of the outcome indicators mentioned in section 3.4.4 and 2.6. Thus, these statements could be used to formulate SMART outcome indicators.

### **3.5.5 Parliamentary impact indicators**

As discussed in section 2.6, intermediate outcomes result in long-term outcomes, also known as impacts, such as improved quality of life, and good governance, which are almost impossible to be attained by a single organisation (Kinyuira, 2019:32; Parliamentary Centre and WBI, n.d.:9). Examples of parliamentary impact statements / indicators from available literature include:

- Change in the democracy index (Parliamentary Centre & WBI, n.d.:14).
- Change in rule of law (Cloete, 2007a:14; Parliamentary Centre & WBI, n.d.:14).
- Change in percentage of inhabitants living beneath the poverty mark (Cloete, 2007a:11).
- Change in percentage of the population pleased with their quality of life (Cloete, 2007a:11).
- Change in government efficiency and effectiveness (Cloete, 2007a:14; Parliamentary Centre & WBI, n.d.:14).

What has been presented in section 3.5 supports the observations by the World Bank (2018:7) and Coelho and Monteiro (2015:1) that there has not yet been a breakthrough in the development of universally acceptable performance indicators for the legislative sector. Nonetheless, what is currently available (for example the statements and questionnaires) is reasonable enough as a starting point for enhancing performance indicators for the GPL.

### **3.6 Chapter summary**

This chapter evaluated available literature on the second research question of the study which is, 'What does the available literature say about the various types of indicators in general, and specifically the performance indicators for the legislative

sector?' This was achieved through the adoption of a systematic approach to reviewing literature on the various types of indicators in general, and performance indicators for the legislative sector in particular.

The chapter started with a discussion on the link between objectives, indicators, and targets. Functions and characteristics of indicators were likewise unpacked in this chapter. This was followed by a discussion of the various ways in which to classify indicators, namely direct versus indirect; data gathering approach; source of information; timing in the intervention logic; composition of indicators; purpose of indicators; and measurability of indicators. According to Marais *et al.* (2008:381), these groups into which indicators are classified are not mutually exclusive, considering that an indicator can belong to more than one category. An analysis of the available literature revealed that most of the indicators (inputs, process, outputs, outcomes, and impact) applicable to this study belong to the 'timing in the intervention logic' category.

Chapter three concluded with an examination of the literature concerning performance indicators for the legislative sector, in which it became clear that there are no universally accepted performance indicators for the sector yet. Nonetheless, the available literature is very clear on the various types of indicators in general, including those that measure outcomes and impact. This information made it possible to assess the performance of the public sector in general and the legislative sector in particular in the following chapter. Information about performance indicators also facilitated the analysis of current GPL performance indicators in Chapter 6 and assisted in recommending outcome-based performance indicators for the GPL in Chapter 7.

## **CHAPTER 4: PUBLIC INSTITUTIONS PERFORMANCE**

### **4.1 Introduction**

The previous chapter reviewed literature on public sector indicators. Utilising the same systematic review approach used in Chapter 3, and explained in section 5.5.1.2, the current chapter continues to review literature. However, the purpose of this chapter is to address the third research question. The third research question is, 'What does the available literature say about public institutions' performance, specifically the legislative sector of South Africa, and the reasons behind that performance?' The aim of Chapter 4, which closes phase one of the study, is therefore to explore further the effectiveness component of the conceptual framework presented in section 2.2. Whereas effectiveness theories were explored in Chapter 2, in the current chapter the focus is shifted to effectiveness of public institutions.

The subsequent section presents the criteria against which to judge the performance of public institutions. This is followed by a section on the economic, political, and welfare indicators to measure the performance of public institutions. Moving from the public sector in general, which constitutes all three arms of the state, namely the executive, judiciary and the parliament, including their entities (Cambridge Academic Content Dictionary, 2021:Online; Dube & Danscu, 2011:3; Mihaiu *et al.*, 2010:133), the penultimate section narrows the discussion to the effectiveness of the South African Legislative Sector (SALS). The chapter ends with a critical reflection of the contents presented in Chapter 4.

### **4.2 Criteria against which to judge the performance of public institutions**

Several writers argue that the performance of the public sector should be judged against criteria such as financial, compliance, efficiency, effectiveness, relevance, and its sustainability (Parliamentary Centre, 2013:8; Inter-Parliamentary Union (IPU), 2008:5; Rosenthal, 1999:n.p; Brown & Coulter, 1983:50; Parliamentary Centre and World Bank Institute (WBI), n.d.:7). Although these authors wrote mostly about the legislative sector, the information is equally true for the entire public sector, as demonstrated in the forthcoming subsections. Thus, the following subsections discuss the six criteria against which to measure the performance of public institutions.

### 4.2.1 The financial criterion

The financial criterion involves the administration of state resources through the budget process (Parliamentary Centre, 2013:9). According to the Cambridge Dictionary (2021:Online), financial administration is associated with handling the financials of an organisation, and this includes availing funds for institutional activities, governing the budget, and producing financial reports. Dimock (in Prasad, 2021:Online) agrees with the foregoing definition by indicating that financial administration involves availing funds and utilising them lawfully and efficiently through the processes of budgeting, accounting, auditing, purchase, and supply.

In South Africa, the public sector (the executive arm of the state to be more specific), is supposed to operate in accordance with the financial administration standards stipulated in the Public Finance Management Act (PFMA) of 1999. The main financial administration standards that guide the legislative sector of South Africa are contained in the Financial Management of Parliament and Provincial Legislatures Act (FMPPLA) 10 of 2009. In accordance with the financial administration standards stipulated in FMPPLA for the legislative sector and PFMA for the executive, the Auditor General of South Africa (AGSA) can pronounce any one of the following audit outcomes or opinions as a way of expressing the financial performance of a particular public institution:

1. Clean audit, also known as an unqualified audit, with financial statements that are material misstatements free, with no major issues on performance objectives reporting and compliance with the law.
2. Unqualified audit with findings means financial statements that are material misstatements free, but with some substantial issues on performance objectives reporting or compliance with the law.
3. Qualified audit opinion is awarded when the financial statements have significant misstatements in exact amounts, or where there is not enough proof for AGSA to determine that exact amounts contained in the financial statements are not significantly misstated.
4. An adverse audit means that the financial statements have significant misstatements that are not restricted to precise amounts, or that a huge percentage of the financial statements is misstated.

5. A disclaimer is awarded when there is not enough information for the AGSA to make an audit opinion (Parliamentary Monitoring Group (PMG), 2020:Online).

According to the Parliamentary Centre and WBI (n.d.:7), public institutions should always strive to attain clean audit outcomes. In other words, according to this criterion, performance equates to being awarded the first opinion (a clean audit) or at the very least the second outcome by the AGSA. Any other outcome is regarded poor performance.

#### **4.2.2 The compliance criterion**

In general, compliance is about following a rule, such as a law, standard, policy or specification (Reciprocity labs, 2019:Online). In addition, the Cambridge Business English Dictionary (2021:Online) defines compliance as the act of obeying a particular law or rule, or of acting according to an agreement. These definitions emphasise the importance of obeying a rule, implying that organisations must have well documented and relevant policies, business processes, and procedures to ensure timeous compliance.

The Parliamentary Centre and WBI (n.d.:8) agree with the two preceding definitions by mentioning that public institutions should function according to the rules and regulations of the country in which they operate, as well as their own adopted policies and procedures. For example, in South Africa, the main legal framework governing the operations of the public sector, including legislatures, is the Constitution of South Africa Act 108 of 1996. For example, the duration of a legislative term, which is five years, and the number of legislators per legislature determined in terms of a formula set by national legislation (the Electoral Act), which is 30 to 80 public representatives, are contained in sections 108 (1) and 105 (2) respectively of the SA Constitution. The Constitution also clearly stipulates the roles and responsibilities of legislatures as previously outlined in Section 1.5.4 of Chapter 1 of this study. For instance, sections 114(1), 114 (2), and 118 of the SA Constitution talk about the law-making, oversight, and scrutiny and public involvement mandates of a legislature. Section 41 contained in Chapter 3 of the SA Constitution, which is about Co-operative Government, encourages all organs of the state to work in harmony to faithfully serve the citizenry of the Republic. Thus, South African legislatures are also guided in terms of how they

should operate by Chapter 3 of the Constitution. Considering that each legislature has its own unique context, section 116 of the SA Constitution allows each legislature to have its own standing rules to govern its proceedings and for the exercise of its powers.

Other than the SA Constitution, the Financial Management of Parliament and Provincial Legislatures Act (FMPPLA) No. 10 of 2009 is another key piece of legislation that governs the operations of the legislative sector of South Africa. It prescribes how the South African legislatures should operate, including ensuring that all assets, expenditure, revenue, and liabilities are managed effectively, efficiently, and transparently (FMPPLA, 2009:3). For example, Chapter 3 of FMPPLA outlines how South African legislatures must plan and budget. Financial management as well as supply chain management issues are dealt with in Chapters 5 and 6 respectively of FMPPLA. An outline of how South African Legislatures are supposed to report and comply with the auditing process is provided in Chapter 8 of FMPPLA.

Other legal prescripts that govern the operations of legislatures in South Africa include the Preferential Procurement Framework Act (PPFA) of 2000 (Eastern Cape Provincial Treasury 2021:100), and the Supply Chain Management Regulations of 2015. South African Legislatures must comply with these legal prescripts that govern them.

According to the Parliamentary Centre and WBI (n.d.:8), public institutions should always endeavour to meet the compliance performance criterion, which is one of the central governance principles. As indicated under the financial criterion section (4.2.1), public institutions that fail to comply with all stipulated rules and regulations are awarded an audit outcome 2 or worse by the AGSA.

#### **4.2.3 The efficiency criterion**

According to the Parliamentary Centre and WBI (n.d.:8), efficiency is one of the criteria against which to measure the performance of public institutions. The available literature provides a plethora of information on efficiency in general. This includes the various definitions of efficiency, such as the engineer versus the economist perspectives, private versus public sector efficiency, and measures to improve efficiency (Bester, 2007:77-78).

Manzoor (2014:1) mentions that over the years, scholars have addressed the subject of efficiency along two main distinctions. Initially, their emphasis was on increasing outputs, while later they incorporated elements of other public values to cater for the expectations of the recipients of goods and services. According to Van den Bekerom, Van der Voet, and Christensen (2021:128), efficiency is one of the diverse range of public values in addition to equity, effectiveness, and responsiveness. Bester (2007:7) is aligned to incorporating the values component in defining efficiency as explained in section 1.5.3.

According to Bester (2007:18), Gershon (2004) introduced measures to improve efficiency in the public sector. These measures include the use of technology, reducing transaction costs and paperwork, sharing of administrative tasks, and reducing the public service staff. Bester (2007:78) argues that these efficiency gain measures seem to be working well in South Africa in comparison to measures such as tracing the flow of public funds from inputs to outputs, mainly used by donors, and privatisation which is usually viewed as one of the causes of unemployment. However, although the shared services approach does not seem to work well in other parts of South Africa such as the Western Cape, in Gauteng the shared services practice seems to be yielding the required results (Bester, 2007:78).

According to Curristine, Lonti and Joumard (2007:32-33), other measures that have a positive effect on efficiency include economies of scale, decentralised spending, human resources management of soft aspects such as morale and satisfaction, and the development and usage of performance information in the budgeting process. Relatively recent work by Florina (2017:317) shows that the following aspects, namely simplifying the rules and procedures of an institution; reducing bureaucracy; improving transparency and accountability in terms of usage of the budget; introducing the use of technology; implementing training and improvement recommendations; and satisfying the social needs of citizens have the potential to improve public sector efficiency.

As observed by Manzoor (2014:1), earlier work on public sector efficiency by Gershon (2004) and by Curristine, Lonti and Joumard (2007) did not necessarily include the values aspect. However, Bester (2007), and relatively recently, Florina (2017), incorporate the values notion in defining, improving, and measuring public sector



efficiency. This study adopts the incorporation of values in public sector efficiency as explained in section 1.5.3.

#### **4.2.4 The relevance criterion**

Relevance is about whether a public institution connects to the vital matter(s) of the season (Parliamentary Centre and WBI, n.d.:8), such as the Coronavirus pandemic (COVID-19), unemployment, corruption, and crime. Power and Shoot (2012:8) agree with the foregoing statement by commenting that public institutions must evolve on a continuous basis in line with the ever-changing needs of the citizens. For example, in the fourth industrial revolution era, public institutions that resist technology will soon become irrelevant.

#### **4.2.5 The sustainability criterion**

There is no unanimously approved meaning of sustainability, meaning there are various perspectives on this concept and how to achieve it (Youmatter, 2021:Online). Nonetheless, in a broad sense, sustainability can possibly be grasped as the process(es) by which a certain thing is preserved at a particular level (Youmatter 2021:Online). According to Mollenkamp (2021:n.p), sustainability refers to the capability of something to sustain or maintain itself over time. The difference between these two definitions lies in the inclusion of processes in the former, while the latter lacks this aspect. In fact, according to Mollenkamp (2021:n.p) sustainability is not about processes; rather, it signifies the long-term goal or vision of establishing a more sustainable world.

The Parliamentary Centre and WBI (n.d.:8) opine that sustainability is about a public institution on the rise, and not in decline. This occurs through, among other issues, having enough resources to do its work, which includes promoting good governance. This foregoing definition of sustainability is aligned to that of Mollenkamp (2021:n.p), which is about the ability of an institution to sustain itself over time.

Although the systematic literature review approach encourages the usage of both peer reviewed and grey literature, this thesis adopts Mollenkamp's (2021:n.p) approach because the work was peer-reviewed, making it stronger evidence compared to the Youmatter article, which was not peer reviewed. This approach aligns with the

recommendations of the Sackett scale of evidence (McGill University:Online) discussed in detail in Chapter 5.

It is imperative to mention that sustainability has three pillars, namely environmental, economic, and social (Mollenkamp, 2021:n.p; Ndlovu *et al.*, 2013:18). Whereas environmental sustainability is about the ecology, economic sustainability is about economic growth that does not damage the ecosystem. Social sustainability, which is applicable to this study, is about people and focuses on reducing poverty and inequality (Mollenkamp, 2021:n.p; Ndlovu *et al.*, 2013:18).

To assess the sustainability of an organisation, it is necessary to examine its history and future against the resources required to promote the 12 principles of good governance (Parliamentary Centre & WBI, n.d.:8), which are mainly social sustainability orientated. The 12 principles of good governance are: the impartial conduct of elections, participation, and representation; responsiveness; effectiveness and efficiency; transparency and openness; rule of law; ethical conduct; capacity and competence; innovation and openness to change; sustainability and long-term orientation; all-encompassing financial management; human rights, social cohesion, and cultural diversity; and accountability (Council of Europe, 2021:n.p). Some of the resources a public institution should have to promote good governance include: political-will, financial resources, and skills (Parliamentary Centre & WBI, n.d.:8).

Financial resources and skills form part of capacity for an institution, because according to Rosenthal (1999:n.p), capacity refers to resources needed for a public institution to do its work. This includes time, size, and skills of the professional staff, as well as finances, infrastructure, and technology. The Parliamentary Centre (2013:9) agrees with Rosenthal, by indicating that institutional capacity denotes the material, financial, and human resources required by a public institution to do its work in a way that serves all people in its jurisdiction. The Parliamentary Centre and WBI (n.d.:7) supports the foregoing viewpoints by highlighting that organisational capacity includes resources such as finances available to a public institution to do its work.

Available literature points to the fact that institutional capacity is one of the prerequisites for public institutions' effectiveness. According to Brewer *et al.* (2007:201), numerous studies, including those by Court *et al.* of 1999, and Rauch and Evans of 2000, concluded that administrative structures, such as skills and experience

of employees, career stability, internal promotion, and higher pay influence government performance. According to Rotberg and Salahub (2013:7), as compared to European public institutions, numerous African public institutions are ineffective because of a lack of experience owing to a high turnover rate, limited time to do their work, lack of financial resources for genuine administrators and politicians' expenses, as well as insufficient logistical support. This shows the importance of capacity as a precondition for government effectiveness.

In addition to skills of the administration, scholars such as Adserà, Boix and Payne (2003:445) and Rosenthal (1999:n.p) argue that the intellectual capabilities of politicians are equally important. According to Rosenthal (1999:n.p), a crucial component of a public institution's capacity is the calibre of the politicians themselves in terms of their intellectual capabilities, energy levels, the extent to which they are dedicated to their work, their level of political skill as well as their truthfulness. Thus, the way politicians do their work affects the quality and effectiveness of government (Rosenthal, 1999:n.p).

Several writers support Rosenthal's (1999:n.p) argument about the importance of both administration and politicians' skills (Muzenda & Mavee, 2015:195; Volden & Wiseman, 2009:33; Miquel & Snyder, 2006:347). According to Miquel and Snyder (2006:347), effectiveness increases sharply with tenure due to experience and skills that would have been acquired over time. The same finding was confirmed by Volden and Wiseman (2009:33) when they scored each legislator "in each of the 97<sup>th</sup> through 109<sup>th</sup> congresses based on their sponsorship of legislation". They found that inborn ability, acquired skill through tenure, and institutional positioning (for example being a chairperson of a committee) were all associated with legislative effectiveness. A study by Muzenda and Mavee (2015:195) also confirmed that continuity of public representatives has a great likelihood of affecting goal achievement of public institutions such as legislatures.

Nonetheless, Pelizzo and Stapenhurst (2013:6) disagree with the foregoing account about the importance of capacity, but agree with the Parliamentary Centre and WBI about the significance of political willingness in relation to goal achievement. After conducting an extensive literature review, and studying public institutions in West Africa, Pelizzo and Stapenhurst (2013:6) came to the conclusion that "effectiveness is

not a function of capacity” (such as financial resources and skills of politicians), but of political will. Pelizzo and Stapenhurst (2013:5) went further to argue that of the four strategies to promote political will, which include explaining to legislators the importance of oversight, explaining to voters why oversight is important, sourcing international support for legislators, and the introduction of appropriate institutional reforms; promotion of popular demand for oversight is the most effective. This is the most effective strategy because it motivates policy makers to do their work knowing that the public will reward them with votes during an election, thereby ensuring their return to office and vice versa (World Bank, 2018:3). Consequently, Pelizzo and Stapenhurst (2013:6) and Fagbadebo (2021:45) reason that strengthening programmes for public institutions such as parliaments should focus more on creating demand for oversight, or for politicians to be more accountable to citizens as compared to creating capacity.

Power and Shoot (2012:6) took the discussion further by highlighting mechanisms that do not ordinarily result in the promotion of popular demand for oversight. The scholars argue that institutional reforms such as limiting the duration of politicians’ terms through prevention of re-election or recall, removing possible areas of conflict, especially regarding remunerative work, and introducing codes of conduct to regulate the behaviour of politicians have been found to be used to respond more to political trust issues than to the promotion of popular demand for oversight (Power & Shoot, 2012:6).

Related to the sustainability criterion is the effectiveness criterion. Thus, in the following section, the effectiveness criterion is described.

#### **4.2.6 The effectiveness criterion**

According to the Parliamentary Centre and WBI (n.d.:8), effectiveness equates to the positive difference made by a public institution. In other words, a public institution should make a difference in the lives of people within its jurisdiction, as explained in section 1.5.2. This, therefore, suggests that effectiveness encompasses the other five criteria (sustainability, relevance, efficiency, finance, and compliance) against which to measure the performance of an institution. This is mainly because not achieving any of the criteria will most likely not benefit the public in return. This translates to

failing to satisfy the public with the end-result, which is ineffectiveness (Encyclopaedia Britannica, 2019:n.p; Bosley, 2007:3; Parliamentary Centre and WBI, (n.d.:8).

As mentioned in section 1.5.2 of this study, effectiveness and performance mean the same thing and the terms are used interchangeably. Accordingly, the following section adopts the approach by Mangai (2016:91) of using some key economic, political and welfare indicators to assess the performance of public institutions.

### **4.3 Economic, political and welfare indicators of public institutions performance**

In South Africa, some of the key economic indicators, as stated in the National Development Plan (NDP), are poverty and inequality (National Planning Commission of South Africa, 2012:14). Mangai (2016:92) equates political indicators to the Worldwide Governance Indicators (WGI), namely political stability and absence of violence / terrorism, rule of law, government effectiveness, control of corruption, voice and accountability, and regulatory quality (WGI, 2021a:Online). Finally, welfare indicators include the provision of goods and services such as water, sanitation, electricity, and housing (Mangai, 2016:92). These indicators will be discussed in the ensuing section.

#### **4.3.1 Provision of goods and services**

The rudimentary role of the public sector or government is to deliver goods and services such as housing, sanitation, and water to people (Haque, 2001:69) in an effective manner. In South Africa, there is evidence that the delivery of goods and services has been on the rise. For example, the 2018 General Household Survey revealed that 81.1% of South African households lived in formal dwellings followed by 13.1% who lived in informal dwellings, and 5.0% in traditional dwellings (Statistics South Africa, 2020a:32). There was a 0.8% increase in households that lived in formal dwellings from 81.1% in 2018 to 81.9% in 2019 (Statistics South Africa, 2021b:31). The 2019 General Household Survey further discovered that households that lived in informal dwellings went slightly down from 13.1% in 2018 to 12.7% in 2019 and the figure for traditional dwellings was 5.1%, which represent a 0.1% increase from 5% recorded in 2018. The same 2019 survey exposed that Limpopo (95.2%) and Mpumalanga (89.6%) had the most households that lived in formal houses. Gauteng

and the Western Cape, both at 18.7%, as well as the North West provinces at 18.4% had most of the households in informal settlements. Traditional dwellings were prevalent in the Eastern Cape and KwaZulu Natal (KZN) provinces at 23% and 13.1% respectively (Statistics South Africa, 2021b:31).

As with housing, several writers argue that the provision of many other basic services has improved over the years in South Africa, but the quality still needs a lot of attention (Dallimore, Hamann & Maree, 2021:85-87; Nkomo, 2017:1). Supporting the notion that the provision of basic services has improved over the years, the 2019 General Household Survey revealed that “South African households that were connected to the mains electricity supply increased” to 85,0% in 2019 from 76,7% in 2002 (Statistics South Africa, 2021b:34,37). Additionally, the percentage of households with access to water increased by 3.8% during the same period (Statistics South Africa, 2021b:34,37). The same 2019 General Household Survey also showed that 82.1% of households had access to improved sanitation in 2019 compared to 61.7% households in 2002. However, households for which garbage was collected at least once per week rose from 56.1% in 2002 to 65.74% in 2016, before decreasing to 58.8% in 2019 (Statistics South Africa, 2021b:42,46). In Gauteng, the 2020/21 Quality of Life Survey confirmed the Statistics South Africa (2021b) findings by revealing that with the exception of waste removal, access to basic services in the province remained high over time (Dallimore, *et al.* 2021:85).

Thus, from a welfare indicators’ perspective, it can be concluded that South Africa has been doing relatively well over the years. In other words, the provision of outputs in South Africa has been visible. Although the provision of outputs has been visible, it is vital to assess the outcomes thereof, which is the focus of the following sections. In section 1.5.2, effectiveness was defined to mean achievement of outcomes. Thus, for this study, the main outcome is government effectiveness, one of the political indicators discussed in the subsequent section.

#### **4.3.2 Government effectiveness**

According to Rainey and Steinbauer (1999:13), the effectiveness of the public sector in general is about whether public administration does its work as is expected to

achieve the objectives and overall goals of the government. Chatterjee and Suy (2019:243) agree with Rainey and Steinbauer, and mention that government performance or effectiveness is about measuring outcomes. Duho, Musah-Surugu and Amankwa (2020:201) take the discussion further and clarify what measuring outcomes entail by mentioning that the key aspects that encompass government effectiveness include stakeholder perceptions on policy formulation, its implementation, and how citizen-focused those policies are. The WGI (2021a:Online) and Kaufmann, Kraay and Mastruzzi (2009:6) are aligned to the foregoing definition of government effectiveness, but go further to provide a clearer definition that is explicit about the work of public administration and whose perceptions to take into account. According to the WGI (2021a:Online) and Kaufmann *et al.* (2009:6), government effectiveness is about how the quality of public services is perceived by the public, the aptitude of public servants, the extent to which civil servants are independent from political influences and pressures, the excellence in which policies are formulated and executed, and the commitment of government to such policies. More precisely, government effectiveness is about matching services with the preferences of citizens, which is moving governments closer to the citizens they are meant to serve. (Huther & Shah, 1998 in Garcia-Sanchez, Cuadrado-Ballesteros & Frias-Aceituno, 2013:567). One of the tools to achieving effectiveness is a properly designed operating model which values and rotates around citizens (O'Brien, 2022:Online; Spark strategy, 2022:Online; Campbell, 2016:Online).

An analysis of the foregoing definition shows that government effectiveness is about satisfying citizens' preferences. Accordingly, for this study citizen satisfaction and government effectiveness mean the same thing.

Satisfaction is an emotional reaction that is associated with a specific transaction (Bitner, 1990:70). Akinboade, Mokwena and Kinfaek (2014:6), agree with Bitner's definition and state that satisfaction reflects the pleasure levels of a customer. In this case, the emotional reaction influences the pleasure levels. By indicating that satisfaction usually means an evaluative / judgemental behaviour or attitude towards some experience or object, Chatterjee and Suy (2019:244), and James (2009:108), expand the foregone definitions of satisfaction or government effectiveness by including the evaluation factor.

The World Bank measures government effectiveness on a scale of -2.5 (weak) to +2.5 (strong) (TheGlobalEconomy.com 2021a:Online). TheGlobalEconomy.com (2021b:Online) provides reliable data on government effectiveness and other related indicators, and aids businesses, researchers, academics, and investors with reliable data from numerous official sources, such as the International Monetary Fund, World Bank, the World Economic Forum, and the United Nations.

Using TheGlobalEconomy.com figures, Table 4.1 was created, and in turn, Figure 4.1 was constructed using information from Table 4.1. Both Table 4.1 and Figure 4.1 show that developed continents or countries' governments have been more effective compared to developing or low-income nations' governments. This resonates with the findings of Garcia-Sanchez *et al.* (2013:575) and Wike and Schumacher (2020:3) that income level is a major determinant of government effectiveness. Garcia-Sanchez *et al.* (2013:575) also observed that the education status of citizens, and gender diversity in positions of influence likewise affect government effectiveness. According to Garcia-Sanchez *et al.* (2013:568-569) a well-educated population demands accountability from government, and the presence of women improves innovation and creativity, thus enhancing government effectiveness in turn. This explains why developing or low-income continents such as Africa, Asia and South America, which are associated with a relatively low literacy rate among the general populace (Mbiti, 2016:110) and few women in positions of influence (UNWOMEN:Online), have been trailing behind in so far as government effectiveness is concerned.

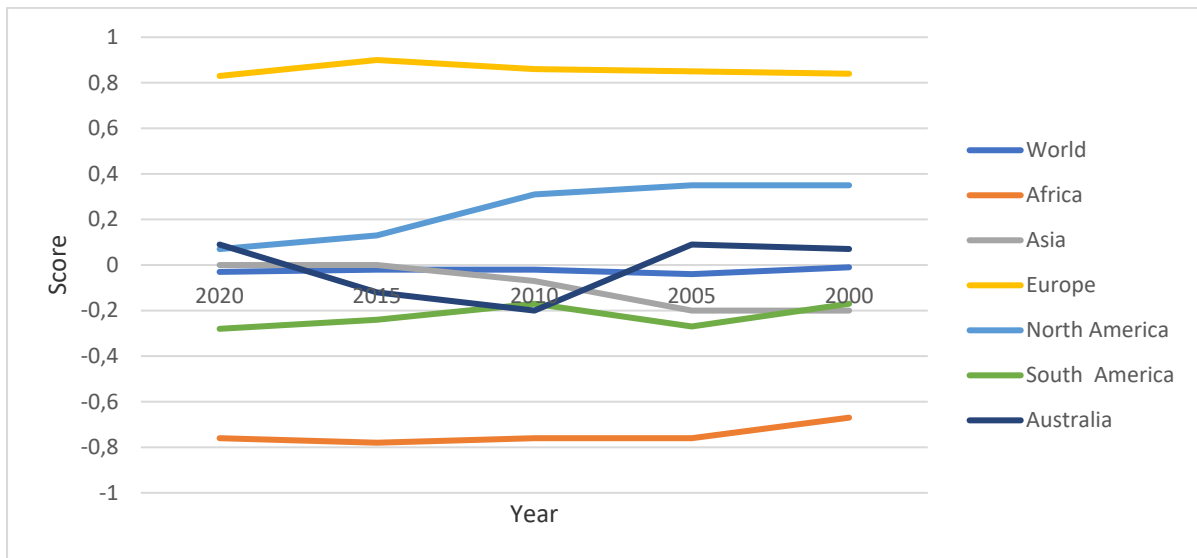
**Table 4.1: Government effectiveness scores**

Year	2020	2015	2010	2005	2000
<b>World average government effectiveness scores</b> (TheGlobalEconomy.com 2021a:Online).	-0.03	-0.02	-0.02	-0.04	-0.01
<b>Africa average government effectiveness scores</b> (TheGlobalEconomy.com 2021c)	-0.76	-0.78	-0.76	-0.76	-0.67
<b>Asia average government effectiveness scores</b> (TheGlobalEconomy.com 2021d)	0	0	-0.07	-0.2	-0.2
<b>Europe average government effectiveness scores</b> (TheGlobalEconomy.com 2021e:Online)	0.83	0.9	0.86	0.85	0.84



Year	2020	2015	2010	2005	2000
<b>North America average government effectiveness scores</b> (TheGlobalEconomy.com 2021f:Online)	0.07	0.13	0.31	0.35	0.35
<b>South America average government effectiveness scores</b> (TheGlobalEconomy.com 2021g)	-0.28	-0.24	-0.17	-0.27	-0.17
<b>Australia average government effectiveness scores</b> (TheGlobalEconomy.com 2021h)	0.09	-0.12	-0.2	0.09	0.07

Source: Own compilation



**Figure 4.1: Government effectiveness trends**

Source: Own compilation

Several writers confirm a relationship between government effectiveness and the other outcomes in the political and economic indicators categories mentioned in section 4.3, such as poverty, inequality, control of corruption, voice and accountability, and regulatory quality (Duho *et al.*, 2020:200; Montes & Paschoal, 2016:146; Garcia-Sanchez *et al.*, 2013:575; Brewer *et al.*, 2007:212). Of particular interest, and crucial to the current research, are findings by Duho *et al.* (2020:200) based on TheGlobalEconomy.com figures of 2018 for 100 African and Asian countries because these discoveries are based on data from developing nations. Duho *et al.* (2020:200), concluded that the dimensions of governance; namely, corruption perception index, regulatory quality, voice and accountability have a noteworthy positive impact on the effectiveness of governments. Duho *et al.* (2020:200) also concluded that economic wealth / income discussed in the forthcoming section affects government effectiveness. Thus, the upcoming sections adopt a two-pronged approach of using

the economic and remaining political indicators to discuss the performance of public institutions, as well as determinants of government effectiveness, starting with income expressed as poverty and inequality.

### **4.3.3 Poverty and inequality**

Available literature shows that although poverty and inequality are a worldwide problem, developed countries perform better than developing nations (TheGlobalEconomy.com, 2020b:Online; Ndlovu *et al.*, 2013:1,2,8). The foregoing statement holds true for South Africa as a developing nation, because there is consensus among scholars that inequality, unemployment, and poverty are the most significant problems facing the nation (Hamann, Götz, Matjomane & Mushongera, 2021:32; Makgetla 2020:4; Statistics South Africa, 2020:Online; Taylor, Draai & Jakoet-Salie, 2020:3; Cheteni, 2019:3; Fourie, 2011:42).

To effectively demonstrate the public sector's performance in so far as poverty and inequality are concerned, this section starts by defining and outlining the causes of poverty and inequality. A discussion about the extent of poverty and inequality in South Africa follows next, which in turn, is followed by a debate on how to reduce poverty and inequality.

#### **4.3.3.1 Meaning and causes of poverty and inequality**

Poverty is defined as a social form characterised by a deficiency of resources essential for elementary survival or required to meet a particular minimum standard of living expected for a particular community (Crossman, 2019:n.p; Ndlovu *et al.*, 2013:63). While the first part of the definition refers to absolute poverty (a head count of people living below the poverty line), the second part which is linked to a particular community relates to relative poverty (Habitat for Humanity, 2022:n.p; Studies in Poverty and Inequality Institute, 2007:24-25). Inequality is defined using an amalgamation of economic measures that refer to income and wealth (Martin, Moore & Schindler, 2016:30). Thus, inequality is defined as a biased situation in which some individuals have better opportunities or more rights than others (Merriam-Webster Dictionary, 2022:Online; Makgetla, 2020:4; Ndlovu *et al.*, 2013:61).

Poverty and inequality have a few causes which are discussed in the upcoming paragraphs. One of them is unmanaged economic growth, which according to Beteille (2003:4463), leads to poverty. Although the neo-liberal economic system leads to economic growth, it should be noted that without the inclusion of welfare policies and favourable conditions, the economic growth may lead to an increase in poverty as was the case in Britain and India during the early stages of their economic growth (Beteille, 2003:4463). Ndlovu *et al.* (2013:68-70) agree with the foregoing statement by Beteille (2003) that the Structural Adjustment Programmes, globalisation, and some terms of global trade are some of the main causes of poverty in developing nations as well as inequality between the developed and developing nations.

South Africa experienced the same pattern as Britain and India of facing economic growth after “adopting the neo-liberal economic system”, but this was accompanied by very few jobs (Cloete, 2015:515). The South African economy grew on average by 1.4% between 1980 and 1993; 2.9% for the period 1994 -2000; 4.3% for the period 2001- 2007 and 2.2% between 2008 and 2012 (Industrial Development Corporation, 2013:2). Most recent figures provided by the Trading Economics (2021:n.p.) show that the GDP growth rate for South Africa averaged 0.64 % for the period 1993 until 2021, recording the highest growth rate of 13.90% during the third quarter of 2020 and the lowest during the second quarter of 2020 at -17.40%.

However, the free-trade policies that accompanied the relatively high economic growth rate of the 1990s and early 2000s contributed to high levels of unemployment in South Africa because local products could not compete with cheap imports (Cloete, 2015:515; Ndlovu *et al.*, 2013:69). Consequently, local factories closed down, retrenching workers (Ndlovu *et al.*, 2013:69,70). As part of the free-trade policies, South Africa adopted the Growth, Employment and Redistribution policies (GEAR) in 1994, relying on trickle-down redistribution, which proved ineffective (Studies in Poverty and Inequality Institute, 2007:18). GEAR was based on the belief that a free market or neo-liberal ideology was the most effective way to bring about economic development and growth (Van Eeden *et al.*, 2000:16), which was realised to a limited extent. Thus, even amidst economic growth, the South African unemployment rate went up from 9.8% in 1980 to 26.1% in 2010, averaging 21.7% over 30 years (Murwirapachena, Choga, Maredza & Mavetera, 2013:580). Between 1993 and 1996

poverty levels in South Africa rose from 31.5% to 36.4% according to TheGlobalEconomy.com (2021i:Online).

Mushongera *et al.* (2021:108), and the Studies in Poverty and Inequality Institute (2007:15) agree that unemployment causes poverty. In addition to unemployment, Mushongera *et al.* discovered that a lack of education, corruption, idleness, and the apartheid legacy also caused poverty in Gauteng. Fourie (2011:42) agrees with Mushongera *et al.* (2021:108) about unemployment being a major cause of poverty. Moreover, Fourie outlined the association between poverty and unemployment, and indicated that it (the relationship) is bidirectional in the sense that unemployment leads to poverty, and poverty in turn contributes to unemployment.

In an economy that is growing or functioning well, poor or no education was found to be one of the major causes of unemployment (Statistics South Africa, 2021:14; Fourie, 2011:25). In other words, high levels of education were found to make a significant difference in finding employment while low levels of education (below matric) were found to be associated with unemployment (Statistics South Africa, 2021a:14; Makgetla, 2020:22; Fourie, 2011:25), which in turn lead to low or no income - one of the expressions of poverty (Masiya *et al.*, 2019:36). Put differently and succinctly, unemployment and low levels of education are some of the major causes of poverty (Hamann *et al.*, 2021:32; Fourie, 2011:25,42) and vice versa. Of grave concern is that the 2018 General Household Survey found that 54.4% of the South African adult population did not have matric / Grade 12 (Statistics South Africa, 2020a:21). Additionally, the 2019 General Household Survey discovered that poverty was mentioned by 21.6% of individuals aged 7-18 who were not attending school as their main reason for dropping out of school (Statistics South Africa, 2021b:15). This clearly demonstrates the bidirectional relationship between poverty and unemployment and education. However, it should be noted that although in the past unemployment and poverty were associated with low levels of education, the COVID-19 pandemic altered this, as the new poor now include better educated people (World Bank, 2020:1). This suggests that the COVID-19 pandemic worsened the global poverty situation.

Although unemployment causes poverty, it is interesting to note that employment or the labour market was found to be the main contributor of the South African total

income inequality for 2015 (Statistics South Africa, 2020:Online). Fourie (2011:29) earlier observed that the wage income was the main driver of household inequality. According to Statistics South Africa (2020:Online), in 2015 South African female workers earned roughly 30% less than male workers and Whites earned more compared to the other population groups (Blacks, Indians and Coloureds). This results in female-headed households being worse-off than male-headed households and White households being better-off than the households of other national groups.

Additional causes of poverty are civil strife and conflict (World Bank, 2020:1,2; Mangai, 2016:91,92) and climate change (World Bank, 2020:2). The World Bank (2020:1,2), identified conflict as an obstacle to achieving the goal of less than 3% of the global population living in absolute poverty by 2030. Although conflict causes poverty, according to Makgetla (2020:4), inequality leads to social conflict, especially in instances where the advantaged group is demographically the minority, as is the case in South Africa.

In addition to outlining the definition and causes of poverty and inequality, this section likewise started unpacking the extent of poverty and inequality in South Africa. The following section takes the discussion further and provides the most recent picture of South African poverty and inequality.

#### **4.3.3.2 Extent of poverty and inequality in South Africa**

South Africa currently uses three national poverty lines that are affected by variations in household consumer patterns and oscillations in prices of goods and services (Galal, 2021:n.p; Toyana, 2021:n.p). The three lines are a monthly food poverty line of R624, a monthly lower-bound poverty line of R890, and the monthly upper-bound poverty line of R1 335. The national poverty lines are computed based on the consumer price indices (CPI) of non-food and food items unconnectedly (Galal, 2021:n.p; Toyana, 2021:n.p). Other than the national poverty lines that countries are encouraged to use (Ndlovu *et al.*, 2013:63), there are international thresholds that are also used to measure poverty in a jurisdiction. These include the \$1 and \$1.9 a day per person as put forward by the World bank (Studies in Poverty and Inequality Institute, 2007:32). The \$1 and \$1.9 thresholds are approximate equivalents of the

South African food poverty line of R624 (\$1 x the Rand US\$ exchange rate x 30 days in a month), and the monthly lower-bound poverty line of R890 (\$1.9 x the Rand US\$ exchange rate x 30 days in a month) respectively. Whereas Toyana (2021:n.p) mentioned that close to half of the 35 million South Africans aged 15 years and above lived below the breadline of R624 per month; Galal (2021:n.p) argues that just over half, at 16.3 million people, lived on under \$1.9 per day or the monthly lower-bound poverty line of R890 in 2021. Using the World Bank threshold, persons living on \$1.9 or less per day would be classified as living in absolute poverty (Galal, 2021:n.p; Toyana, 2021:n.p). Applying the concept of surviving on \$1.9 or less per day, Davids (2021:n.p) concluded that more than 50% of the South African adult population lived in hopeless or absolute poverty in 2021. To be precise, Davids (2021:n.p), agrees with Chitimira and Ncube (2020:339) and Phakathi (2020:42) regarding the extent of poverty in South Africa. Davids (2021:n.p) mentions that as at 2021, only 10% of the South African population lived in luxury, while 35% were regarded as middle class, and more than half (55%) of South Africans lived in abject poverty.

In Gauteng province in South Africa, though relatively better than the national average, de Kadt, Hamann, *et al.* (2021:3), reported that 36% of the Gauteng adult population lived below the monthly upper-bound poverty line, which was R 1 193 in 2020. The Gauteng population that lived below the upper-bound poverty line was 35% in 2013. This figure went down to 30% in 2015 and further down to 24% in 2017 (de Kadt, Hamann, *et al.*, 2021:3). An analysis of these figures shows that there were more people living below the upper-bound poverty line in Gauteng in 2020 (36%) compared to 2013 (35%). The COVID-19 pandemic is to be partly blamed for reversing the gains that were realised between 2013 and 2017 (Hamann *et al.*, 2021:35).

Regarding inequality, it should be noted that South Africa's Gini coefficient was 0.65 in 2015, which was among the highest in the world (Szmigiera, 2022:Online; Galal, 2021:Online; World Bank, 2021b:Online; Makgetla, 2020:4; Statistics South Africa, 2020:Online). The Gini coefficient, which ranges between zero and one, is also known as the Gini ratio or the Gini index, and is the most regularly used measure of income distribution - where zero represents the most equal society, and one represents the most unequal society (Szmigiera, 2022:Online; Galal, 2021:Online; World Bank, 2021b:Online; Ndlovu *et al.*, 2013:62).

In 2021, South Africa's Gini coefficient slightly improved to 0.63 from 0.65 in 2015. However, South Africa remained one of the most unequal societies in the world (World Bank, 2021b:Online; Hundenborn, Woolard & Jellema, 2019:1019). The South African 2021 figure of 0.63 is close to double the 0.35 world average Gini coefficient (World Bank, 2021:Online). To demonstrate the extent of inequality in South Africa in 2015, Statistics South Africa (2020:Online), highlights that the wealthiest 10% of the South African population spent 7.9 times more than the poorest 40%. According to Standard Bank (2016:2), while 11.6% share of income belonged to 62.3% of the low-income households, 42.8% share of income belonged to a mere 5.5% affluent South African households in 2016. An analysis of these figures shows that on average each of the low-income households had a 0.19% (11.6% divided by 62.3%) share of income, while each of the affluent households had an 8.56 (42.8% divided by 5.5%) share of income, which represents an income ratio of 1:45 (0.19: 8.56) in favour of the affluent group.

The foregoing account revealed the bad performance of South Africa in so far as poverty and inequality are concerned. Both inequality and poverty have negative consequences. As mentioned in section 4.3.3.1, one of the consequences of inequality is social conflict (Makgetla, 2020:4). Pertaining to poverty, serious mental health problems, such as low self-esteem, anxiety, and depression were found to be negative results of poverty (Thill, Houssemand & Pignault, 2020:8; Latsou & Geitona, 2018:108; Cloete, 2015:519). Considering the serious effects of poverty and inequality, efforts should be made to eradicate, or at least reduce them, which is the focus of the upcoming section.

#### **4.3.3.3 How to reduce poverty and inequality**

Favourable conditions such as properly functioning institutions, political stability, an efficient administration, a positive regulatory environment and a sound financial system, accompanied by economic growth could decrease unemployment, poverty and inequality (Tandrayen-Ragoobur & Kasseeah, 2018:5; Silberberger, 2015:37; Yao, El-Masry, Khandelwal & Sacerdoti, 2005:40). Mauritius had these favourable conditions during the time it adopted and implemented major reforms under the Structural Adjustment Programme between 1980 and 1986, and saw the country's

GDP rise from -10.1% in 1980 to 9.7% in 1986 (Tandrayen-Ragoobur & Kasseeah, 2018:9). Mauritius and South Africa are compared because both countries are situated in the African continent and the former has outperformed the latter in several areas, including government effectiveness. Thus, South Africa can draw lessons from a country in the same region.

The Mauritian unemployment rate dropped from approximately 20% in 1983 to 3.5% in 1994 (Tandrayen-Ragoobur & Kasseeah, 2018:11). However, it rose slightly to 7.3% in 2016 (Tandrayen-Ragoobur & Kasseeah, 2018:11) and 9.5% in the third quarter of 2021 (Take-profit.org, 2022:Online). During the period of economic growth and low unemployment rate, Mauritius managed to successfully translate economic growth into tackling poverty, because less than 1% of Mauritians lived on less than \$1 a day (Overseas Development Institute, 2010:2). However, due to poor performance of world markets and other factors, the Mauritian poverty rate rose to 10.3 % in 2012, which was the same figure that was reported in 2017 (Knoema, 2017:n.d). The Mauritian Ministry of Finance and Economic Development reported that poverty stood at 10.4% in 2020 (No to Poverty, 2022:Online), which is a 0.1% increase from 10.3% in 2017. Inequality in Mauritius declined from 45.7 in 1980 to 38.9 in 2006 (Overseas Development Institute, 2010:2).

To further support the importance of economic growth accompanied by favourable conditions, there is evidence to suggest that the adoption of developmental policies in South Africa has reduced poverty levels in the country. South Africa abandoned the trickle-down approach (GEAR) of 1994 by adopting developmental and interventionist policies such as the Broad-Based Black Economic Empowerment (BBBEE) in 2003, which came into effect in 2015 and the Accelerated and Shared Growth Initiative of South Africa (AsgiSA) in 2006 (Studies in Poverty and Inequality Institute, 2007:18). During the period of executing some of these developmental policies, South Africa's poverty levels declined from 34.4% in 2000 to 25.7% in 2005 and declined further to 18.7% in 2014. The lowest absolute poverty level of 16.2% was recorded in 2010 (TheGlobalEconomy.com, 2021p:Online), the year South Africa hosted the soccer world cup tournament.



However, the effectiveness of developmental policies such as the BBBEE and AsgiSA on poverty was questioned by a few scholars (Joseph, 2021:76; Garidzirai & Chikuruwo, 2020:362; Cheteni, 2019:2). Cheteni (2019:1,9) found that policies such as BBBEE were benefitting only a few individuals. Joseph (2021:76) agrees with Cheteni and argues that BBBEE birthed businesses were failing to create jobs for the majority of South Africans. Moreover, Joseph found that the BBBEE policy failed to de-racialise South Africa, as it has assisted few people, such as the local and foreign White capitalists and upcoming Black middle income earners. Nonetheless, the policy has been successful in creating a Black capitalistic class that complements the White business elites in South Africa to facilitate a boom in consumers, resulting in economic development (Joseph, 2021:76).

Regarding inequality, the persistent high Gini indices over the years suggest that policies such as the Reconstruction and Development Programme (RDP), GEAR and AsgiSA failed to address South African inequality (Cheteni, 2019:2). This explains why the RDP, GEAR and AsgiSA policies were abandoned by the government of South Africa in favour of new developmental policies such as the New Growth Path, the National Development Plan, and other poverty reduction strategies such as the War on Poverty Campaign and the Presidential Poverty Nodes (Cheteni, 2019:2). Nonetheless, these new policies also require systematic evaluation for their impact on poverty and inequality.

While scholars such as Joseph (2021:76), Garidzirai and Chikuruwo (2020:362), and Cheteni (2019:2) argue that the impact of policies such as BBBEE and AsgiSA on poverty and inequality is debatable, the grant system has been found to be effective in reducing poverty. Scholars such as Cheteni (2019:1,9) and Gomo (2019:1361) agree on the importance of grants in reducing poverty amongst black South Africans. Gomo (2019:1361) conducted a study in which she found that grants caused a significant and minor reduction in poverty and inequality respectively. In South Africa, grants are currently administered by the South African Social Security Agency (SASSA) (Gomo, 2019:1349). Thus, to reduce poverty in South Africa, fairly recent studies by Cheteni (2019:1,9) and Gomo (2019:1361) argue for the strengthening of the grant system as opposed to developmental policies such as BBBEE. This suggests

that although developmental policies are important, there are policies that are more favourable than others in reducing poverty in a particular country.

Another way of resolving inequality, according to Professor Michael Sachs of the University of the Witwatersrand (cited in Davids, 2021:n.p), is through addressing segregation in all sectors, especially in the education system, where private schools offer better education compared to public schools. Both the 2018 and 2019 General Household Surveys found that some of the problems predominantly in public schools that hindered a better education included excessively large classes, lack of books, poor facilities, and a shortage of teachers (Statistics South Africa, 2020a:16; 2021b:15). In a General Household Survey conducted in 2019, 22.6% of individuals aged 7-18 stated poor academic performance as their main reason for not attending school (Statistics South Africa, 2021b:15). These problems continue to perpetuate inequality between those who attend public and private schools (Makgetla, 2020:38).

Based on the foregoing account, it is clear that South Africa has not been performing optimally in the areas of poverty and inequality and must continue finding ways to combat the triple evils of poverty, inequality, and unemployment, which are linked to the quality of citizens' lives. From the economic indicator(s) discussed in this section, the reader's attention is directed towards the performance of the public sector in the areas of political stability and the rule of law, which are political indicators (Mangai, 2016:92). These are discussed in the ensuing section.

#### **4.3.4 Political stability and absence of violence / terrorism and rule of law**

According to Mangai (2017:37), a study that was conducted by Nwagboso in Nigeria in 2012 concluded that the violence, unrest, and crime, which included vandalism of property, kidnappings, armed robbery, ritual killings, and suicide bombings, resulted from the inability of the various Nigerian governments to solve socio-economic problems. These socio-economic problems include poor access to education, unemployment, poverty, overpopulation, and corruption. In short, the security challenges experienced by Nigeria could be traced back to a history of bad governance in the country (Mangai, 2017:37).

As with Nigeria, South Africa has not been faring well in maintaining political stability, the absence of violence or terrorism, and ensuring the rule of law (Africa, Sokupa & Gumbi, 2022:35). Political stability refers to perceptions of the probability of political volatility “and politically motivated violence, including terrorism”. The rule of law is measured in terms of the stakeholders’ opinions about the degree to which rules are followed, including rules to do with property rights, the quality of contract enforcement, and the possibility of violence and crime (World Bank, 2021a:Online).

Regarding political stability measured on an index of between -2.5 (weak) and 2.5 (strong), between 1996 and 2020, the average figure for South Africa was -0.15 (TheGlobalEconomy.com, 2021j:Online). The lowest figure of -0.54 was recorded in 1998, while the highest figure of 0.22 was recorded in 2007, and as of 2020 the value stood at -0.24 against the world average of -0.07 (TheGlobalEconomy.com, 2021j:Online). South Africa sat on position 112 out of 194 countries that were surveyed at an international level in 2020 (TheGlobalEconomy.com, 2021k), and position 17 out of 53 African countries for political stability (TheGlobalEconomy.com, 2021l:Online). In terms of rule of law likewise measured on an index of between -2.5 (weak) and 2.5 (strong), between 1996 and 2020, the average figure for South Africa was 0.1 (TheGlobalEconomy.com, 2021m:Online). During this period, the highest figure of 0.27 was recorded in 1998 and in 2020 the lowest value of -0.12 was documented for South Africa (TheGlobalEconomy.com, 2021m:Online) against the world average value of -0.03 based on 192 countries that were surveyed (TheGlobalEconomy.com, 2021n:Online). In 2020, South Africa sat on position 94 out of 192 countries at an international level (TheGlobalEconomy.com, 2021n:Online) and position 10 out of 53 African countries for rule of law (TheGlobalEconomy.com, 2021o:Online). These figures show suboptimal performance by South Africa in so far as the two political indicators is concerned.

In his February 10, 2022 State of the Nation Address, President Cyril Ramaphosa confirmed South Africa’s dismal performance in the two dimensions of governance by mentioning the July 2021 civil unrest (The Presidency: Republic of South Africa, 2022:29). According to Africa *et al.* (2022:35), the July 2021 civil unrest was accompanied by violence and conflict that had never been seen since 1994. The unrest saw an increase in crime that led to the loss of many lives, and the destruction

of properties and livelihoods (Africa *et al.*, 2022:35). As in the case with Nigeria, a long history of bad governance is to be blamed for the South African July 2021 civil unrest (Africa *et al.*, 2022:35; The Presidency: Republic of South Africa, 2022:30).

Besides the President of South Africa's comments about the July 2021 violence, the 2020/21 Quality of Life Survey confirmed that South Africa has always struggled with high levels of crime and violence (de Kadt, Dallimore, *et al.*, 2021:67; Hatcher, de Kadt, Mkhize & Parker, 2021:46). This picture suggests poor implementation and enforcement of policies by the South Africa government to contain violence and crime (The Presidency: Republic of South Africa, 2022:29).

The undesirable happenings of July 2021 resulted in poor economic growth as was witnessed between July and September 2021 (the quarter in which the civil unrest happened), when the economy shrunk by 1.5% after four successive quarters of growth (Trading Economics, 2021a:Online). This shows that political instability, a lack of rule of law, crime, and violence lead to poor economic growth, which in turn leads to unemployment and poverty. This supports the findings of the World Bank (2020:1,2) and Mangai (2016:91,92) that containing civil strife and conflict is another way of reducing poverty. In South Africa, to address conflict, the President mentioned in his 2022 State of the Nation Address that the country would implement a number of measures, including strengthening the security structures (The Presidency: Republic of South Africa, 2022:30).

This section exposed poor public sector performance in so far as the political stability and rule of law political indicators are concerned. These political indicators are regarded as the main pillars of people's well-being because they enable citizens to claim their rights to access services (Organisation for Economic Co-operation and Development (OECD), 2019:1) that improve their quality of lives. Moreover, according to the OECD (2019:1), rule of law has the ability to assist in combatting corruption. Thus, in the following section control of corruption, which is another political indicator, is discussed.

### **4.3.5 Control of corruption**

This section is divided into three segments. The first section defines corruption and the governance / political indicator called control of corruption as well as the effects of corruption and or control of corruption. This is followed by a section that briefly exposes the severity of corruption in South Africa and finally a discussion on possible ways of reducing corruption.

#### **4.3.5.1. Corruption and its effects**

Corruption in the public sector is theorised as a misuse of public authority for private advantage (Okudolo & Mekoa, 2021:98; Duho *et al.*, 2020:204). Kaufmann *et al.* (2009:6) took the discussion further and mentioned that control of corruption is measured in terms of the “perceptions of the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as ‘capture’ of the state by elites and private interests”.

Results of several corruption perception surveys or control of corruption paint a gloomy picture of the state of corruption globally, with developing countries trailing behind developed nations (Transparency International, 2017:1, 2019:2; 2020:4,6, 2021:4; 2022:4). For example, the recent corruption perception survey of 2021, in which 180 countries were ranked, revealed that the top five countries perceived as less corrupt were developed countries, namely Denmark, Finland, New Zealand, Norway, and Singapore in that order. Conversely, the most perceived corrupt countries were developing nations, namely Yemen, Venezuela, Somalia, Syria, and South Sudan, the worst being South Sudan (Transparency International, 2022:3). According to Transparency International (2017:1), while in most corrupt countries with lower scores, citizens are often faced with situations of bribery, poor service delivery, and uncaring public servants. In contrast, in better scoring countries perceived as less corrupt, the situation is less obvious in the daily lives of residents, but there are a lot of closed-door dealings and inconsistency in the enforcement of law. A summary of corruption perception scores for various regions is provided in Table 4.2, wherein the global average score at the time of the survey was 43, with two-thirds of the 180 countries surveyed in 2021 scoring below 50 (Transparency International, 2022:4).

**Table 4.2: Performance of the public sector in corruption perceptions and citizens' trust**

CONTINENT	Corruption Perception Index Scores out of 100. (0 is highly corrupt and 100 is very clean)	Trust in national governments by the citizens
<b>Africa</b>	<p>South Africa, Kenya and Nigeria had scores of 43, 28 and 27 respectively in 2017 (Transparency International, 2018:1-2).</p> <p>South Africa and Kenya's scores slightly increased to 44 and 30 respectively, while the Nigerian score went down to 24 in 2021 (Transparency International, 2022:2-3).</p>	<p>44% of South Africans, 54% of Nigerians and 65% Kenyans mentioned that they trusted their national governments a lot / somewhat in 2017 (Wike <i>et al.</i>, 2017:4).</p> <p>As at 2022, Only 26% of South Africans, 34% Nigerians and 39% Kenyans trusted their government (Edelman Trust Barometer, 2022:42). This represents a drop in all three cases.</p>
<b>Asia</b>	<p>China, Indonesia, India, Malaysia and Thailand had scores of 41, 37,40,47 and 37 respectively in 2017 (Transparency International, 2018:1-2).</p> <p>The scores of China, Malaysia and Thailand went up to 45, 38 and 48 respectively, while the score of India remained the same at 40 and Thailand dropped to 35 in 2021 (Transparency International, 2022:2-3).</p>	<p>In 2017, publics in the Middle East were negative about their national governments. However, people in the Asia-Pacific region (such as China, Indonesia, India, Malaysia and Thailand) were more positive about their national governments compared to those in Europe, North America and South America (Wike <i>et al.</i>, 2017:5).</p> <p>As at 2022; 91%, 76%, 74%, 62%, and 60% of respondents from China, Indonesia, India, Malaysia, and Thailand respectively trusted their governments (Edelman Trust Barometer, 2022:42). This shows that they remained positive about their national government.</p>
<b>Europe</b>	<p>Italy, Spain, Netherlands, and German had scores of 50, 57, 82 and 81 in 2017 (Transparency International, 2018:1-2).</p> <p>The scores for Italy and Spain went up in 2022 to 56 and 59 respectively, while the score for Netherlands remained constant at 82 and that of Germany went down slightly to 80 (Transparency International, 2022:2-3).</p>	<p>People in Europe, especially southern Europe were very negative about their national governments in 2017, with only 26% and 17% of the people of Italy and Spain respectively mentioning that they trusted their national governments a lot / somewhat. Netherlands and Germany had 71% and 69% respectively of respondents who expressed satisfaction with their national governments (Wike <i>et al.</i>, 2017:5).</p> <p>As of 2022, there was an increase of people who trusted their governments at 49% and 34% of respondents from Italy and Spain respectively. However Netherlands and Germany both experienced a drop to 58% and 47%</p>

CONTINENT	Corruption Perception Index Scores out of 100. (0 is highly corrupt and 100 is very clean)	Trust in national governments by the citizens
		respectively. (Edelman Trust Barometer, 2022:42).
<b>North America</b>	<p>In 2017, Canada had a score of 82 and United States of America (USA) 75 (Transparency International, 2018:1-2).</p> <p>Both scores went down to 74 and 67 for Canada and the USA respectively (Transparency International, 2022:2-3).</p>	<p>In North America, 67% of Canadians and 51% of Americans (USA) mentioned that they trusted their national governments respectively in 2017 (Wike <i>et al.</i>, 2017:5).</p> <p>As at 2022; the figures went down to 53% of Canadians and 39% of Americans (USA) who mentioned that they trusted their governments (Edelman Trust Barometer, 2022:42).</p>
<b>South America</b>	<p>Mexico, Brazil, Colombia and Argentina had scores of 29, 37, 37 and 39 respectively in 2017 (Transparency International, 2018:1-2).</p> <p>The 2022 scores for Mexico, Brazil, and Colombia went up slightly to 31, 38 and 39 respectively, while the score of Argentina went down slightly to 38 (Transparency International, 2022:2-3).</p>	<p>Very few Latinos from for example Mexico 17%, Brazil 24%, Colombia 12% and Argentina 22% were satisfied with their national governments in 2017 (Wike <i>et al.</i>, 2017:5).</p> <p>As at 2022; the figures increased to 43%, 34%, and 32% for Mexico, Brazil, and Colombia respectively, while Argentina remained the same at 22% of citizens who expressed that they trusted their governments (Edelman Trust Barometer, 2022:42).</p>

Source: Own compilation

Curbing corruption results in no bribes being paid to receive services and government funds get channelled to the desired programmes for service delivery and development (The Presidency: Republic of South Africa, 2022b:2; Safara & Odeku, 2021:204; Brewer *et al.*, 2007:212). On the contrary, corruption hampers service delivery through, among other ways, the inflation of goods and services bought for service delivery, ghost workers, appointment of incompetent public servants (cadre deployment), non-completion of work, and kickbacks (Safara & Odeku, 2021:204,205; Tabane, 2020:Online; 2021a:Online; Zondi *et al.*, 2017:633). Thus, corruption presents a significant danger to the growth and sustainability of an economy, governance, and equitable distribution of resources among the residents of a country for a good quality of life to be realised by all (Akpome, 2021:12; Fagbadebo, 2021:27; Newman, Nhubu & Satande, 2021:254; Safara & Odeku, 2021:205). The foregoing

narrative supports the observation that was made by various scholars of a strong association between corruption perceptions and government effectiveness (Berliani & Violita, 2021:6; Duho *et al.*, 2020:209; Montes & Paschoal, 2016:146; Brewer *et al.*, 2007:204).

According to Matebese-Notshulwana and Lebakeng (2020:193), control of corruption affects the degree to which citizens trust their public institutions. A summary of how citizens from various regions trust their national governments, as well as a link between citizen trust and corruption perceptions as observed by Matebese-Notshulwana and Lebakeng (2020) is presented in Table 4.2 above.

At a global level, citizen trust in both developed and developing nations' public institutions has been dwindling in recent years (Armstrong, 2022:n.p; Berliani & Violita, 2021:1,2; Bob-Milliar & Lauterbach, 2021:94; Suriyanrattakorn & Chang, 2021:1). For example, there was a drop from 46% in 2006 to 36% in 2019 of people who expressed trust in their governments across 62 countries in both developed and developing nations that were surveyed (Perry, 2021:2). The foregoing observation is supported by a recent study conducted by the Edelman Trust Barometer (2022:9), which found that globally, comparing business, Non-Governmental Organisations (NGOs), media, and government, in terms of taking a leadership role and producing results, government was rated the worst. Results of more than 36 000 respondents from 28 countries from both developed and developing nations revealed that only 44% and 42% of the respondents mentioned that the government takes a leadership role and produces results respectively. The media rating was the second worst, with 45% and 48% of the respondents mentioning that the media took a leadership role and produced results respectively. Respondents seemed to have more trust and confidence in business and NGOs, because more than 50% of the respondents agreed that these two take a leadership role and produce desired results (Edelman Trust Barometer, 2022:9). To be precise, only 42% of the respondents indicated that they trusted government leaders, and the most trusted were scientists at 75% of the respondents (Edelman Trust Barometer, 2022:14). The link between the fact that 42% of people mentioned that they trusted government leaders, and a corruption perception score of 43 that was registered in 2022 (Transparency International, 2022:4) further



cements the earlier observation by Matebese-Notshulwana and Lebakeng (2020:193) about an association between the two variables.

This section discussed the global extent of corruption from both developing and developed nations. The next section adopts a funnel approach and narrows the discussion to the severity of corruption in South Africa.

#### **4.3.5.2 The extent of corruption in South Africa**

South Africa has a problem with widespread corruption that needs to be fought for government effectiveness to be realised (Zondo, 2022:8; Fakir, 2021:n.p; Safara & Odeku, 2021:204). As mentioned in section 1.6, Gordon *et al.* (2012:12,14) conducted a study that revealed that 74% of South Africans believed that corruption had increased in the past three years and that 63% of the public opined that the government and parliament were not doing enough to fight corruption. Zondi, Nzimakwe and Mbili (2017:633) and Moore (2015:n.p) documented corruption that was associated with the awarding of tenders for various infrastructure projects and housing provision in South Africa. Matebese-Notshulwana and Lebakeng (2020:193) mention that in 2018, corruption was still a problem in South Africa. This is mainly because in 2018, the Afrobarometer statistics showed that 62% and 61% of South Africans did not trust politicians and the local government in general, respectively, owing to daily news about corruption as “expressed in the BOSASA debacle, the Public Investment Corporation (PIC) revelations and state capture narrative” (Matebese-Notshulwana & Lebakeng, 2020:193). Corrupt practises also manifested in South Africa during the procurement of the Covid-19 pandemic personal protective equipment (Fagbadebo, 2021:29). A recent 2021 Quality of Life Survey by the GCRO confirmed that corruption perceptions that impact on satisfaction with government were still high in Gauteng, one of the nine provinces of South Africa (Mushongera *et al.*, 2021:99,106).

The preceding narrative shows that South Africa still needs to exert considerable effort to control corruption. Within the African continent, South Africa can draw valuable lessons from better performing countries such as Seychelles, Cape Verde, Botswana, Rwanda, Namibia and Mauritius (Transparency International, 2022:2; TheGlobalEconomy.com, 2021 p:Online). On an international scale, South Africa

ranked 72nd out of 180 surveyed countries in 2021, scoring 44, which is slightly above the average of 43 (Transparency International, 2022:2). Thus, South Africa can learn about control of corruption from Denmark in Europe, Canada in North America, Singapore from the Asian continent, New Zealand from the Australian continent, and Uruguay from South America (Transparency International, 2022:2; TheGlobalEconomy.com, 2021q:Online) Accordingly, the following section discusses some of the ways to curb corruption.

#### **4.3.5.3 Ways of reducing corruption**

To minimise corruption, Singapore employed a twofold approach of decreasing both the incentives and opportunities for corruption (Quah\*, 2001:35). As mentioned by Brewer *et al.* (2007:201), Court *et al.* (1999) and Rauch and Evans (2000) conducted studies in which they concluded that higher salaries influenced government effectiveness. Singapore reduced the incentives for corruption by offering the public sector salaries and other benefits that were competitive with the private sector. Newman *et al.* (2021:258), confirm that in countries like Zimbabwe, low salaries encourage their recipients to venture into corrupt activities.

However, competitive public service salaries can only be offered when adequate economic growth and financial resources are available. Although the South African economy grew by an average of 0.64% for the period 1993 to 2021 (Trading Economics, 2021a:Online), the growth was low compared to countries such as Singapore and Seychelles that performed better than South Africa in terms of perceptions in 2020 regarding controlling corruption. Phakathi (2020:42) predicts that going forward, the economy of South will likely not improve, but worsen because of the former President of South Africa, Jacob Zuma's Commission of Inquiry into State Capture testimony, which potentially deepened mistrust between the private sector and the ruling African National Congress (ANC) party.

As opposed to South Africa, the economy of Singapore grew at an average rate of 1.52% between 1975 and 2021 (Trading Economics, 2021b:Online), and Seychelles saw an average growth rate of 2.46% between 2000 and 2021 (Trading Economics, 2021c:Online). Figures from the Trading Economics (2021) also show that the other

African countries, such as Cape Verde, Botswana, Rwanda, Namibia, and Mauritius that performed better than South Africa in terms of control of corruption, showed better past and forecasted economic growth rates than South Africa. This suggests that the South African government might struggle to offer salaries and incentives to its employees that are equal to, or better than the private sector. The reason for this is because the country's economic growth has not been as good as that of other countries such as Singapore and Seychelles (Trading Economics, 2021b:Online; Trading Economics, 2021c:Online).

In addition to incentives discussed in the foregoing paragraphs, Singapore also decreased the opportunities for corruption (Quah\*, 2001:35). To decrease the opportunities for corruption, Singapore instructed government departments, such as traffic police and immigration, that are most vulnerable to corrupt activities (because they deal directly with the public) to review their operating procedures on a regular basis (Quah\*, 2001:35). This measure does not demand substantial resources, such as increased wages for civil servants. Therefore, if the political will is present, combating corruption can be achieved in South Africa.

Quah\* (2001:35), goes further to mention that in addition to political will, having a complete set of anti-corruption measures that include all-inclusive anti-corruption legislation and a non-corrupt independent anti-corruption agency is another means of curbing corruption. As with Singapore, Seychelles, which is the best performing African country in terms of control of corruption (Transparency International, 2022:2), has a self-governing anti-corruption agency called the Anti-Corruption Commission of Seychelles (ACCS). This agency was established under the Anti-Corruption Act of 2016 (Anti-Corruption Commission of Seychelles, 2017:Online). Baniamin and Jamil (2018:397) mentioned that having an anti-corruption agency that actively publicises its actions, contributes significantly to improving public perception regarding the control of corruption. Control of corruption perceptions are improved further, as has been the case in Hong Kong and Singapore, when an anti-corruption agency starts investigating petty and grand corrupt practices, regardless of who would have committed them (Baniamin & Jamil, 2018:397). Unfortunately, as at February 2022, South Africa did not have a sovereign anti-corruption agency and effective anti-corruption practices (The Presidency: Republic of South Africa, 2022:28). According to Bilchitz (2016:87)

and Fakir (2021:n.p), the SA Constitution failed to establish an autonomous corruption structure, which resulted in political meddling in the security services that deals with corruption. As a result, South Africa has been experiencing irregular, unauthorised, and fruitless expenditures, discussed in sections 4.2.1 and 4.4.1, because of corruption, and this has seriously dented the social cohesion project (Matebese-Notshulwana and Lebakeng, 2020:200).

According to Androniceanu (2021:149), to fight corruption, transparency is a requirement. In addition to transparency, Safara and Odeku (2021:205), and (Newman *et al.* 2021:254) add accountability as another requirement to fight corruption. For transparency, which is defined as openness to the public and the absence of secrecy, to be achieved, access to information is crucial (Androniceanu, 2021:150-151; Mbassi *et al.*, 2019:120). Thus, transparency, accountability, and effectiveness of an institution as ways of fighting corruption are critical, and form part of the Sustainable Development Goals, as expressed under target 16.6 (United Nations:Online).

Over the years, South Africa passed various legislations to fight corruption, including the Prevention and Combating Corrupt Activities Act (PCCA). However, this has not achieved any significant results (Safara & Odeku, 2021:204). Thus, as one of the ways to tackle corruption in South Africa, Safara and Odeku (2021:204) recommends that rigorous and thoughtful efforts should be made by all stakeholders to ensure effective and efficient execution of both local, but especially international, anti-corruption laws and mechanisms. According to Safara and Odeku (2021:210), some of the vital international instruments to fight corruption include the United Nations Convention Against Corruption 2003 (UNCAC), which South Africa endorsed and is a signatory to; the International Code of Conduct for Public Officials 1996 (ICCPO); and the United Nations Declaration Against Corruption and Bribery in the International Commercial Transactions 1996 (UNDCIBICT). These mechanisms aim to prevent corruption and pursue effective enforcement of existing legislation against corruption (Safara & Odeku, 2021:210).

According to Safara and Odeku (2021:215), the main cause of corruption in developing countries such as South Africa is poverty, which is linked to unemployment and lack of resources, and for developed nations, the quest for power is the main driver of

corruption. This confirms that corruption is a problem, both in developed and developing nations (Akpome, 2021:24), as discussed in section 4.3.5.1. It therefore becomes clear that one of the methods to curb corruption in developing countries such as South Africa is dealing with the root causes, such as poverty, unemployment, and lack of resources (Akpome, 2021:24). Fagbadebo (2021:37) likewise argues that there is a relationship between poverty and corruption.

Considering the strong relationship between corruption and government effectiveness, South Africa has no option but to put measures in place to curb corruption and improve the effectiveness of the public sector. Nonetheless, South Africa should prioritise measures that are more achievable and relevant to the country, such as reducing poverty and strengthening the implementation of laws that fight corruption.

An analysis of information presented in section 4.3.5 shows that as with the other three political indicators, generally developing nations, including South Africa have been performing poorly in control of corruption and citizen trust in national government as compared to developed nations. Next, the reader's attention is directed towards focusing on another governance and political indicator, namely voice and accountability.

#### **4.3.6 Voice and accountability**

Kaufmann *et al.* (2009:6) define voice and accountability as the perceptions of the degree to which a country's residents are empowered to participate in choosing a government, including freedoms of association, expression, and a free media. The foregoing statement resonates with the definition of democracy provided by the Collins English Dictionary (2021:Online), which says it (democracy) is a system of government in which the citizens elect their leaders by balloting for them in elections. Action 24 (2018a:6) and Dahl (2021:n.p) similarly define democracy as "rule by the people. The term is derived from the Greek *dēmokratia*, which was coined from *dēmos* ('people') and *kratos* ('rule') in the middle of the 5th century". Thus, an analysis of the foregoing statements suggests that citizens' perceptions of a country's democracy are almost the equivalent of voice and accountability. Consequently, for this study, democracy perceptions and voice and accountability are the same and are used interchangeably.

It is also imperative at this stage to mention that people's satisfaction with democracy chiefly depends "on their perception of the representation function, and to a lesser degree on the accountability function" (Aarts & Thomassen, 2008:5). Whereas the accountability function is about voting a government in or out based on its performance, the representation function is about electing a government or parliament that is representative of the entire electorate as far as possible (Aarts & Thomassen, 2008:7). So, put differently, according to Aarts and Thomassen (2008:5), when defining democracy, people are more concerned about the degree to which they are represented than how the government is accountable to them.

Having clarified the meaning of voice and accountability or democracy, the following subsection goes on to discuss the performance of the public sector in democracy.

#### **4.3.6.1 Democracy performance of the public sector**

A few studies concluded that, in general, the number of people satisfied with democracies in their nations across the globe has been declining since the 1990s to date (Foa, Klassen, Slade, Rand & Collins, 2020:2; Wike & Schumacher, 2020:2; Wike *et al.*, 2017:2). According to Foa *et al.*, (2020:2) the share of people dissatisfied with democracy rose by more than 10% points, from 47.9% in 1990 to 57.5% in 2020. In 2017 the share of people dissatisfied with democracy was 52% (Wike *et al.*, 2017:2), and it remained at 52% in 2019 (Wike & Schumacher, 2020:2).

Corruption scandals, economic shocks, and policy crises due to uncaring politicians were cited as some of the reasons behind the decline in satisfaction in democracy (Foa *et al.*, 2020:2; Wike & Schumacher, 2020:4,6). Indeed, corruption erodes democracy and produces a vicious cycle whereby corruption weakens democratic institutions, which in turn fail to control corruption (The Presidency: Republic of South Africa, 2022b:2; Transparency International, 2019:1).

However, despite the global downward trend in the satisfaction with democracy, it is vital to note that there are some European countries, such as Norway, Switzerland, Netherlands, Denmark, and Luxembourg that have seen an increase in the share of people satisfied with democracy. In these countries, less than 25% of the people

expressed dissatisfaction with their national democracies (Foa *et al.*, 2020:2). A summary of citizens' satisfaction with democracy per region is provided in Table 4.3.

**Table 4.3: Citizens' satisfaction with democracy trends and the relationship between government effectiveness and democracy**

CONTINENT	GOVERNMENT EFFECTIVENESS SCORE (citizens' perceptions measured on a scale of between -2.5 for weak and +2.5 for strong)	CITIZENS SATISFACTION WITH WORKING OF THEIR NATIONAL DEMOCRACIES
<b>Africa</b>	<p>-0.79 points for Africa as a whole, and -0.8 points for the sub-Saharan Africa region in 2017. In 2020, the entire of Africa scored -0.76 points.</p> <p>0.29 points for South Africa and -1.01 points for Nigeria for 2017. In 2020, South Africa had a score of 0.30 (TheGlobalEconomy.com, 2021c:Online).</p>	<p>Sub-Saharan Africans were generally satisfied with the way democracy worked. A median of 38% registered their dissatisfaction (Wike <i>et al.</i>, 2017:2).</p> <p>However, South Africans (56%) and Nigerians (58%) were more dissatisfied compared to other Africans (Wike <i>et al.</i>, 2017:2).</p> <p>These figures of dissatisfied citizens went up to 61% and 70% in 2019 for South Africa and Nigeria respectively (Wike &amp; Schumacher, 2020:2).</p>
<b>Asia</b>	<p>-0.01 points for the entire Asian continent, -0.09 points for the Middle east, and 0.49 points for the Asian-Pacific region in 2017. In 2020, the entire of Asia had a score of 0 points. (TheGlobalEconomy.com, 2021d:Online).</p>	<p>People in the Asia-Pacific region were the most satisfied with their democracies in 2017 (Wike <i>et al.</i>, 2017:2). The levels of satisfaction remained high as at 2019 with a median of 58% (Wike &amp; Schumacher, 2020:2).</p> <p>Majorities in most nations surveyed in the Middle East expressed disappointment with how democracy was working in their respective nations. Approximately 90% of the Lebanese mentioned that the political system was not working well (Wike <i>et al.</i>, 2017:3).</p> <p>The same trend remained as at 2019 with majorities of people in the Middle East expressing their dissatisfaction with democracy in their nations (Wike &amp; Schumacher, 2020:2).</p>
<b>Europe</b>	<p>0.89 points for Europe as a whole, and 0.57 points for southern Europe in 2017, which went down to 0.83 points for the entire of Europe in 2020 (TheGlobalEconomy.com, 2021e:Online).</p>	<p>Majorities in Sweden, the Netherlands and Germany and about half of British and Poles mentioned that their political systems were functioning well. However, approximately two-thirds in southern Europe were unhappy with their democracies (Wike <i>et al.</i>, 2017:3).</p>

CONTINENT	GOVERNMENT EFFECTIVENESS SCORE (citizens' perceptions measured on a scale of between -2.5 for weak and +2.5 for strong)	CITIZENS SATISFACTION WITH WORKING OF THEIR NATIONAL DEMOCRACIES
		The 2017 picture is not different from the recent one of 2019 with approximately two-thirds of people from Sweden, Poland the Netherlands, and Germany mentioning that they were satisfied with the way democracy was working in their nations. Nonetheless, about two-thirds of people from Southern European countries such as Italy, Bulgaria, Greece and Spain held the opposite view (Wike & Schumacher, 2020:2).
<b>North America</b>	0.12 points for North America as a whole, 1.86 points for Canada, and 1.56 for the United States of America (USA) in 2017. In 2020, the score for the entire of North America went down to 0.07 (TheGlobalEconomy.com, 2021f:Online).	In North America, 70% of Canadians registered satisfaction with their political system, but 46% of the Americans (USA) indicated that they were satisfied, while 51% mentioned that they were unhappy with their democracy (Wike <i>et al.</i> , 2017:3).  In 2019, Canadians and Americans that expressed satisfaction with democracy, went down to 66% and 39% respectively (Wike & Schumacher, 2020:2).
<b>South America</b>	-0.3 points for both the entire of South America and Latin America for 2017. In 2020 the entire of South America scored -0.28 points (TheGlobalEconomy.com, 2021g:Online).	Majorities in most nations surveyed in Latin America expressed disappointment with how democracy was working in their respective countries. Ninety percent (90%) of Mexicans mentioned that their political system was not working well (Wike <i>et al.</i> , 2017:3).  Mexico and Brazil which held national elections between 2018 and 2019 witnessed a decline of more than 20% points in citizens who expressed dissatisfaction with democracy (Wike & Schumacher, 2020:3).  In 2019, more than half of people from South American countries that were surveyed expressed dissatisfaction with democracy in their countries (Wike & Schumacher, 2020:2).

Source: Own compilation

It was mentioned earlier that people's satisfaction with democracy chiefly depends on their perception of the representation function more than on the accountability function (Aarts & Thomassen, 2008:5). However, Wike and Schumacher (2020:3), observed that discontentment with democracy is usually common among people or countries



with lower incomes, who in most cases, have low government effectiveness scores. Considering that the accountability function is concerned with the effectiveness of the government, the observation by Wike and Schumacher (2020:3) shows that the accountability function cannot be ignored when concerned with democracy. The foregoing observation is supported by information depicted in Table 4.3, which shows that in general, regions with relatively high government effectiveness scores have relatively high citizen satisfaction levels with the working of their national democracies and vice versa. For example, on the one hand, Nigeria, the Middle East, and Latin America had negative government effectiveness scores, and similarly had low citizen satisfaction levels with the working of their national democracies. On the other hand, the Asian-Pacific region, and Canada had positive government effectiveness points accompanied by relatively high citizen satisfaction levels with the working of their national democracies. This confirms a relationship between government effectiveness and citizen satisfaction levels with the working of their national democracies, as observed by Wike and Schumacher (2020:3). The association between government effectiveness and voice and accountability / democracy was also confirmed by Duho *et al.* (2020:210) and Lee and Whitford (2009:249).

Nonetheless, there are cases where the foregoing narrative of a straightforward relation between government effectiveness and democracy is contradicted. These cases support Aarts and Thomassen (2008:5) who argue that satisfaction with democracy has nothing to do with the accountability function, but with the representation function. For example, Asia has been performing better than other regions in terms of satisfaction with democracy (Foa *et al.*, 2020:2), despite low government effectiveness scores as shown in Table 4.3. Another example depicted in Table 4.3 is the sub-Saharan Africa region, which had a negative government effectiveness score, but relatively high citizen satisfaction levels with the working of their national democracies in 2017. The Sub-Saharan African and Asian situations support earlier findings by Brewer *et al.* (2007:211) that for developing regions, democracy perceptions do very little to positively influence perceptions on government effectiveness.

Despite the association between democracy and government effectiveness, it should be noted that democracy has a few advantages, hence it is worth pursuing. For

example, supported by good quality institutions to implement policies, representative democracy results in improved quality of life for citizens through access to education and health care (Oyèkólá, 2023:105; Rothstein, 2019:16:). Another advantage of democracy is that it improves the quality of decision-making because of extensive discussions and deliberations among various stakeholders, resulting in more relevant decisions (Balaji, 2023:1; EduRev:Online).

Thus far, five dimensions of governance have been discussed in which it became clear that performance in all these areas has been suboptimal. The following section looks at the performance of the public sector regarding the sixth and last governance or political indicator, namely regulatory quality.

#### **4.3.7 Regulatory quality**

According to Kaufmann *et al.* (2009:6), regulatory quality is about perceptions regarding the capability of a government to formulate and execute reasonable policies that allow and promote the development of the private sector. The foregoing is in line with the definition of regulatory quality by Cloete (2007a:14), which is straightforward access to opportunities, including uncomplicated business tax policies, and the protection of patent rights.

This section is divided into two segments. The first segment outlines the performance of the public sector in regulatory quality. Regulatory quality lessons for South Africa close this section.

##### **4.3.7.1 Public sector performance in regulatory quality**

There is evidence to indicate that regulatory quality affects both economic growth (Haidar, 2012:2; Jalilian, Kirkpatrick, Parker & Centre on Regulation and Competition, 2006:2) and government effectiveness (Duho *et al.*, 2020:210; Lee & Whitford, 2009:249; Brewer *et al.*, 2007:213). As with the other governance indicators, there is evidence that public sector performance in the area of regulatory quality has been suboptimal across the globe, with developing countries trailing behind developed nations (TheGlobalEconomy.com, 2021r:Online).

Narrowing the discussion to South Africa, in 2009, the country reported that it had not adopted comprehensive regulatory reforms, and thus, did not have a clearly published regulatory policy encouraging regulatory quality improvement (OECD, 2011:2). Regulatory reforms that were intended to make conducting business easy by simplifying the process of obtaining business permits and licences, which include one-stop shops, were not in place in 2009 (OECD, 2011:15). Other areas where South Africa did not do well in 2009 include: consultation with all relevant stakeholders during law-making processes; the adoption of international standards to limit the explosion of country-specific rules that might be a hindrance to international businesses (OECD, 2011:2); and where consultation would have happened, it was not mandatory to make citizens' views public, and regulators were not compelled to respond to citizens' views (OECD, 2011:8). A further challenge has been that regulations have not been easily accessible to South African citizens and businesses (OECD, 2011:5) because of the language (complicated English) and place of publication (mainly government gazette instead of online) (Action 24, 2018:56; Keyter, Banoo, Salek & Walker, 2018:1). To assess the impact of the regulations, which is another important regulatory quality indicator, South Africa reported that it had been piloting systematic Regulatory Impact Assessments (RIA) (OECD 2011:5). RIAs assist with obtaining evidence to aid decision makers regarding the possible consequences of regulatory measures on the environment, economy, and society, including conducting ex-post evaluations of legislation (OECD, 2011:10,17).

In 2018, the South African regulatory picture had not changed much from that of 2009 and before, as observed by Keyter *et al.* (2018:1). According to Keyter *et al.*, for the past 20 years there have been political intentions and legislative revisions to improve the regulatory system of South Africa, which has not been very successful. Keyter *et al.* (2018:1) confirm that measures such as an established quality management system, measurement and monitoring of regulatory performance and improved access to regulations were not yet in place in 2018. Thus, the regulatory quality scores of South Africa did not improve over the years, but have been on a downward trajectory (0.8 in 2000; 0.7 in 2005; 0.36 in 2010; 0.28 in 2015; and 0.20 points in 2020) (TheGlobalEconomy.com, 2021s:Online). Regulatory quality is measured on a scale that ranges from -2.5 (weak) to 2.5 (strong) (TheGlobalEconomy.com 2021r:Online). As at 2020 South Africa sat on position 75 out of 192 countries that were surveyed at

an international level (TheGlobalEconomy.com, 2021r:Online) and position three (3) out of 53 African countries behind Mauritius and Botswana (TheGlobalEconomy.com, 2021t:Online). If something is not done urgently, the downward trajectory will continue because President Cyril Ramaphosa, in his address to the nation on energy crisis on the 25<sup>th</sup> of July 2022, confirmed that the regulatory quality picture had not improved (The Presidency: Republic of South Africa, 2022b:6).

To improve, South Africa needs to borrow lessons from countries such as Singapore, Botswana, Mauritius, and the OECD countries that have been performing better than South Africa, which is the focus of the ensuing section.

#### **4.3.7.2 Regulatory quality lessons for South Africa**

Although South Africa needs to learn from other countries that performed better, Sekekala (2019:13), and Dato Abu Semam Abdul Latif Bin Haji, Lim and Bahari (2016:393) caution that each country needs to find its own way of improving regulatory quality based on its unique context because a one size fits all approach does not work. For example, both Singapore and Malaysia have always performed better than South Africa in so far as regulatory quality is concerned (TheGlobalEconomy.com, 2021r:Online), but using different methods to achieve their objectives.

On the one hand, Singapore did not adopt the range of distinct formal regulatory management systems (RMSs) that were adopted by other developed nations to improve regulatory quality (Dato Abu Semam Abdul Latif Bin Haji *et al.*, 2016:393). Instead, Singapore used its high-performing public sector to undertake regulatory management and reform as part of its day-to-day work. The embedment of good regulatory principles (GRPs) in the entire public service was feasible for Singapore because of its focused, merit-based, technocratic, and clear targets driven by the public sector (Dato Abu Semam Abdul Latif Bin Haji *et al.*, 2016:393). The Singaporean approach has been placing special emphasis on stakeholder-centric regulatory reform through the use of specifically established commissions or committees for the involvement of numerous significant stakeholders (Dato Abu Semam Abdul Latif Bin Haji *et al.*, 2016:417). Nonetheless, South Africa might struggle to adopt the Singaporean approach because the South African public sector does not

have the Singaporean public sector qualities (Mutymbizi, Mokhele, Ndinda & Hongoro, 2020:18) due to corruption, among other reasons (Zondo, 2022:8; Fakir, 2021:n.p; Safara & Odeku, 2021:204).

On the other hand, the Malaysian approach to reform management systems was formal, focused on measuring progress against targets and utilising centralised establishments to improve regulatory quality (Dato Abu Semam Abdul Latif Bin Haji *et al.*, 2016:417). Malaysia used three critical institutions to execute the regulatory approach. The first institution is a special public–private task force that uses the World Bank’s Ease of Doing Business approach to facilitate business through, among other means, obtaining feedback from the public. The National Development Planning Committee is the second institution and is responsible for examining the appropriateness of the regulatory impact statements (RISs) on newly developed or reviewed regulations that have a significant impact on business. The Malaysia Productivity Corporation (MPC) is the third institution and its roles include providing technical secretariat support to the PEMUDAH, overseeing the execution of the national plan, and providing regulatory agencies advice on the preparation of RIA (Dato Abu Semam Abdul Latif Bin Haji *et al.*, 2016:417).

Botswana adopted an approach almost similar to that of Malaysia and it (Botswana) has been performing better than South Africa from 2009 to 2020 in so far as regulatory quality is concerned (TheGlobalEconomy.com, 2021s:Online). According to Sekekala (2019:3), between 2014 and 2019, Botswana implemented a number of business regulatory reforms. As with Malaysia, Botswana adopted institutions and structures that executed a regulatory approach. For example, guidance to execute the regulatory reforms has been provided by the “2009 Doing Business Reforms Roadmap and Action plan, among other strategies” (Sekekala, 2019:3). Oversight has been provided by the National Doing Business Committee and Botswana similarly adopted RIA, a mechanism utilised for preparing, consulting, and assessing impacts of proposed and reviewed regulations to ensure that they (regulations) are impactful. Other than the government, the private sector, through its policy advocacy and involvement in the process of formulating national policies has been likewise instrumental in fashioning an environment conducive for investment (Sekekala, 2019:3).

As with Botswana and Malaysia, Mauritius, which is the best performer in terms of regulatory quality in Africa, has organisations and coordinating entities consisting of both private and public sector representatives that drive the regulatory agenda (Silberberger, 2015:36). Mauritius has three drivers of regulatory change. The first and main one has been the strong collaboration and continuous discussions between the private sector and the government. The private sector supports the government with expert knowledge and funding, and the government in turn takes the advice. Secondly, to come up with regulations that are favourable to international businesses, the governments considered the advice of international stakeholders or organisations. Thirdly, Mauritius has educated people with capacity and skills to execute the regulatory agenda (Silberberger, 2015:36).

The foregoing account shows that South Africa is leaning towards the approaches of the OECD countries, Botswana, Mauritius, and Malaysia, as opposed to the Singaporean regulatory quality approach. However, the difference between the former countries and South Africa is that there has been political willingness in these countries, as opposed to political intention in South Africa (Keyter *et al.*, (2018:1). Thus, South Africa need to have a political will, as argued by Pelizzo and Stapenhurst (2013:6), to fully adopt and implement reforms with a view to making it easy to conduct business in the country.

Thus far, the discussion has been about the performance of the public sector in general, focusing on key economic, political and welfare indicators (Mangai, 2016:91) and assessing how the indicators affect government effectiveness (Duho *et al.*, 2020:200). Regarding the performance of the public sector in general, the available literature revealed suboptimal performance, with the developing nations performing worse than their developed countries counterparts. Pertaining to the association between the economic, political, and welfare indicators and government effectiveness, it can be concluded that in general, the former affect the latter.

Information that was presented in section 4.3 covered both developed and developing countries, as well as the three arms of the state, namely the executive, legislative, and judiciary. The next section narrows the public sector performance discussion to

developing countries and the legislative arm of the state, with specific reference to the South African Legislative Sector (SALS).

#### **4.4 Effectiveness of the South African legislative sector**

In South Africa, AGSA is one of the institutions that is preoccupied with the performance of public institutions that include legislatures. As mentioned in section 4.2.1 (financial criterion), the five possible audit outcomes that AGSA can pronounce are clean, unqualified, qualified, adverse, and disclaimer. A close look at these five audit outcomes reveals that AGSA considers three main issues to pronounce an audit opinion, namely financial statements, compliance with law, and performance objectives reporting. Thus, in this section SALS' financial performance and compliance with the law are discussed in section 4.4.1, and performance objectives information is debated in section 4.4.2.

##### **4.4.1 SALS financial performance and compliance with the law**

Financial performance is concerned with the financial health of an organisation in terms of using its allocated budget to achieve desired results (Terms compared staff, 2019:Online). According to AGSA (2021:5), financial performance is concerned with whether or not the financial statements of an organisation such as a legislature are material misstatements free. Misstatements are financial statements with wrong or skipped information. Examples of such include wrong or inadequate categorisation of transactions, or wrong figures placed on liabilities, assets, or financial commitments and obligations (AGSA, 2021:4).

AGSA is also required to audit compliance with laws applicable to financial management and other associated matters such as supply chain regulations (AGSA, 2021:6). When being audited, the public sector auditees are supposed to wholly disclose any fruitless and wasteful, irregular and unauthorised expenditure that would have been incurred, usually because of non-compliance with legislation (AGSA, 2021:6). To gain a sense of how SALS performed financially and complied with the relevant laws, audit outcomes of the sector are presented in Table 4.4 below. These are audit outcomes for the period between 2016/17 and 2021/22 for which data was easily available.

**Table 4.4: SALS audit outcomes for 2016/17 FY to 2021/22 FY**

Financial Year		2021/22	2020/21	2019/20	2018/19	2017/18	2016/17
Legislature/ Parliament Audit Outcome	<b>National</b> (Parliament of the Republic of South Africa, 2021:Online)	Clean Audit  Compliance with legislation(s) information not available yet	Clean Audit  But incurred Fruitless and Wasteful Expenditure	Clean Audit  But incurred Fruitless and Wasteful Expenditure	Clean Audit  No Information about compliance with applicable legislations	Clean Audit  But incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Clean Audit  But incurred Fruitless and Wasteful Expenditure and Irregular Expenditure
	<b>Mpumalanga</b> (Mpumalanga Provincial Legislature, 2021:Online)	Clean Audit  Compliance with legislation(s) information not available yet	Clean Audit  But incurred Fruitless and Wasteful Expenditure	Clean Audit  But incurred Irregular Expenditure	Financially Unqualified  Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Financially Unqualified  Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Financially Unqualified  Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure
	<b>Limpopo</b> (Limpopo Provincial Legislature, 2021:Online)	Financially Unqualified  Compliance with legislation(s) information not available yet	Financially Unqualified  No Unauthorised, Irregular, Fruitless and Wasteful Expenditure incurred	Clean Audit  No Unauthorised, Irregular, Fruitless and Wasteful Expenditure incurred	Financially Unqualified  No Unauthorised, Irregular, Fruitless and Wasteful Expenditure incurred	Financially Unqualified  Incurred Irregular Expenditure	Financially Unqualified  Incurred Irregular Expenditure



Financial Year		2021/22	2020/21	2019/20	2018/19	2017/18	2016/17
	<b>Free State</b> (Free State Provincial Legislature, 2021:Online)	Financially Unqualified  Compliance with legislation(s) information not available yet	Financially Unqualified  Incurred Fruitless and Wasteful Expenditure	Financially Unqualified  Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Financially Unqualified  Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Qualified  Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Clean Audit  But incurred Fruitless and Wasteful Expenditure and Irregular Expenditure
	<b>North West</b> (North West Provincial Legislature, 2021:Online)	Financially Unqualified  Compliance with legislation(s) information not available yet	Financially Unqualified  Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Financially Unqualified  Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Financially Unqualified  Incurred Unauthorised Expenditure, Fruitless and Wasteful Expenditure, and Irregular Expenditure	Financially Unqualified  Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Financially Unqualified  Incurred Unauthorised Expenditure, Fruitless and Wasteful Expenditure, and Irregular Expenditure
	<b>Northern Cape</b> (Northern Cape Provincial Legislature, 2021:Online)	Financially Unqualified  Compliance with legislation(s) information not available yet	Financially Unqualified  Incurred Fruitless and Wasteful Expenditure	Financially Unqualified  Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Financially Unqualified  No Information about compliance with applicable legislations	Clean Audit  But incurred Fruitless and Wasteful Expenditure	Clean Audit  But incurred Fruitless and Wasteful Expenditure and Irregular Expenditure

Financial Year		2021/22	2020/21	2019/20	2018/19	2017/18	2016/17
	<b>Eastern Cape</b> (Eastern Cape Provincial Legislature, 2021:Online)	Clean Audit Compliance with legislation(s) information not available yet	Financially Unqualified Incurred Irregular Expenditure	Financially Unqualified Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Clean Audit But incurred Fruitless and Wasteful Expenditure	Financially Unqualified Incurred Fruitless and Wasteful Expenditure	Financially Unqualified Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure
	<b>KwaZulu-Natal (KZN)</b> (KwaZulu-Natal Provincial Legislature, 2021:Online)	Clean Audit Compliance with legislation(s) information not available yet	Clean Audit Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Financially Unqualified Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Qualified Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Financially Unqualified Incurred Unauthorised Expenditure, Fruitless and Wasteful Expenditure and Irregular Expenditure	Financially Unqualified Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure
	<b>Gauteng</b> (Gauteng Provincial Legislature, 2021:Online)	Clean Audit Compliance with legislation(s) information not available yet	Clean Audit Incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Clean Audit But incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Financially Unqualified Incurred Irregular Expenditure	Clean Audit But incurred Irregular Expenditure	Clean Audit But incurred Irregular Expenditure

Financial Year		2021/22	2020/21	2019/20	2018/19	2017/18	2016/17
	<b>Western Cape</b> (Western Cape Provincial Parliament, 2021:Online)	Clean Audit Compliance with legislation(s) information not available yet	Clean Audit But incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Clean Audit But incurred Fruitless and Wasteful Expenditure and Irregular Expenditure	Clean Audit But incurred Irregular Expenditure	Clean Audit No Information about compliance with applicable legislations	Clean Audit But incurred Irregular Expenditure

Source:Own compilation

Table 4.4 reveals that in the most recent audit of the 2021/22 financial year, more than half (6 out of 10) of SALS, specifically the National Parliament, Mpumalanga, KZN, Gauteng, Eastern Cape, and Western Cape were awarded clean audit opinions by AGSA. This indicates that these legislatures operated in accordance with the financial administration standards of the South African public sector. This means that their financial statements had no material misstatements or major issues on performance objectives reporting and compliance with the law. The National Parliament and the Western Cape Provincial Parliament consistently obtained clean audits between 2016/17 and 2021/22. The GPL obtained clean audits in the 2016/17 and 2017/18 financial years but saw a slip in performance in 2018/19 owing to non-compliance with supply chain prescripts and the FMPPLA (GPL, 2019:90). However, the GPL improved again the following years to be awarded clean audit outcomes in the 2019/20, 2020/21 and 2021/22 financial years. Within the six-year period presented in Table 4.4, the worst audit outcome that was achieved by SALS is a qualified opinion. The Free State and KZN legislatures were awarded qualified audit opinions in the 2017/18 and 2018/19 financial years respectively. The fact that most of the legislatures obtained unqualified and clean audit outcomes during the six-year period means that SALS has been performing relatively well financially. However, in some cases it had substantial issues with compliance with legislation and or predetermined objectives performance information, discussed in section 4.4.2.

According to AGSA (2021:6), non-compliance with applicable legislation is the main cause of fruitless and wasteful, irregular, and unauthorised expenditure(s) for most public institutions that include legislatures. During the six-year period presented in Table 4.4, all 10 legislatures experienced at least one of these three, and Matebese-Notshulwana and Lebakeng (2020:200) blame corruption for this. This cements the point made in section 4.3.5.3 by several writers, including Gordon *et al.* (2012:12,14), that South Africa has been performing badly in the area of corruption, meaning that parliament and government have not done enough to fight corruption. Consequently, public trust in SA Parliament fell from 66% in 1990 to 45% in 2013 (Holmberg, Lindberg & Svensson, 2015:5) and further down to 25% in 2017 (Parliament of the Republic of South Africa, 2018:6,7).

In short, an analysis of information presented in Table 4.4 reveals that SALS' financial statements were material misstatements free. This means SALS performed relatively well in so far as the financial criterion is concerned. However, the sector struggled to comply with applicable legislation, resulting in fruitless and wasteful, irregular, and unauthorised expenditure(s). This translates into poor performance in so far as compliance with legislation criterion is concerned, and according to Safara and Odeku (2021:205), this is a sign of poor governance usually caused by corruption.

To have a full picture of SALS' performance, it is imperative to also consider reported information for the predetermined objectives. Thus, in the following section a discussion about SALS performance objectives is presented.

#### **4.4.2 SALS performance objectives information**

Information about performance regarding predetermined objectives is called non-financial performance information (Gijssels, 2012:1). As the phrase signifies, non-financial performance is concerned with performance unrelated to whether or not financial statements of an organization are materially misstated (Terms compared staff, 2019:Online). Rather, non-financial performance is concerned with issues such as non-compliance with laws, as discussed in the foregoing section, and reporting on prearranged objectives (AGSA, 2021:5). The AGSA audits reports are about the performance of a legislature against its predetermined objectives stipulated in the Annual Performance Plan (APP). AGSA conducts these audits to ascertain the usefulness and reliability of reported information against predetermined objectives. For usefulness and reliability of reported information against predetermined objectives to be attained, reported performance information must be precise, valid, and whole (AGSA, 2021:5).

The phasing in of auditing prearranged objectives started in the 2005/06 FY, but the incorporation of a distinct section on reported information against predetermined objectives in a management report of a legislature started in the 2009/10 FY (AGSA, 2021:5). Nevertheless, the audit scope of AGSA of reported information against predetermined objectives to determine an audit outcome has been very limited. For example, an audit outcome was not heavily affected by the appropriateness and completeness of performance indicators as stipulated in the APP, nor the extent to

which the work of a legislature enables service delivery, although some of this information is contained in the management report (GPL, 2020b:96). This suggests that the AGSA audit outcomes presented in Table 4.3 are meaningless when it comes to determining the appropriateness of performance indicators and achievement of the constitutional mandate by legislatures (AGSA, 2021:5). Accordingly, in addition to the AGSA management reports, which are not easily accessible because they are not public documents, it is imperative to consult other relevant sources to establish the effectiveness of SALS in oversight and scrutiny, law-making, and public involvement.

As stated in section 1.5.2, for this study, effectiveness or non-financial performance equates to the achievement of a legislature's constitutional mandate, namely oversight and scrutiny, law-making, and public participation, as stipulated in section 4 of the SA Constitution. Thus, the following three subsections discuss the performance of SALS in achieving the constitutional mandate, namely oversight and scrutiny, public participation, and law-making using sources of information other than the AGSA reports.

#### **4.4.2.1 Oversight and scrutiny**

Sections 55(2) and 114(2) of the SA Constitution specify that the National Assembly of South Africa, and provincial legislatures, respectively, must have oversight mechanisms to hold the executive arm of the state accountable to them. The same sections of the SA Constitution also compel the National Assembly and provincial legislatures to oversee the implementation by the executive of laws passed, as well as to oversee activities of all state organs in their jurisdictions.

There is a general agreement among scholars on the definition and key functions of legislative oversight, a constitutional mandate of legislatures. According to Yamamoto (2007:9), oversight is about legislatures reviewing, monitoring, and supervising the government and public entities in how they implement policy and legislation. From this definition, Yamamoto went further to deduce the key functions of oversight, which are aligned to those stipulated under Sections 55(2) and 114(2) of the SA Constitution, and these include:

1. protecting the rights of the public by detecting and preventing abuse by the government and its agencies;
2. improving the economy, efficiency, and effectiveness of the executive by holding it (government) to account on how it expends the taxpayers' money;
3. monitoring the implementation by the executive of laws passed by parliament as well as the objectives of the various programmes of the executive; and
4. improving the transparency of the executive operations, and boost citizens trust in the public sector (Yamamoto, 2007:9; Agora:Portal for Parliamentary Development:Online; Parliament of the Republic of South Africa - Oversight:Online).

Bosley (2007:4) agrees with Yamamoto, by indicating that legislatures are required to inspect and scrutinise the degree to which the executive comply with the procedures and regulations of a country. The Parliamentary Centre (2013:9) is aligned to this school of thought by indicating that the oversight function is concerned with monitoring, supervising, and evaluating the work of the executive. In other words, legislative oversight is conducted to evaluate the performance of the executive in delivering goods and services to the public with the intention of improving the people's quality of life (Parliament of the Republic of South Africa:Online).

The oversight function is discharged through various mechanisms. Some of these oversight tools include the budget process, questions for oral and written replies, motions, member statements, plenary debates, and constituency work (Parliament of the Republic of South Africa:Online).

Although there is a plethora of oversight tools at the disposal of SALS, there is overwhelming consensus among scholars that South African legislatures are not very effective in so far as executing the oversight mandate is concerned (Organisation Undoing Tax Abuse (OUTA): Parliamentary engagement Office, 2022:5; The Presidency: Republic of South Africa, 2022b:10; Munzhedzi, 2021:154; Matebese-Notshulwana & Lebakeng, 2020:195; Malapane, 2016:145; Waterhouse, 2015:67; Madue, 2014:872). According to Malapane (2016:145), due to political context issues, the oversight function in South Africa is ineffective. This is mainly because the South African electoral system encourages legislators to be more loyal to their political

parties at the expense of the interest of the electorate (OUTA:Parliamentary engagement Office, 2022:5; Malapane, 2016:145; Madue, 2014:872). Matebese-Notshulwana and Lebakeng (2020:195) agree with Malapane and mention that SALS fails to keep the executive accountable, and has become a corruption and bad governance enabler. Munzhedzi (2021:154) and Muzenda and Mavee (2015:196) indicate that ruling parties within South African legislatures protect the executive because the executive includes senior members of the ruling party. This makes it difficult for junior members in legislatures to hold their seniors accountable. Ruling party Members of a Provincial Legislature (MPLs) either fail to ask questions, or they ask inert questions with no impact on effective oversight and service delivery (Munzhedzi, 2021:154; Muzenda & Mavee, 2015:196). To further expose how the South African legislative oversight function is weak, Munzhedzi (2021:155) mentions the 'Nkandla' case, wherein it was declared that Parliament failed in its legislative responsibility to hold the former president of the nation, Mr. Jacob Zuma, to account. This is a classic example of where junior party members in a legislature found it difficult to hold their seniors in the executive to account.

To further demonstrate how the current political system is not desirable, OUTA: Parliamentary engagement Office (2022:6) mentions that the current South African political system seems to reward unethical behaviour, considering that some former ministers who were heavily implicated in state capture were shifted to powerful positions of chairpersons of Committee in the legislature. According to OUTA: Parliamentary engagement Office, there is a perception that Parliament is filled with unethical people, making it nearly impossible to expect any meaningful accountability. Thus, for South African democracy to survive, there is a need for hard-working and ethical parliamentarians and staff, who work in the interest of the public and stand up against corruption (OUTA: Parliamentary engagement Office, 2022:6).

Other than the political context, Bosley (2007:4) indicates that the main challenge for parliaments, especially in developing nations, is the capacity to carry out their work effectively and efficiently. Rapoo (2003:3) had made this observation earlier by mentioning that South African legislatures lack capacity, and this compromises their effectiveness. SALS (2012:51) reiterates the capacity challenges by mentioning that some legislatures, such as the North West and Free State, did not have the bare



minimum research capacity of one researcher per committee, as recommended by the Sector Oversight Model (SOM). Recent work by OUTA: Parliamentary engagement Office (2022:5) and Munzhedzi (2021:154) confirms that SALS still lacks adequate capacity to effectively hold the executive to account. This lack of capacity compromises the level at which departmental submissions are scrutinised, thus, in turn weakening the oversight function of legislatures.

Although Malapane (2016:146) opines that the South African National Parliament has capacity (financial and human resources as well as a plethora of oversight tools) compared to legislatures such as in the North West and the Free State; he acknowledges that the National Parliament still fails to discharge the oversight mandate effectively. This could be explained in terms of the political will discourse discussed in section 4.2.5. To improve oversight effectiveness, Malapane (2015:863) aligns himself with Pelizzo and Stapenhurst (2013:5) and argues that there is a need for the South African electorate to demand accountability from legislators and in turn encourage effective legislative oversight. Fagbadebo (2021:45) agrees that it is vital that the public should be vigilant and demand accountability from their public leaders for public sector effectiveness to be realised. The public participation function discussed in the ensuing section is one way of ensuring that the public demand accountability from legislators.

#### **4.4.2.2 Public participation**

South African provincial legislatures are compelled by Section 118 (1) and the National Assembly by section 59(1) of the SA Constitution to ensure public access and involvement as well as transparency in their business, and to hold House sittings and committee meetings in communities, while ensuring the safety of all in attendance. According to Sections 118 (2) and 59(2) of the SA Constitution, for provincial legislatures and the National Assembly respectively, unless it is admissible to do so, a legislature / parliament is not allowed to exclude the public or the media from attending committee meetings.

As with oversight, the definition and functions of public participation, also known as parliamentary representation or community involvement or public involvement or stakeholder involvement, is a constitutional mandate of legislatures (SALS, 2013:25),

as agreed upon by scholars. A few writers posit that the representation function of a public institution, such as a parliament, is about politically and socially representing all groups of people in a constituency, including providing them with equal opportunities, being accessible, and educating the public about the role of the state, including legislatures (Enaifoghe & Toyin, 2019:93,98; Parliamentary Centre, 2013:9; SALS, 2013:25; IPU, 2008:25). According to the Parliament of the Republic of South Africa (Online), the public participation function is about providing a forum for the involvement of the public in the business of their legislature. Bosley (2007:3) agrees with the foregoing statement by indicating that through their elected public representatives in legislatures, people participate in the governance of their various countries. It is through the representation function of parliaments that citizens are linked to the executive (Bosley, 2007:3). This assists the executive to understand the citizens' experiences pertaining to service delivery and the actions of government, with a view to improving the status quo (SALS, 2013:30). According to Bosley (2007:4), this means that both the executive and parliaments should consult the electorate on all matters they may not have a moral mandate to resolve on their own, such as legislations that affect the lives of citizens. Thus, the consultation of interested or affected stakeholders is done to achieve better decisions that are more acceptable (Enaifoghe & Toyin, 2019:112; SALS, 2013:25). Put differently, legislators, for example, debate in the House, and ask questions, to voice ideas that would have been gathered through the public participation function, to fulfil the law-making, and oversight and scrutiny functions. (Agora:Portal for Parliamentary Development - Representation:Online). The foregoing statement suggests that legislatures have two main functions or mandates, which are law-making, and oversight and scrutiny, and public participation is facilitated to enable the two main functions.

Considering the crucial role of public participation, it is vital to unpack it further. Thus, SALS (2013:29) identifies the following four public participation levels:

- Level 1: inform (afford prospects for access to information)
- Level 2: consult (afford chances for input provision)
- Level 3: involve (provide prospects for discourse and interface)
- Level 4: collaborate (afford partnering opportunities)

SALS acknowledges that most of its activities fall into levels one (inform) and two (consult), but aspires to move to higher levels of the public participation spectra (involve and collaborate) (SALS 2013:29). This is because meaningful public participation opportunities are provided from level two (consulting) upwards (Parliament of the Republic of South Africa, 2019:10). Nonetheless, the Parliament of the Republic of South Africa (2019:10) also makes the point that meaningful public involvement can happen at any of the four levels of the spectra. For example, if the public only wanted to be informed about a certain activity, and a legislature did that, then it means participation was meaningful. However, if the public wanted to be involved, but was informed or consulted only, then it means participation was not meaningful according to the Parliament of the Republic of South Africa (2019:10). According to Androniceanu (2021:150), access to adequate information is a prerequisite for meaningful public participation.

To systematically assess the extent to which the public participation mandate is being effectively executed by an institution, Marais (2007:23, in Thungo & Mavee, 2021:168) came up with a three-way approach; namely, scope and value of public participation mechanisms and programmes; capacity-value of the mechanisms or programmes to its participants; and the degree to which public involvement influences the policy making process. Consequently, the effectiveness of SALS in executing the public participation mandate is assessed against the three-way approach, as elaborated in the following sections.

#### **4.4.2.2.1 Scope and value of public participation mechanisms and programmes**

As indicated in the foregoing paragraphs, sections 118(1) and 59(1) of the SA Constitution, compels provincial legislatures and Parliament respectively to facilitate public participation through various mechanisms. Noting that this is a constitutional obligation, SALS complied and developed a very broad scope of public participation mechanisms and programmes. Some of the mechanisms and programmes include sector parliaments, taking the legislature / parliament to the people, public hearings, petitions, and public education (Action 24, 2018a:25; Parliament of the Republic of South Africa:Online). SALS obtains value from these mechanisms and programmes because it can meet its constitutional obligation of involving citizens in its business

(Thungo & Mavee, 2021:168). Consequently, SALS can be regarded effective in so far as the provision of an array of mechanisms and programmes is concerned (Thungo & Mavee, 2021:168; Scott, 2009:81).

Although the legislative sector derives value from an array of public participation mechanisms and programmes, it is important to assess the value of the mechanisms and programmes to their participants. Thus, the next section discusses the second of the three-way approach to assessing the effectiveness of the public participation mandate.

#### **4.4.2.2 Capacity-value of the mechanisms or programme to its participants**

To assess the value of public participation mechanisms and programmes to their participants, it is important to consider the aspect of deliberative democracy which is about inclusiveness and equality (Chappell, 2012:7). According to Chappell (2012:7-10) deliberative democracy is concerned with:

- carefully considering all relevant arguments and taking a collective decision;
- being less selfish, but concerned about other people's interests;
- facilitating learning and equipping people with new and relevant information;
- inclusiveness of both people and their ideas; and
- achieving equality through giving the marginalised a voice and ensuring that all citizens have adequate resources, such as time and money to attend meetings and participate.

Unfortunately, the sector still has some work to do in terms of deliberative democracy, because of limited access to information regarding the business of the legislative sector, among other reasons (Enaifoghe & Toyin, 2019:98; Muzenda & Mavee, 2015:194,197; Waterhouse, 2015:66). Action 24 (2018:57) agrees with the foregoing statement and mentions that SALS public participation information is indeed limited because it is not availed to citizens in an efficient and timely manner. Action 24 (2018:57) goes further to mention that when it is made public, public participation information is usually published on platforms such as government gazettes, websites, and newspapers, that are not easily accessible to ordinary citizens.

Other than limited access to information, a further challenge is the type of stakeholders that participate in SALS sessions. According to Action 24 (2018:24), organised formations usually participate on behalf of the general public and there are concerns regarding their true representation of the public and their wishes. This could explain why the residents of Gauteng mentioned in the 2020/21 Quality of Life Survey that they felt excluded from the business of public institutions of the province (de Kadt, Dallimore, *et al.*, 2021:65). Thus, the legislative sector has been failing in this area to the extent that the public's loss of faith, misgiving, and frustration in public representatives and the entire system has increased (Muzenda & Mavee, 2015:194; Waterhouse, 2015:75).

The other challenge is that the South African middle class, as well as national groups such as Whites, Indians and Coloureds seldom participate in meetings of legislatures because the meetings are held during business hours among other reasons (Action 24, 2018:56). This suggests that SALS's public participation meeting times have been a significant hindrance to including all the people of South Africa in participating in the business of their legislatures. However, according to Action 24 (2018:56), the Gauteng Legislature has been attempting to address this problem by hosting its House Committee meetings outside of normal business hours.

As with population groups that are busy during business hours, young people have been similarly excluded from participating in the business of their legislatures (Action 24, 2018:58). A reason for this is a lack of adequate information, and the fact that most public participation sessions have been held physically instead of virtually. Nonetheless, SALS recognised this problem and has been trying to employ social media and other virtual platforms to accommodate the youth (Action 24, 2018:58).

However, there are some areas in which SALS has been doing relatively well. For example, as a way of accommodating the poor, some legislatures, for example, the Gauteng and KZN legislatures have been providing transport to venues and meals during the sessions and sometimes pay the participants a stipend (Action 24, 2018:49).

Nevertheless, SALS still need to improve in so far as the second of the three-way approach to assessing the effectiveness of the public participation mandate is

concerned. Considering that SALS' public participation mechanisms and programmes have not been yielding optimal value to participants, it will be interesting to know the performance of SALS in so far as the third approach to assessing the public participation function is concerned, which is the focus of the ensuing section.

#### **4.4.2.2.3 The degree to which public involvement influences the policy making process**

In terms of the third criterion, the performance of the sector has been questionable. Research findings of a study conducted by Scott (2009:103), revealed that the South African legislative sector public participation strategies have been ineffective and have done very little to influence policy and decision-making processes. This could be attributed to the fact that even with the high levels of public participation, such as involvement and collaboration, the final decision is still made by public representatives in a legislature (SALS, 2013:29).

Phooko (2014:57) acknowledges the position of SALS and explains the point further by mentioning that although South Africa is a constitutional democracy, it does not necessarily mean that the will of the public always prevails. He made it clear that not all public inputs find their way into the final products of decision-making. In South Africa, whenever there is tension between participatory and representational democracy, the latter always prevails (Enaifoghe & Toyin, 2019:96; Phooko, 2014:57). Examples of where representational democracy prevailed over participatory democracy include the demarcation of provincial boundaries process and the e-toll system (Phooko, 2014:58). Phooko argues that in both cases, the views of the affected people were not fully considered, while those of decision makers were.

Waterhouse (2015:67) agrees with Phooko (2014) and mentions that opportunities for public participation in South African legislatures have been insufficient, and disempowering, because participation seldom influence policy making processes. Instead, it appears as though participation is motivated by the SA Constitution and not by the values that underpin the legal framework (Waterhouse, 2015:67). This challenge could be attributed to the electoral system of South Africa (closed list proportional representation) that does not motivate public representatives to be

accountable to the electorate, and by extension allows the public to influence the policy making process (Action 24, 2018a:9; Waterhouse, 2015:75).

According to Bilchitz (2016:84), the people of South Africa find it difficult to participate in constitutional institutions such as legislatures. Consequently, talking about the degree to which public involvement influences the policy making process is implausible. In support of Scott (2009), Waterhouse (2015), and Bilchitz (2016), recent studies by Action 24 (2018:57) and Matebese-Notshulwana and Lebakeng (2020:195) confirm the ineffectiveness of SALS's public participation function in enabling citizens to influence policies and decisions. Matebese-Notshulwana and Lebakeng (2020:195) state clearly that the participation of the public in decision-making processes in South Africa is currently inadequate because SALS is not effectively executing what it is constitutionally mandated to do. OUTA: Parliamentary engagement Office (2022:5), puts it bluntly and states that public participation in South Africa remains a box-ticking exercise. SALS had already identified this challenge earlier. According to SALS (2013:21), the execution of public involvement programmes has not been overly successful in the country because the focus has been on best practices rather than the best-fit for the sector.

Considering the suboptimal performance of SALS in so far as the public participation function is concerned, it is interesting to know how the sector has been performing in executing the law-making function which depends on public participation (Androniceanu, 2021:150; Bracher, 2019:n.p; University of Cape Town (UCT) Department of Public Law n.d.:77). Thus, the following section debates the performance of SALS in executing the law-making mandate.

#### **4.4.2.3 Law-making**

According to Prabhat (2011:Online), laws and policies are interrelated, but they have different purposes and no country can go forward with no certain policies and laws. It is thus imperative to outline the difference between the two terms.

Although it can result in new laws, a policy is not a law, but a document that outlines what a government intends / does not intend to do and what it can achieve for the entire nation (University of Washington, 2019:Online; Prabhat, 2011:Online). Laws are

set principles, standards, and procedures that society must follow, and are mainly intended for executing justice in society. In short, while a policy is designed to achieve particular goals, a law is passed to bring justice to a society (University of Washington, 2019:Online; Prabhat, 2011:Online) as well as peace and order (LegalWise, 2022:Online).

Legislatures are mandated to make laws, and the legislative powers of the South African National Assembly and provincial legislatures in respect of law-making are stipulated under Sections 55 and 114 of the SA Constitution, respectively. In line with Section 55(1) for the National Assembly and Section 114(1) for provincial legislatures, SALS may amend, pass, consider, or reject any bill before it, as well as initiate legislation, save for money bills.

As with oversight and scrutiny, and public participation discussed in the two preceding sections, scholars share a common understanding pertaining to what the parliamentary law-making function entails. Bosley (2007:4) indicates that legislatures examine draft legislation before passage, as well as review existing legislation and suggest amendments to new bills, in consultation with relevant stakeholders, such as the executive and the public. This is in line with sections 55 and 114 of the SA Constitution of 1996. The Parliamentary Centre (2013:9) highlights that the legislative function is concerned with making new laws and changing or improving those already in existence. The Parliament of the Republic of South Africa (Online) share the same sentiments and highlight that the law-making mandate is concerned with making new laws, changing existing ones, and repealing those that are no longer relevant. Thus, failure to achieve what is narrated in this paragraph signifies the ineffectiveness of a legislature in executing the law-making mandate.

According to O'Neil (2010, in Doyle 2018:24), several studies about the effectiveness of the legislative function mainly focus on the number of bills sponsored by lawmakers and passed by a legislature. Nonetheless, O'Neil argues that legislative achievement should go beyond processing and passing of bills in record time, to making sure that adopted bills meet the needs of the citizens. Doyle (2018:24) agrees with O'Neil by indicating that the Parliament of South Africa should ensure that its legislative function meets the constitutional obligation of law-making. Consequently, it makes sense to



assess the effectiveness of SALS in executing the law-making mandate, both quantitatively and qualitatively as presented in the ensuing sections.

#### **4.4.2.3.1 Measuring legislative effectiveness quantitatively**

In 2000 and 2001, the national parliament of South Africa passed 70 and 69 bills respectively, and this was regarded an extraordinary achievement (University of Cape Town UCT) Department of Public Law, n.d.:74). This extraordinary achievement continued over the following years (Doyle, 2018:12,13). This is based on a study that was conducted to assess the processing of bills that came before the Parliament of South Africa between January 2006 and December 2017, that revealed that 80% (391 out of 486) of the bills were successfully processed and adopted by Parliament. This reflects the maintenance of a very high performance rate (Doyle, 2018:12,13). In other words, the Parliament performed well in processing and passing legislation that was brought before it during the period in question.

Compared to the national parliament of South Africa, provincial legislatures passed fewer bills. Between 1994 and 2000, Eastern Cape passed an average of 7.5 bills, Free State 9.8, Gauteng 9.2, KZN 9.2, Limpopo 7.7, Mpumalanga 8.1, North West 11.1, Northern Cape 6.6, and Western Cape 10. This has been described as a sign of ineffectiveness (UCT Department of Public Law, n.d.:75). Some of the reasons advanced for this relatively low performance at provincial level include fear of being overridden in-case of being wrong, lack of vision and political will, poor judgment of provincial needs, poor interpretation of provincial constitutional powers, and insufficient and incompetent drafters within the provincial executive sphere of government (UCT Department of Public Law, n.d.:76, 77).

Although the provincial executive sphere produced fewer legislations compared to the national sphere, it should be noted that overall, the executive initiated and continue to initiate more legislations compared to the legislative sector (Doyle, 2018:24). According to Bosley (2007:4), in most countries the initiation of bills by legislatures is chiefly in theory because of a lack of capacity in the legislative arm of the state compared to the executive. The Attorney Generals and Ministries of Justice usually reside in the executive branch. With a lot of qualified personnel in the field of legislation, it makes it easy for the executive to initiate most of the bills. As a result, it

can be argued that law initiation is probably one of the poorly performed roles in several parliaments in both developed and developing nations (Bosley, 2007:4). This supports the point made in sections 4.2.5 that capacity and skills play a crucial role in the performance of public institutions such as legislatures. The lack of capacity in the legislative arm compared to the executive explains why of the 486 bills introduced before the parliament of South Africa between January 2006 and December 2017, only 41, which translates to 8.4%, were initiated by parliament through either Committees or as Private Members bills, while 91.6% (445) of the bills came from the executive (Doyle, 2018:24).

The picture presented in the foregoing paragraph of poor law initiation by legislatures is also true for the provincial legislatures of South Africa. According to the UCT Department of Public Law (n.d.:78), as of June 1999, only the GPL had passed a private member's bill, and no provincial committee had introduced any bill. Some of the reasons behind this failure by the provincial legislative arm include poor research and drafting skills within legislatures, as well as that major policy areas belong to the executive (the implementers), and private members are mainly for issues specific to constituencies (UCT Department of Public Law, n.d.:77,78).

Nonetheless, South African legislatures combined (national and provincial or SALS) are hailed for passing many bills within a given period of time (Doyle, 2018:12). Accordingly, from a quantitative perspective, it can be argued that SALS has been effective in executing the law-making mandate in terms of the passage of bills, regardless of their source and quality. The source of bills has already been discussed in this section, and the next section debates the quality of legislation that SALS has been passing.

#### **4.4.2.3.2 Measuring legislative effectiveness qualitatively**

According to Mousmouti (2014:4), legislative effectiveness is concerned with the degree to which a legislation is able to do what it is intended to do. As implied in section 4.2.6, legislative effectiveness is associated with laws that meet the needs of the relevant stakeholders. Legislative effectiveness is due to multifaceted procedures associated with conceptualising, designing, drafting, enforcing, and implementing a particular law. Thus, legislative effectiveness has two key dimensions. The first one is

the probable dimension which should be considered when a law is being conceptualised, designed, and drafted, and the second one is the real-life dimension, which happens during enforcement and implementation of a law. This means that measuring legislative effectiveness qualitatively is about assessing the degree to which a law is likely to achieve the desired results (the probable dimension) and the extent to which a law achieved the desired results (the real-life dimension) (Mousmouti, 2014:5)

To assess the effectiveness of a legislation qualitatively, Mousmouti (2014:5) suggests using an 'effectiveness test' that permits one to detect the relationship between the purpose of a law, procedures for its implementation, and its results. The test can be used throughout the lifecycle of law-making. According to Mousmouti (2014:5), during the drafting phase of legislation, the effectiveness test can be used to find the best way to draft legislation for the achievement of the needed results. For existing legislation, the test can be used to assess the causal relationships between the legislation and its outcomes, the degree to which the law is working, and areas of improvement (Mousmouti, 2014:5). The effectiveness test consists of four 'steps' that are discussed in the forthcoming paragraphs.

The first step of the effectiveness test aims to factually establish the degree to which the purpose clearly determines the outcomes that the legislation aims to achieve (Mousmouti, 2014:6). Put differently, a law is supposed to have a clear purpose, a meaningful and clearly stipulated benchmark for what it intends to achieve, as well as providing enough direction and guidance for the implementers and interpreters. In most cases, the purpose of legislation is expressed in preambles or long titles, but often it (purpose) is vaguely defined, along with its objectives, which affects the clearness, application, and interpretation of the law (Mousmouti, 2014:6).

The second step of the effectiveness test is about assessing the extent to which the contents of a law are realistic and aligned to the legislation purpose and results (Mousmouti, 2014:6). In South Africa, a number of legislations were found wanting in so far as step two is concerned due to a number of reasons (UCT Department of Public Law, n.d.:77). Some of these reasons include limited time to process legislation because of pressure mounted on the state to initiate and amend many legislations to address the ills of apartheid, as well as an inadequate drafting and research capacity

(UCT Department of Public Law, n.d.:77). Consequently, a few South African legislations have been experiencing some quality challenges, according to the UCT Department of Public Law, because of conceptualisation, designing, and drafting weaknesses. To support this point, a number of House committees identified valid gaps with executive initiated legislation, such as those concerned with the unconstitutionality of the legislations, which necessitated amendments of these legislations (UCT Department of Public Law, n.d.:77).

Designing and drafting of legislation challenges caused by, among other factors, capacity weaknesses were discussed in the preceding paragraphs. Regarding conceptualisation weaknesses also associated with research capacity, the High-level Panel agrees with the observation of suboptimal performance of SALS. The High Level Panel was commissioned by the Speaker's Forum of South Africa in 2015 to review South African post-apartheid laws, evaluate their execution, identify gaps, and recommend areas of improvement (High Level Panel, 2017:31). The panel discovered that although there were some improvements in some areas of people's lives, because of the way some post-apartheid legislations have been conceptualised, some of these legislations have not been doing enough to deal with the triple challenges of poverty, unemployment, and inequality (High Level Panel, 2017:32) discussed in section 4.3.3. For example, the Panel noted that policy development had moved away from the pro-poor posture, leaving the majority of South Africans exposed (High Level Panel, 2017:32). The Panel also found no urgency in the available legislation to address the need for progressive realisation of land rights for poor South Africans through land reform. Masiya *et al.* (2019:35) agree with the Panel and bemoan the conceptualisation of post-apartheid policies that place low-cost government houses in poorly accessible areas with deprived socio-economic opportunities.

Still on the first three stages (conceptualising, designing, drafting) of the legislative cycle, according to Bracher (2019:n.p), public involvement is an integral component of the South African law-making process. Poor quality legislation mentioned in the foregoing paragraphs insinuates a certain degree of failure by SALS and the executive to meaningfully involve stakeholders as a way of promoting transparency and openness in the business of public institutions (UCT Department of Public Law, n.d.:77) to inform acceptable decisions. Androniceanu (2021:150) agrees with the

UCT Department of Public Law about the importance of true public participation through the proper application of the transparency principle, which leads to good quality legislation that stakeholders can trust.

Nonetheless, South Africa seem to still be struggling to promote transparency and openness in the business of public institutions through the public participation function, as confirmed by the High Level Panel (2017:34,40). The Panel mentions that SALS repeatedly failed to sufficiently engage the public of South Africa on legislative matters that affected their lives. Bracher (2019:n.p) provides an example of the amendment of the Medicines and Related Substances Act, where the Parliament of South Africa failed to involve relevant stakeholders, which resulted in significant unhappiness among the affected stakeholders. This in turn points to the ineffectiveness of the law-making mandate.

Step number three of the effectiveness test assesses the extent of the availability and adequacy of information to gauge the results of a law (Mousmouti, 2014:7). For draft legislation, this is about ensuring adequate provision for data collection to appraise the results of a new legislation and existing legislation. In other words, this is concerned with having information on the application of a law and the results thereof (Mousmouti, 2014:7).

Making use of the information available for existing legislation, the High Level Panel (2017:34,40) expressed serious concerns regarding poor performance in the implementation and enforcement of laws in South Africa. Bilchitz (2016:76) and Naudé and Barnard (2018:565), agree with the High Level panel that enforcement of legislation is still a huge challenge in South Africa. They argue that there are several laws that exist on paper but are not complied with. For example, high levels of crime and violence in South Africa (discussed in section 4.3.4) point to poor enforcement of law(s), as mentioned by the President of South Africa in his 2022 State Of the Nation Address (The Presidency: Republic of South Africa, 2022:29). Poor implementation and enforcement of legislation usually occurs when the legislation itself is unclear and badly drafted (UCT Department of Public Law, n.d.:77), and when the stakeholders have low confidence in the laws (Androniceanu, 2021:150). Thus, it is vital for SALS to take legislation quality issues seriously because they reflect a failure by the sector

to fulfil its constitutional mandate of passing laws that satisfy the needs of various stakeholders.

Step number four of the effectiveness test scrutinises the extent to which the new law or provisions interact with the broader legislative context (Mousmouti, 2014:7). In other words, the new law must be aligned to the existing legislations. However, there is a dearth of information pertaining to the performance of SALS in this area.

The foregoing narrative reveals that although SALS has been performing well quantitatively, the sector still has some work to do to improve qualitative performance around law-making. While quantitative performance is important, it appears as though in the eyes of the citizens, qualitative performance is synonymous with meeting the legislative constitutional mandate.

#### **4.5 Chapter summary**

This chapter sought to evaluate available literature on the third research question of the study. The third research question is ‘What does the available literature say about public institutions performance, specifically the legislative sector of South Africa, and the reasons behind that performance?’

The chapter responded to the third research question by adopting a systematic literature review approach, explained in section 5.5.1.2, to identify, collect, peruse, and evaluate literature on the performance of public institutions, specifically the legislative sector of South Africa, and reasons thereof. The chapter started by outlining the criteria against which to judge the performance of public institutions. Six criteria, namely financial, compliance, efficiency, effectiveness, relevance, and sustainability were discussed. Political will and capacity, which include financial resources and human skills, the main prerequisites for public institutions performance, were also discussed.

The chapter went on to discuss the economic, political and welfare indicators of public institutions performance. Regarding the performance of public institutions, available literature shows that although both developed and developing nations have not been performing optimally (Horáková, 2020:68), the former have a history of better performance compared to the latter. This is mainly because developed countries have

a track record of performing better than developing nations in all the dimensions of governance, namely government effectiveness, control of corruption, rule of law, voice and accountability, regulatory quality, and political stability. The other reason is that political will to serve citizens, and the capacity to deliver services were found to be better in developed nations compared to developing nations.

The chapter ended by presenting available literature on the performance of SALS. An analysis of the various government websites and reports revealed that SALS has been performing relatively well in so far as the financial criterion is concerned. This is because the financial statements of most South African legislatures have been material misstatements free. However, the sector has been struggling to comply with applicable legislation, resulting in fruitless and wasteful, irregular, and unauthorised expenditure(s), and this translates into poor performance in so far as compliance with the legislation criterion is concerned. Corruption was blamed by many writers for poor compliance with legislation.

Regarding the execution of the three constitutional mandates, namely oversight, law-making and public participation, the available literature shows that SALS has not been performing optimally. According to OUTA: Parliamentary engagement Office (2022:6) the parliament of South Africa, and SALS by extension, are failed institutions. The reasons for poor performance of public institutions in general are also applicable to SALS. For example, inadequate capacity (especially financial and skills) and political will were highlighted as some of the challenges that hinder the achievement of the three mandates.

This chapter closes phase one of the study. The following chapter presents the research approach, design, and methods used to obtain data discussed in Chapter 6.

## **CHAPTER 5: RESEARCH APPROACH, DESIGN AND METHODS**

### **5.1 Introduction**

Phase one of the study (chapters two to four), regarded as conceptual chapters, unpacked literature and theories related to this study. According to Waldt (2017:183), theory influences research design, data collection methods, and the findings of a study. Therefore, this chapter relies on the conceptual framework, the theories underpinning the study, and the reviewed literature to develop the research approach, design, and methods to address the research questions of the study. Thus, this chapter directly addresses the following study question: 'What is the most appropriate research design and methodology for assessing ways in which the GPL performance measurement framework is inapt to determine the effectiveness of the GPL?'

Chapter five is divided into eight main sections. Following the introduction, the chapter outlines the scientific approach to the study, followed by the design section. The research design section is followed by the study approach and plan sections, in that order. A section on measures to ensure the trustworthiness of the study follows. The ethical considerations section forms the second last section of the chapter. Chapter five concludes with a summary of its contents.

### **5.2 The scientific approach to the study**

Scientific inquiry is the search for knowledge by using acknowledged methods for collecting, analysing, and interpreting data (Babbie, 2016:6; McMillan & Schumacher, 2001:9). In other words, scientific inquiry simply refers to the way the knowledge was generated. This process involves four key steps: defining a problem, stating the hypothesis to be tested or the research problem(s), collecting and analysing data, interpreting the results, and drawing conclusions about the area of inquiry (McMillan & Schumacher, 2001:9). In short, scientific inquiry refers to an approach to create trustworthy and valid knowledge.

A set of beliefs / assumptions and values that guide data gathering, analysis, and interpretation to create trustworthy and valid knowledge is referred to as a worldview (Creswell & Creswell, 2018:46). Other terms used to refer to the beliefs / assumptions



and values that guide action are paradigms, epistemologies and ontologies, and research methodologies (Creswell & Creswell, 2018:46). Ontology refers to the way a researcher thinks about what forms reality and how its existence can be understood, and epistemology is a researcher's view of what constitutes valid knowledge and how it can be obtained (Groenland & Dana, 2019:2; Babbie, 2016:6; Raddon, n.d:3). Researchers' ontological values inform their epistemological values, which in turn inform their research design and approach, and in the end inform the data gathering methods (Creswell & Creswell, 2018:42). There are two main ontological assumptions. In most cases, a researcher will either assume "that there are stable, social facts with a single reality, separated from the feelings and beliefs of individuals or that there are multiple realities [that] are socially constructed through individual and collective perceptions or views of the same situation" (Schurink, 2009:808; McMillan & Schumacher, 2001:15). The former (single reality) ontological assumptions align with the positivist epistemological stance, emphasising the acquisition of objective knowledge using natural sciences methods, for example, experiments and quasi-experiments (quantitative research approach) (Cohen *et al.* 2001 in Maree & Westhuizen 2010:32). Conversely, the latter (multiple realities) ontological assumptions resonate with the interpretivist epistemological perspective, which obtains knowledge through subjective qualitative methods, for example in-depth analysis (Cohen *et al.*, 2001, in Maree & Westhuizen, 2010:32). The interpretivist epistemological approach supports the idea of a strong connection between the research subject and the researcher (Dudovskiy, 2018:n.p).

A research methodology is regarded as a worldview or paradigm because it is the rationale and the philosophical assumptions that underlie a particular study (Goundar, 2012:16). In other words, it is the researcher's explanation of their ontological and epistemological views / assumptions behind the selected research design, data gathering, and analysis methods to respond to the research question(s) (Goundar, 2012:13). A research methodology is frequently confused with research methods, and sometimes used interchangeably. However, according to Goundar (2012:12), these two are different. Whereas research methods are about applying techniques to gather data, analyse, and interpret data, research methodology is about understanding which data gathering, analysis, and interpretation techniques are suitable or not suitable for

a certain type of research and why (Goundar, 2012:12). This means the reasoning behind answering a research problem, either qualitatively or quantitatively, is what is called a research methodology. The reasoning behind adopting a research design is likewise part of the methodology. For example, within the broad qualitative design, the reasoning behind adopting either a case study design or an ethnographic design is what methodology is about. Once a design, such as a case study, is adopted, the reasons behind choosing individual interviews, documentary analysis, focus group discussions, or observations to gather data also constitute part of the methodology. Likewise, the reasoning behind adopting a particular data analysis approach and interpretation mode is considered part of a research methodology (Goundar, 2012:12). In short, research methods are there to find solutions to research problems, and research methodology is about utilising the right procedures to find solutions, which is “a science of studying how research is to be carried out” (Goundar, 2012:10).

As with the ontological and epistemological perspectives that can be categorised as either interpretivist or positivist, research methodology has two main categories, which are qualitative and quantitative. This means a qualitative methodology carries interpretivist ontological and epistemological assumptions and a quantitative methodology brings positivist ontological and epistemological assumptions.

According to Ramanathan (2008, cited in Dudovskiy, 2018:n.p) the positivist ontological position is usually employed where demonstration of causality, and in turn prediction, is required. However, the current study is aimed at discovering the ways in which the GPL performance measurement framework is inapt to determine the effectiveness of the GPL, with no intention of making predictions. Consequently, it is important at this juncture to indicate that this research is guided by the interpretivist approach / qualitative methodology, which assumes multiple realities in understanding and explaining a phenomenon (Creswell & Creswell, 2018:48; Lee & Lings, 2008 in Dudovskiy, 2018:n.p). The interpretivist approach was also found to be suitable for this study because it acknowledges a strong connection between the research subject and the researcher (Dudovskiy, 2018:n.p), as is the case with this study where the researcher is in the employment of the GPL, which happens to be the research subject.

In this section, the beliefs / assumptions and values that guide this research were explained. As mentioned in the above paragraphs, these assumptions inform the research design and methods, which in turn inform the research approach (Creswell & Creswell, 2018:42). In the ensuing section, the reader's attention is now directed to the research design that was adopted by the study.

### **5.3 Research design**

A research design is defined by Blanche, Durrheim and Painter (2006:98), as a blueprint or plan that guides a researcher in undertaking a study. Saunders, Lewis and Thornhill (2012, in Dudovskiy, 2018:n.p) view a research design as a general plan about how the research questions will be answered. The two foregone definitions emphasise the point that a research design is simply a plan for conducting a study. Nieuwenhuis (2010a:69) and Schurink (2009:803) expand the above two definitions by indicating that a research design is a strategy or plan which moves from the underlying philosophical approaches (epistemology and ontology) to stipulating how respondents are going to be selected, the data collection techniques to be utilised, and how data will be analysed. Kothari (2004:31), and Singleton and Straits (2004, in Webb & Auriacombe, 2006:589) mention that a research design is an explicit declaration of the research problem, strategies and instruments for data collection, as well as the processing and interpretation of findings, with an aim to respond to the research question(s). What is common about these four definitions of a research design is that they all emphasise that it is a plan about how to execute a study / respond to the research questions (Sileyew, 2019:2). In addition, the last two definitions go further to outline some features of a plan, such as the research problem, data gathering, and data interpretation, which are not explicit in the first two definitions. In short, a research design is about decisions regarding where, what, how much, when, and by what means in relation to a research study (Kothari, 2004:31).

According to Kothari (2004:35), there are three broad categories of research designs, namely: exploratory, descriptive, and diagnostic and hypothesis testing. The exploratory broad design is suitable when the main emphasis is on discovering ideas and insights, which calls for a flexible enough design to allow for consideration of various aspects of a phenomenon (Kothari, 2004:33). Where the aim is to describe

characteristics of a particular phenomenon accurately, then a broad descriptive design is suitable, but where there is a need to ascertain the frequency of something, or its association with something else, or make predictions, then a broad diagnostic design would work well (Kothari, 2004:37). All three approaches, but especially hypothesis testing, which involves testing a hypothesis of causal relationships between variables, call for procedures that minimise bias and increase reliability, as well as allowing for drawing inferences regarding causality (Kothari, 2004:39).

A broad diagnostic design was considered unsuitable for the current study because it (study) did not intend to ascertain the frequencies and associations of any variables or make any predictions. As a result, experimental designs associated with the diagnostic design, such as quasi-experimental, true experimental, single subject, as well as non-experimental designs which include comparative, descriptive, correlational, survey and ex post facto research (McMillan & Schumacher, 2001:31) were found to be unsuitable to respond to the research question.

The current study sought to understand the inaptness of the GPL performance measurement framework in relation to the achievement of the constitutional mandate and provide recommendations to enhance the framework. This made the exploratory and descriptive broad designs suitable for this study. Exploratory and descriptive broad designs are suitable for 'how' and 'what' research questions, whereas explanatory broad designs are suitable for 'why' research questions (Jansen, 2010:10). Jansen (2010:10) calls the 'how' and case research questions descriptive exploratory. According to McMillan and Schumacher (2001:397), descriptive exploratory research questions are most suitable for examining a new or diminutive-known phenomenon for which limited, or no previous studies were conducted, as is the case with the current study.

Descriptive exploratory research is very broad and can be placed into two categories, namely interactive and non-interactive (Maree & Westhuizen, 2010:34). The concept 'interactive' refers to the level of reciprocity / interaction between the participant and the researcher. Interactive strategies have a higher degree of interaction between the

researcher and the participants compared to non-interactive strategies (McMillan & Schumacher, 2001:451).

Ethnographic studies, case studies, phenomenology, critical studies, and grounded theory are examples of interactive designs (Merriam & Grenier, 2019:07; Schurink, 2009:810). Examples of non-interactive designs include historical analysis and concept analysis (McMillan & Schumacher, 2001:31). According to Nieuwenhuis (2010a:71), the qualitative research designs, whether interactive or non-interactive should not be seen as watertight compartments, because there is a lot of overlap and borrowing between the various designs. Auriacombe and Mouton (2007:446) mention that these qualitative research approaches are mostly descriptive, although explanatory and causal analysis can likewise be done making use of approaches.

Within the descriptive exploratory broad design, this study adopted a case study design. Case study research is defined as “a systematic inquiry into an event or a set of related events which aim to describe and explain the phenomenon of interest” (Bromley, 1990 in Nieuwenhuis, 2010a:75). The case study research design helps researchers and society understand multifaceted issues through a comprehensive circumstantial investigation of a few events or situations and their relationships. (University of Southern California (USC), 2019:n.p; Barbour, 2014:24). According to Nieuwenhuis (2010a:76), case study research is an empirical inquiry that examines a phenomenon within its naturalistic setting, making use of multiple sources of data. According to Cohen, Manion and Morrison (2007:253), case studies can penetrate situations that are not inclined to numerical analysis. Yin (2012:5), states that when the study addresses descriptive (what), as is the case with this study, and or explanatory (why) questions, and when there is a need to study the phenomenon within its real-world setting, it is best to utilise the case study method. A case study design is very useful when not much is known about a phenomenon or issue (USC, 2019:n.p). Consequently, case studies are used mainly for knowledge generation, but they are also used for theoretical amplification (Schwandt, 2009 in Yin, 2016:68). Robson (2002, in Cohen *et al.*, 2007:253), agrees with the foregoing sentiments by opining that case studies do not focus on statistical generalisations, but are more analytical, and develop theories that can help researchers to understand other situations better. Put succinctly, the study made use of the descriptive exploratory

case study design that subscribes to the interpretivist ontological and epistemological assumptions.

In this section, the concept of a research design was introduced. Kothari (2004:32) expands on what was introduced in this section by mentioning that a research design has two distinct features which are that:

1. it is a strategy stipulating the approach to be used for data gathering and analysis; and
2. it is a plan that specifies the information types and sources suitable for answering the research problem.

Accordingly, as part of the research strategy, the following section discusses the approach that was adopted by the study for data gathering and analysis. This is followed by a section on the study plan, which specifies information sources and types for the purpose of answering the research question.

#### **5.4 The study approach**

Creswell and Creswell (2018:42) mention that a research design informs an approach to be adopted by a study. The two main methodological choices or approaches are nomothetic (quantitative) and idiographic (qualitative) (Goundar, 2012:14; Maree & Westhuizen, 2010:33). According to Babbie (2016:51), on the one hand, qualitative research follows the inductive reasoning approach, which starts with observing a phenomenon to find patterns that will lead to summary generalisations or tentative conclusions. On the other hand, quantitative research follows the deductive approach, which starts with an expected pattern (hypothesis) tested against observations in order to accept or reject a hypothesis (Babbie, 2016:51). In other words, a deductive approach aims to test theory, whereas an inductive approach is there to build theory (Merriam & Grenier, 2019:6; Raddon, n.d:5).

Other than the nomothetic (quantitative) and the idiographic (qualitative) approaches, a study can also adopt a multimethod approach, which is a combination of the qualitative and quantitative approaches (Maree & Westhuizen, 2010:33; Mouton, 1996:36-40). McMillan and Schumacher (2001:13) support the integration of the

inductive (qualitative) and deductive (quantitative) approaches for better results because neither of them is perfect in their view. However, purists' reason that qualitative (inductive reasoning) and quantitative (deductive reasoning) research methods are founded on dissimilar assumptions about the world, the role of the researcher, the research purpose, and the importance of context in the study, hence they cannot be combined in a single study (Bamberger, Rugh & Mabry, 2006:263). Although the researcher agrees with McMillan and Schumacher on the benefits of integrating the two approaches, this study adopted a qualitative approach because it was possible to answer all the research questions qualitatively.

In this section, the first feature of a research design, which is the inductive research approach, was discussed. The second distinct feature of a research design, which is a plan that stipulates the types and sources of data related to the research problem, is discoursed in the following section.

## **5.5 The study plan**

As mentioned in section 5.3, the other feature of a research design is a plan, which comprises three sequential interconnected phases for this study. In each phase, the sources and types of data needed, as well as techniques to respond to the various research questions of the study, were outlined. The first phase was a literature review, which explored available literature with a view to answering the following research questions:

- What are the factors that influence effectiveness? (Phase one – Chapter 2)
- What does the available literature say about the various types of indicators in general, and specifically the performance indicators for the legislative sector? (Phase one - Chapter 3)
- What does the available literature say about public institutions' performance, specifically the legislative sector of South Africa, and the reasons behind that performance? (Phase one - Chapter 4).

Data gathering, analysis, and interpretations formed the second phase of the study. This phase sought to respond to the following research questions:

- What is the nature and scope of the operations of the GPL? (Phase two - Chapter 6)
- How has the GPL been performing over the years and reasons thereof? (Phase two - Chapter 6)
- How appropriate are GPL performance indicators to measure the achievement of the constitutional mandate? (Phase two - Chapter 6).

The third phase involved drawing conclusions about and proposing enhancements to the GPL performance measurement framework. The third phase was in response to the following research question:

- In what ways is the GPL performance measurement framework inapt to determine the effectiveness of the GPL? The main research question (Phase three - Chapter 7)
- What enhancements can be made to the GPL performance measurement framework (Phase three - Chapter 7).

A summary of the three phases of the study, or the study plan, as explained in the preceding paragraphs is depicted in Table 5.1 below.



**Table 5.1: The study plan**

<b>PURPOSE OF THE STUDY</b>	
To investigate the appropriateness of the GPL performance measurement framework to establish the effectiveness of the GPL, and then enhance it to correctly measure the achievement of the GPL constitutional mandate or outcomes.	
<b>GENERAL INTRODUCTION:</b> Provided a justification for conducting the study ( <b>Chapter 1</b> ).	
<b>PHASE 1: LITERATURE REVIEW</b>  For deeper insights of the main research variables such as performance indicators and effectiveness as well as the theories applicable to the study.	Objective 1: To investigate factors that influence effectiveness ( <b>Chapter 2</b> ).
	Objective 2: To unpack what the available literature says about the various types of indicators in general, and specifically the performance indicators for the legislative sector ( <b>Chapter 3</b> ).
	Objective 3: To identify, collect, peruse, and evaluate what literature says on the performance of public institutions, specifically the legislative sector of South Africa, and reasons thereof ( <b>Chapter 4</b> ).
<b>RESEARCH DESIGN AND METHODS</b>  Objective 4: To determine the most appropriate research design and methodology for assessing ways in which the GPL performance measurement framework is inapt to determine the effectiveness of the GPL ( <b>Chapter 5</b> ).	
<b>PHASE 2: ANALYSIS, INTERPRETATIONS, AND FINDINGS</b>  Phase two explored the nature, scope of the operations, and performance as well as the appropriateness of GPL performance indicators.	Objective 5: To discover the nature and scope of the GPL operations ( <b>Chapter 6</b> ).
	Objective 6: To investigate the performance of the GPL over the years and reasons thereof ( <b>Chapter 6</b> ).
	Objective 7: To investigate the appropriateness of GPL performance indicators to measure the achievement of the constitutional mandate ( <b>Chapter 6</b> ).
<b>PHASE 3: RESEARCH CONCLUSIONS AND RECOMMENDATIONS</b>  Study unique contributions are exposed in this phase.	Main Research Question: To draw conclusions about the ways in which the GPL performance measurement framework is inapt to determine the effectiveness of the GPL ( <b>Chapter 7</b> ).
	Objective 8: To propose enhancements to the GPL performance measurement framework ( <b>Chapter 7</b> ).

Source: Own compilation

In the following subsections, the reader's attention is directed to a detailed discussion about the types and sources of data for this study.

### **5.5.1 Phase One: Exploration of available literature**

Green, Johnson, and Adams (2006:102), mention that a literature review is about objectively reporting current information on a topic based on a summary and an amalgamation of earlier published studies. It is important to note that this definition emphasises current information and previously published studies. Fink (2010:3) defines a "research literature review as a systematic, explicit, and reproducible method for identifying, evaluating and synthesising the existing body of completed and recorded work produced by researchers, scholars, and practitioners". A literature review is defined by Schutte and Steyn (2015:2), as an academic piece of writing that presents a wide-ranging viewpoint on a topic and permits a researcher to position their studies within a greater discourse. Fink (2010) and Schutte and Steyn's (2015) definitions suggest that information does not have to be current or previously published only, as suggested by Green, Johnson, and Adams (2006).

This study adopted the objective component from the definition presented by Green, Johnson, and Adams (2006) and also combined the classifications of Fink (2010) and Schutte and Steyn (2015) to develop a comprehensive definition of a literature review, which is:

*A methodological, clear, objective, replicable, and comprehensive method of finding, assessing, and synthesising literature, that permits a researcher to position their individual work within a bigger discourse.*

According to (Mgutshini, 2021:4), there are several literature review typologies, but only a handful of them are constantly used. Available literature also shows that scholars categorise these many types of literature reviews in several ways. For example, Grant and Booth (2009:106) outline the following 14 review types:

1. Critical Review - literature is extensively researched and its quality is critically evaluated, and this usually results in a new theory (Grant & Booth, 2009:97). Nonetheless, this typology does not have a formal requirement to explicitly disclose the search, synthesis, and analysis methods (Grant & Booth, 2009:97).

2. Literature review - reviews published literature. When using this typology, it is not compulsory to conduct a comprehensive literature search or evaluate its (literature) quality. Consequently, a researcher might only choose literature that supports their worldview, resulting in biased conclusions (Grant & Booth, 2009:97).
3. Scoping review - is habitually used at the commencement of an article or done for a research proposal. It is conducted before the research starts and sets the stage for the research by pointing out gaps in the literature and explaining the need for the study about to be conducted (Mgutshini, 2021:16; Grant & Booth, 2009:97).
4. Mapping review / systematic map – this is about mapping out and categorising the standing literature on a specific topic and identifying gaps with a view to commissioning primary research or supplementary reviews (Grant & Booth, 2009:98). The difference between mapping reviews and scoping is that for the former, the successive outcome of either conducting primary research or further reviews is not known in advance. For this typology, a comprehensive search of literature might be difficult due to time and scope constraints. There is not a formal assessment of literature quality as well as its analysis and synthesis (Grant & Booth, 2009:98).
5. Systematic Review – involves comprehensively searching for and selecting literature based on predetermined criteria of methodology, subjects, outcomes, study design, and year of publication (Grant & Booth, 2009:95). This typology brings out what is known and remains unknown, recommendations for practice, uncertainty around findings, as well as recommendations for future studies (Mgutshini, 2021:18; Grant & Booth, 2009:95).
6. Meta-analysis – is a “technique that statistically combines the results of quantitative studies to provide a more precise effect of the results” (Grant & Booth, 2009:98). All included studies must be reasonably similar for a meta-analysis to be valid. A good systematic review is a prerequisite for a meta-analysis as it involves searching for and selecting literature based on a predetermined criteria (usually methodology, subjects, outcomes, study design, and year of publication) (Mgutshini, 2021:18; Grant & Booth, 2009:98).

7. Mixed studies review / mixed methods review- refers to any mixture of methods where at least one is usually a systematic review (Grant & Booth, 2009:98). This could be bringing together a qualitative and quantitative effectiveness review on an intervention (Grant & Booth, 2009:98).
8. Overview – a broad term used for any summary of the literature that tries to inspect the literature as well as describe its characteristics (Grant & Booth, 2009:94). The term is used for various types of literature reviews with varying degrees of systematicity. This means the term can be used either for a systematic or scoping review (Grant & Booth, 2009:94).
9. Qualitative evidence synthesis / qualitative systematic review – a method that involves comparing or integrating qualitative investigations findings with a view to developing a new theory or an all-embracing narrative or a broader generalisation (Grant & Booth, 2009:99). This approach looks for themes across identified qualitative studies and not for meta-analysis as with quantitative studies, but for the purposes of widening understanding of a specific phenomenon (Dudovskiy, 2018:n.p; Grant & Booth, 2009:99). Meta-synthesis reviews are based on non-statistical techniques and are typically conducted when following an inductive research approach (Dudovskiy 2018:n.p.).
10. Rapid reviews – are almost similar to systematic reviews in terms of assessing what is already known about a topic (Grant & Booth, 2009:100). Nonetheless, rapid reviews employ techniques such as limiting the inclusion of grey literature to shorten the timescale of a study which has a risk of introducing bias (Grant & Booth, 2009:100). Grey literature includes census data, unpublished papers, working papers, institutional reports, conference proceedings, surveys, government documents, theses, and dissertations (Ellen & Ellen, 2011:63).
11. State-of-the-art reviews - focus on the most recent research and knowledge by describing what is currently known, understood, or agreed upon, pertaining to the study topic. They also focus on highlighting disagreements where these occur (Grant & Booth, 2009:101). This approach offers new perspectives on a topic or identifies opportunities for further research (Grant & Booth, 2009:101).
12. Systematic search and review – has characteristics of both the critical and systematic review (Grant & Booth, 2009:102). The initial search process meets

the requirements of a systematic review, but weaknesses of the successive critical review (no formal requirement to disclose explicitly the search, synthesis, and analysis methods) characterise this approach (Grant & Booth, 2009:102).

13. Systematised reviews – are almost like, but not as comprehensive as, systematic reviews (Grant & Booth, 2009:102). This is because systematised reviews may or may not include a comprehensive search of literature and its quality assessment. Such reviews are typically used for postgraduate assignments by students and may form a foundation for a dissertation or thesis (Grant & Booth, 2009:102).

14. Umbrella reviews – result in a single usable document compiled using multiple reviews / sources (Grant & Booth, 2009:103). Nevertheless, primary studies are excluded from the search and compilation process. The approach focuses mainly on a problem where there are competing interventions (Grant & Booth, 2009:103).

Although Grant and Booth (2009) identified 14 literature review types, a further categorisation of these literature reviews can be achieved. This is because the 14 review types are not mutually exclusive and there are no unique differentiating features among them (Grant and Booth, 2009:106). Ellen and Ellen (2011:62) argue that there are only three types of literature reviews; namely, narrative, systematic, and meta-analytic. Accordingly, the following sections are dedicated to discussing the three types of literature review and showing how they are linked to the 14 types of literature reviews as identified by Grant and Booth (2009), as well as how they were used in this study.

#### **5.5.1.1 Narrative reviews**

According to Ellen and Ellen (2011:62), narrative reviews summarise and evaluate literature on an identified topic. Narrative reviews are sometimes called overviews and traditional literature reviews. The reviews are usually part of a position or background paper. Narrative reviews provide a noteworthy historical account of a subject under investigation and draw together its major arguments. A narrative review selects the literature to be reviewed based on criteria such as publication date and may exclude

unpublished data on a topic (Ellen & Ellen, 2011:62). In short, narrative reviews do not essentially observe rigorous standards compared to systematic and meta-analysis (Dudovskiy, 2018:n.p; Ellen & Ellen, 2011:62) to be discussed in the forthcoming sections. Consequently, narrative reviews are excluded from the definition of a literature review, as stated in section 2.2, which was created for and adopted by this study.

An analysis of the work by Grant and Booth (2009) easily puts critical reviews, literature reviews, mapping reviews, overviews, rapid reviews, scoping reviews, state-of-the-art reviews, systematic search and reviews, systematised reviews, and umbrella reviews into the narrative reviews category. As mentioned by Grant and Booth (2009:97), scoping reviews are conducted before the main research starts. It is vital to indicate that this study also conducted a preliminary literature review / scoping review, during the proposal writing stage, which forms part of chapter one. A preliminary literature review was conducted to set the stage for the study by pointing out gaps in the literature and explaining the need for this study.

**Argumentative literature reviews** also fit into the broad category of narrative reviews because they scrutinise literature selectively for the purposes of supporting or refuting an argument (Dudovskiy, 2018:np). On the one hand, it should be noted that selectively scrutinising literature has the potential to introduce bias (Dudovskiy, 2018:n.p.; Literature Review: Types of Literature Reviews: Online).

On the other hand, it should be taken into consideration that the bias point raised in the foregoing paragraph does not take cognisance of the fact that there are three types of argumentative literature reviews or writing styles. These three styles are: classical (Aristotelian), Rogerian, and Toulmin (Mgutshini, 2021b:18; Excelsior Online Writing Lab: Online; Different Types Of Argument and Writing Guide: Online; 3 Types of Argument: Online). Mgutshini (2021b:18), provides a broader definition of argumentative reviews or writing, which aims to eliminate bias related weaknesses. He mentions that argumentative reviews or writing aim to investigate a matter, take a stand on the matter, and generate and evaluate a substantial amount of evidence in a methodological manner to support the overall focus or claim of one's research

(Mgutshini, 2021b:18). The fact that argumentative writing endeavours to examine critical issues from various angles eliminates the bias challenge mentioned in the foregoing paragraphs (Mgutshini, 2021b:26).

However, it can be argued that the bias challenge of argumentative reviews is associated with the classical style. The aim of the **classical model** is to persuade the next person to adopt the writer's perspective (Excelsior Online Writing Lab: Online; Different Types Of Argument and Writing Guide: Online; 3 Types of Argument: Online). The classical model involves stating the researcher's side of the argument, and then utilising evidence to finding, analysing, and refuting all opposing arguments. The next step is to support the researcher's claims with facts, and finally, to make the reader aware of the benefits of adopting the researcher's point of view. In this case, the possibility of bias cannot be ruled out, considering that the researcher is not compelled to search for evidence that supports the opposing side, thereby allowing the reader a balanced view. Rather, the focus is on systematically refuting every opposing point in order to convince the reader to accept the researcher's side (Excelsior Online Writing Lab: Online; Different Types Of Argument and Writing Guide: Online; 3 Types of Argument: Online). According to Mgutshini (2021b:38), this model is prevalent at undergraduate level and should be avoided at any cost at postgraduate level. Mgutshini recommends the adoption of the Rogerian and Toulmin models at postgraduate level.

The classical argument is forceful and strong; hence it might not work well with readers who do not completely agree with the researcher's perspectives (Excelsior Online Writing Lab: Online). Consequently, the use of the **Rogerian** approach, which tries to find a middle ground might be better suited to postgraduate level writing (Excelsior Online Writing Lab: Online). Additionally, it is regarded as a higher level of argumentative writing (Mgutshini, 2021b:38). The Rogerian style can be enormously persuasive and can assist a researcher to understand their own biases and how to find a middle ground with others (Excelsior Online Writing Lab: Online; Different Types Of Argument and Writing Guide: Online; 3 Types of Argument: Online). When using the Rogerian model, a researcher is expected to introduce the problem first, followed by acknowledging the other side. Once the other side is acknowledged, the researcher should carefully present their perspective without dismissing the opposing viewpoint,

as the classical approach frequently does. The next task for the researcher is to bring the two sides together and advocate for a common ground. Finally, the researcher should conclude by reminding the reader of the benefits associated with finding a middle ground (Excelsior Online Writing Lab: Online; Different Types Of Argument and Writing Guide: Online; 3 Types of Argument: Online).

The **Toulmin** model works well where there are no pure truths or complete solutions to a problem (Excelsior Online Writing Lab: Online). This approach takes into consideration the complex nature of most 21<sup>st</sup> century situations (Excelsior Online Writing Lab: Online). The Toulmin approach uses six elements to analyse an argument (Excelsior Online Writing Lab: Online; Different Types Of Argument and Writing Guide: Online; 3 Types of Argument: Online). Firstly, the researcher is expected to advance a claim or argument they want the reader to believe. After that, the researcher must provide evidence and facts to support their claim. Thirdly, the researcher must link the claim with the facts and then provide additional support for the claim by tackling various questions connected to the claim as the fourth step. Considering that there are no pure truths to the complex problem the researcher is investigating, the use of qualifiers such as 'many' or 'some' improves the claim's strength because this shows that the researcher acknowledges that their position is not always true in every situation. The final step is acceptance by the researcher of opposing sides where the researcher's argument may not hold true (Excelsior Online Writing Lab: Online; Different Types Of Argument and Writing Guide: Online; 3 Types of Argument: Online).

Of the three argumentative styles presented here, this thesis adopted the Toulmin model for Chapter 1. This is due to the complex nature of the phenomenon. Currently, there is no complete solution to the problem of poor performance by many public institutions, nor is there a standardised performance measurement framework in the legislative sector. Consequently, the Toulmin approach was used in Chapter 1 to motivate for this study. Thus, the scoping review approach was used to conduct a preliminary literature review, which forms section 1.6 of Chapter 1, and the Toulmin approach was used in the same chapter to justify the need for the study, as presented in sections 1.2 and 1.3.



As with argumentative reviews, **theoretical literature reviews** fall under the broad category of narrative reviews. The purpose of a theoretical literature review is to scrutinise the body of theory that has accumulated over time pertaining to an issue or phenomenon (Dudovskiy, 2018:n.p.; Literature Review: Types of Literature Reviews: Online). Theoretical literature reviews assist with the establishment of the theories that are already in existence, their associations, the extent to which they have been studied, as well as the development of fresh hypotheses to be tested (Shandu-Phetla, 2021:10; Dudovskiy, 2018:n.p.; Literature Review: Types of Literature Reviews: Online). In most cases, a theoretical literature review is used to assist in establishing a deficiency of suitable theories, or to expose the inadequacy of existing theories in explaining emerging research problems (Literature Review: Types of Literature Reviews: Online). In addition to the foregoing points, Waswa (2021:n.p) mentions that a theoretical review also assists a researcher to better understand and justify the study in question, which is the approach that was taken for this study.

For this study, the theoretical review approach was used in Chapter 2 to explore theories that underpin the study and to better understand the main variables, such as performance indicators and effectiveness. However, this was not a fully-fledged theoretical review, and the current study did not establish the extent to which the theories have been studied with a view to developing fresh hypotheses for testing (Shandu-Phetla, 2021:10; Dudovskiy, 2018:n.p.; Literature Review: Types of Literature Reviews: Online). Instead, the theoretical review approach assisted the researcher to understand the study phenomenon, as demonstrated in Chapter 2.

### **5.5.1.2 Systematic reviews**

Systematic reviews, the second type of literature reviews identified by Ellen and Ellen, are thorough, transparent, comprehensive (include grey literature), and are unbiased (Ellen & Ellen, 2011:63; Grant & Booth, 2009:95). With the arrival of the 21st century, systematic reviews became popular and started to replace narrative reviews. Systematic reviews are time-consuming and clearly state the criteria for including and excluding literature to be reviewed, as well as the process of how to collect, review, and present all evidence relating to the research (Ellen & Ellen, 2011:63; Grant & Booth, 2009:95).

According to Ellen and Ellen (2011:65) and Fink (2010:3), the following are the main steps involved when conducting a systematic review:

1. Step one: definition of a clear topic or research questions (Ellen & Ellen, 2011:66; Fink, 2010:3).
2. Step two: identification of relevant information through the establishment of inclusion and exclusion criteria (such as years and language of publications, study designs, not / peer reviewed) based on the concepts contained in the main research question (Toronto, 2020:7; Ellen & Ellen, 2011:66; Fink, 2010:3).
3. Step three: conducting the literature search from various sources, such as journals, books, grey literature, and electronic databases (Ellen & Ellen, 2011:67; Fink, 2010:3).
4. Step four: through reading of abstracts from step three and screening based on the relevance to the research questions, resulting in all irrelevant materials being excluded (Ellen & Ellen, 2011:67; Fink, 2010:3).
5. Step five: according to Ellen and Ellen (2011:67) and Fink (2010:3), involves assessing each full paper for relevance and credibility. Relevance is about the nature and extent to which a paper shows a direct or inferred relatedness to the area under investigation, and credibility is related to the strength of the evidence (Mgutshini, 2021a: 27,28). Sackett's hierarchy of evidence is one method that can be utilised to assess evidence strength. On top of Sackett's hierarchy of evidence are meta-analyses (level one), followed by a critical review of topics (level two), followed by a critical appraisal of individual articles (level three), trailed by Randomised Controlled Trials (RCTs) (level four), followed by quasi-experimental studies (level five), trailed by non-experimental studies (level six), and then expert opinions (level seven) at the bottom of the hierarchy (Mgutshini, 2021a:31,32; McGill University: Online). The main weakness of Sackett's hierarchy of evidence is that it is mainly used for quantitative studies. For qualitative studies it can be argued that the reverse of Sackett's hierarchy of evidence will hold true (Mgutshini, 2021a:32).

To assess the relevance and credibility of a paper, critical appraisal methodologies are also used (Centre for Evidence-Based Medicine (CEBM):

Online). One such methodology is Crombie's (2010, in Mgutshini, 2021a:33) 10 questions. When reviewing a paper, these 10 questions, relating to the relevance of the research question of a study, ask the following: whether the study brings new insights, the type of research questions that the study poses (how, what, when, why), if the study design was appropriate for the research question, whether the research methods addressed the main potential bias sources, if the study was conducted in line with the original protocol, the extent to which the study tested the stated hypothesis, whether the statistical analyses were done correctly, if the data justifies the conclusions, and whether there are any conflicts of interest (Mgutshini, 2021a:33; Centre for Evidence-Based Medicine (CEBM):Online). As with Sackett's hierarchy of evidence, it should be noted that Crombie's (2010) approach is mainly for quantitative research. Nonetheless, the approach can also be applied to qualitative studies, considering that all except two questions are applicable to both qualitative and quantitative studies. The question about the hypothesis can be changed to the extent to which the study responds to the research questions. The question about statistical analysis can be changed to whether the data analysis process was aligned to the specifics of the adopted research design. The two new qualitative questions speak to the trustworthiness concepts of credibility and dependability of a study, as discussed in sections 5.6.1 and 5.6.2 respectively.

6. Step six: through carefully reading and assessing each relevant paper, data is extracted and packaged in an organised manner (Ellen & Ellen, 2011:65). This may involve extracting data into tables and graphs (Toronto, 2020:7; Ellen & Ellen, 2011:68; Fink, 2010:3).
7. Step seven: involves analysing extracted data for patterns (differences and similarities) in relation to the study questions (Ellen & Ellen, 2011:68). These patterns are then synthesised, which is a process of pooling findings together. The process is also known as evidence synthesis (Ellen & Ellen, 2011:68). The process of evidence synthesis requires researchers to move beyond reporting mere facts about a problem, and to delve into a conceptual level of knowledge connected to their investigation (Toronto, 2020:7; Ellen & Ellen, 2011:68; Fink, 2010:3).

An analysis of work by Grant and Booth (2009) by the author of this thesis, easily puts qualitative systematic reviews, systematic reviews, and to a certain degree, mixed methods reviews into the systematic reviews category by Ellen and Ellen (2011). This is mainly because these types of reviews are comprehensive and easily reproducible (Fink, 2010:3).

Integrative literature reviews also fit into the systematic review category because they assess, critique, and synthesise available literature (secondary data) on a topic in a cohesive manner, resulting in the generation of new knowledge and viewpoints on a topic (Dudovskiy, 2018:n.p.; Torraco, 2005:356; Literature Review: Types of Literature Reviews: Online. Toronto (2020:2) supports the foregoing observation by indicating that the terms integrative and systematic review are frequently utilised interchangeably because of the many similarities they have. As with systematic reviews, integrative reviews subscribe to the seven steps (from defining a clear topic or research question(s) to evidence synthesis) of systematic reviews discussed in the foregoing paragraphs (Toronto, 2020:2). Nonetheless, there are some distinct differences between the two. The main differences are their scope and purpose, types of literature included, and the time and resources required to implement them (Toronto, 2020:2; Whittemore & Knaf, 2005:547). Whereas:

... a systematic review has a single narrowly focused question, an integrative review looks more broadly at a phenomenon of interest than a systematic review and allows for diverse research, which may contain theoretical and methodological literature to address the aim of the review. [The integrative] approach supports a wide range of inquiry, such as defining concepts, reviewing theories, or analysing methodological issues (Toronto, 2020:2).

Unlike systematic reviews, integrative reviews do not adhere to established reporting guidelines, and they typically require less time to complete (Toronto, 2020:3). As demonstrated in section 1.3.1 of Chapter 1, this study had a focused, rather than a broad main research question. Additionally, there was no intention of reviewing theories, or analysing methodological issues, thus making a systematic review more appropriate. Moreover, according to Dudovskiy (2018:n.p.), studies that do not involve primary data gathering and analysis have no option but to use the integrative review

approach, which was not the case with the current study because primary data was gathered. Nonetheless, properly done, integrative reviews are as good as primary research in terms of clarity, replication, and thoroughness. (Literature Review: Types of Literature Reviews: Online).

Systematic reviews fit perfectly into the definition of a literature review created and adopted for this study and presented at the beginning of section 5.5.1. Consequently, this study adopted a systematic review approach (literature review 'proper') for parts of Chapter 2, and the whole of Chapters 3 and 4, to respond to the following research questions:

- What are the factors that influence effectiveness?
- What does the available literature say about the various types of indicators in general, and specifically the performance indicators for the legislative sector?
- What does the available literature say about public institutions' performance, specifically the legislative sector of South Africa, and the reasons behind that performance?

Below is an outline of how the systematic review approach was followed for phase one of this study:

1. The researcher spent a full year (2020) working on the research proposal, wherein among other things, a clear topic and research questions were defined.
2. Making use of the topic and research question, the researcher established the inclusion and exclusion criteria for the purposes of identifying relevant information for the study. Phrases such as effectiveness / performance of legislatures / public institutions and indicators were included. Human resources performance management was excluded because the study was about the performance of an institution, and not individuals. In the interest of a comprehensive search of literature, the researcher did not set any specific publication dates, and included both peer reviewed and not peer reviewed materials (grey literature). Nonetheless, due to the language barrier faced by the researcher, the study excluded all literature that was not in English.
3. The researcher searched various sources / databases for relevant literature. The databases include Emerald Insight: Journals, Books and Case Studies; Sabinet African Journals; African Journals Online; SpringerLink: eJournals,

eBooks and eReference; ProQuest EBook Central; Taylor and Francis eBooks; Google Books / Scholar; Britannica Academic Online; Global encyclopedia of public administration, public policy, and governance; Encyclopedia Britannica; JSTOR; Sage Research Methods Online; EBSCOhost (All databases) and the Global Insight-Regional eXplorer. The researcher also consulted government documents and websites, the World Bank and United Nations websites, conference proceedings, legislation, policies, codes, frameworks, media, dissertations, and theses.

4. The researcher read abstracts of materials from the various sources / databases. This was necessary to screen the significant amount of material that the search yielded. Abstracts that were aligned to the research questions were saved in various themed folders that were created by the researcher. All irrelevant materials / abstracts were excluded.
5. All papers in themed folders were screened further. This was done by scanning through the full papers, using Crombie (2010)'s appraisal questions. Sackett's hierarchy of evidence, which was designed mainly for quantitative studies, was not used because this was a qualitative study. Nonetheless, some elements of Sackett's hierarchy of evidence were considered. For example, the researcher regarded peer-reviewed journal articles more credible and weightier than information from the media and the internet. In cases where there were contradictions between these sources, the researcher took the side of the weightier source, while acknowledging the views of the weaker source. Considering that there were too many full papers to go through, the researcher started with the most recent literature (2015 to 2023). In some instances, the most recent papers summarised and synthesised numerous old papers; hence the old literature was consulted for cross-referencing in these instances. The researcher also deemed it necessary to read through the original papers to eliminate biases associated with secondary and third-hand information.
6. The researcher extracted relevant information from the papers and packaged them in an organised manner. In this instance, the researcher created subfolders and subthemes for the purpose of organising the information systematically. In some cases, tables and graphs were created to summarise and present information in a clearer way.

7. Information that was saved in subfolders and tables was then analysed for patterns and synthesised. As advised by Toronto (2020:7), in addition to reporting perspectives of various scholars / papers, the researcher went further to produce an analysis of those viewpoints to come up with new perspectives where possible.

### **5.5.1.3 Meta-analytic reviews**

The third type of literature reviews identified by Ellen and Ellen (2011:64) is meta-analytic. These reviews are also known as quantitative systematic reviews, because the first part of a meta-analysis is about the steps outlined in the foregoing section of a systematic review. The second part of a meta-analysis involves using standardised statistical procedures such as calculating a pooled average across studies (Dudovskiy, 2018:n.p; Ellen & Ellen, 2011:64). Meta-analytic reviews are associated with a deductive research approach (Dudovskiy, 2018:n.p). For a meta-analytic review to be possible, there needs to be well-developed experimental and quasi-experimental studies with samples that are comparable. The entire process of producing meta-analytic reviews is time-consuming and requires considerable and relevant skills which make them (meta-analytic reviews) more expensive than systematic reviews (Ellen & Ellen, 2011:64). In this third category of literature reviews by Ellen and Ellen (2011), Grant and Booth's (2009) meta-analysis style can be placed. The current study adopted a qualitative approach, making a meta-analysis style unsuitable.

An analysis of information presented in section 5.5.1 shows that the narrative and systematic review approaches were used for phase one of the study. Therefore, in the main, documents (information sources) were used to obtain secondary data (type of information) suitable to answer the research problems for phase one. The reader's attention is turned to phase two of the study.

### **5.5.2 Phase two: data collection, analysis, and interpretation**

This section starts by outlining the data gathering process for the study. This is followed by a description of how data was analysed and interpreted, followed by a description of how the study conclusions were arrived at.

While first-hand evidence refers to data produced by a situation that has not been recorded yet, second-hand evidence pertains to writings or what the researcher is told about an event, or something that has happened in the past. Third-hand evidence involves receiving information from a source who heard it from another person (Yin, 2016:160). This study employed all three forms of evidence (types of information).

To gather either first-hand or second-hand or third-hand evidence, focus groups, in-depth interviews, observation, games, case studies, and role playing are some of the most used qualitative methods used (Dudovskiy, 2018:n.p; Barbour, 2014:18). Qualitative data can also be gathered from documents (Nieuwenhuis, 2010a:82). Qualitative data helps the researcher to understand how and why things happen by illuminating the hidden meanings (Raddon, n.d:5). The most common sources of qualitative data, according to Merriam and Grenier (2019:14), Schurink (2009:815) and Mason (2002:52) include:

- people as groups or individuals;
- institutions, organisations and entities;
- texts that include unpublished and published sources;
- environments and settings;
- artefacts, objects, and media products; and
- happenings and events.

This study analysed GPL documents (texts) and conducted in-depth individual semi-structured interviews (people as individuals) to respond to the study questions. In other words, the information sources for the study were documents and interviews. Accordingly, the upcoming sections detail the two data collection methods, starting with documents analysis and then interviews.

#### **5.5.2.1 Documents analysis / review**

Documents analysis involves the analysis of annals of past events that are printed, recorded, or written (Merriam & Grenier, 2019:15; McMillan & Schumacher, 2001:42). The main advantage of reviewing documents as a data gathering method is that it



provides an unobtrusive, quicker, and cheaper method of getting data that may be unobtainable from other data gathering methods such as interviews (Bamberger, *et al.* 2006:286). The main limitation of this data gathering method is that documents carry the perspectives and bias of their authors, and the researcher must verify their accuracy, authenticity, and informativeness, which could be time consuming (Bamberger *et al.*, 2006:286).

For this study, the researcher chose documents as the main data gathering method because of her orientation towards the ontological position, which suggests that documents / written words / texts are expressive elements of the social world in themselves (Mason, 2002:106). The researcher is also aligned to an epistemological position that views documents as superior sources of information in comparison to verbal utterances (interviews). This is because utterances might fail to capture all elements of a phenomenon, which can be achieved with a document with both text and pictures. For example, describing a phenomenon might be a challenge when using words only. However, depicting the phenomenon in a picture and text might give one a better sense and understanding (Mason, 2002:106). Another reason for opting to gather data using documents is because all the research questions could be answered through the analysis of documents.

Some elements of the systematic review approach discussed in section 5.5.1.2 were employed to gather empirical data from GPL documents. Below is an outline of how the researcher did it:

- The researcher established the inclusion and exclusion criteria for the purposes of identifying GPL documents relevant to the study, to respond to the research questions outlined in the paragraphs above. In line with the study questions, included were GPL plans prescribed by section 13(a) of the Financial Management of Parliament and Provincial Legislatures Act No 10 of 2009 (FMPPLA), which are the strategic plans and APPs. Please also refer to section 1.10 for the scope of the study.
- In reviewing the strategic plans and APPs, more emphasis was placed on how performance indicators were developed. To assess the performance of the GPL, documents containing an assessment of the achievement of the

constitutional mandate by the GPL formed part of the study. These documents include the annual reports of the two legislative terms, and evaluation reports from the studies which the GPL conducted / commissioned. From the GPL annual reports, information about the performance or effectiveness of the GPL from an internal perspective was obtained. From an external perspective, various evaluation reports were reviewed to discover how the public of Gauteng perceived the performance of the GPL in achieving the constitutional mandate.

- From GPL documents, such as the standing rules and the planning and budgeting framework, information about the nature and scope of operations of the institution was obtained.
- Permission to access all documents that are not in the public domain was requested from, and granted by the GPL gatekeeper, who is the GPL’s Secretary. Thus, all the documents not in the public domain came from the Strategic Planning, Monitoring and Evaluation (SPME) unit, which is the custodian of GPL planning, performance, monitoring and evaluation documents.
- The researcher created a database in which all the documents were saved and ready for the next step of data analysis as discussed in section 5.5.2.3.

Table 5.2 depicts a summary of the GPL internal documents that formed part of the study, the sampling method that was adopted, the sample size, and the justification of the sample size.

**Table 5.2: Target documents, sample size, and justification of sample size**

Target documents	Sampling method	Sample size	Justification of sample size
GPL planning and performance documents of the 2015/16-2019/20) and (2020/21-2024/25) strategic plans.		<ul style="list-style-type: none"> <li>•One (1) 2015/16-2019/20 Strategic plan.</li> <li>•Five (5) 2015/16-2019/20 APPs.</li> <li>•Five (5) 2015/16-2019/20 Annual reports.</li> <li>•One (1) 2020/21-2024/25 Strategic plan.</li> <li>•Three (3) APPs (2020/21; 2021/22; 2022/23)</li> <li>•Two (2) Annual reports (2020/21; 2021/22)</li> </ul>	<ul style="list-style-type: none"> <li>•All documents for 2015/16-2019/20 form part of the sample.</li> <li>•All 2020/21- 2024/25 documents that were available during the time of data gathering and writing formed part of the sample.</li> <li>•The justification for the two legislative terms to do with poor recording</li> </ul>

Target documents	Sampling method	Sample size	Justification of sample size
	Purposive sampling approach that targets documents with information required to respond to the research questions (Yin, 2016:95; Nieuwenhuis, 2010a:79; Schurink, 2009:816).	<i>(All Documents are available in the public domain except the 2015/16-2019/20 Strategic plan).</i>  <b>Subtotal= 17</b>	keeping by the GPL was provided in section 1.10.
GPL regulatory documents		<ul style="list-style-type: none"> <li>•GPL Framework for Integrated Planning, Budgeting, Monitoring, Evaluation and Reporting (PBMER) (GPL, 2017a) <i>(not available in the public domain).</i></li> <li>•GPL standing rules (GPL, 2018) <i>(available in the public domain).</i></li> <li>•GPL processes and procedures manual (GPL, 2018) <i>(not available in the public domain).</i></li> </ul> <b>Subtotal= 3</b>	•These are the main GPL internal documents that guide the nature and scope of the GPL operations.
Evaluations / studies that were commissioned by the GPL that involved a representative sample of the public of Gauteng assessing the performance of the GPL.		<p>Evaluations / studies that were conducted by the GPL:</p> <ul style="list-style-type: none"> <li>•The Study of the Impact of Laws Passed by the Gauteng Provincial Legislature: 1994-2008 (Batseta Consulting, 2014).</li> <li>•Perceptions of the People of Gauteng on key elements of legislative performance: Views on the Gauteng Legislature after the first 20 years of democracy (Human Science Research Council (HSRC), 2015).</li> <li>• Gauteng Provincial Legislature Perceptions Survey (Ipsos Global Reputation Centre, 2019).</li> <li>• An Evaluation of the Gauteng Provincial Legislature’s Law-Making Processes (Ipsos Public Affairs, 2020).</li> <li>• Mid-Term Evaluation of the 6<sup>th</sup> Term Strategic Plan for the Gauteng Provincial Legislature (Citofield, 2023).</li> </ul> <p><i>(All documents are not available in the public domain).</i></p> <b>Subtotal = 5</b>	To the best knowledge of the researcher, these are all the GPL performance evaluations / studies that were conducted by the GPL that involved a representative sample of the Gauteng public assessing the performance of the GPL during the 5 <sup>th</sup> and 6 <sup>th</sup> legislatures.
Evaluations / studies that were commissioned / conducted by the GPL but relied		•A study to evaluate the Bua Le Sechaba public participation mechanism of the GPL (Vutivi Management Services, 2016).	To the best knowledge of the researcher, these are all the performance evaluations / studies of the GPL that relied

Target documents	Sampling method	Sample size	Justification of sample size
mainly on documents / reports that were produced internally as well as GPL staff and MPLs.		<ul style="list-style-type: none"> <li>•A Study to Evaluate Public Participation Mechanisms of the Gauteng Provincial Legislature: Petitions System (Teaching Screens, 2016).</li> <li>•Sector Parliaments in South African Provincial Legislatures: The Case of the Gauteng Provincial Legislature (Lubizo Holdings, 2016).</li> <li>•Sub-Study to Evaluate the Gauteng Provincial Legislature's Public Participation Mechanisms in Respect of Oversight and Law Making (Brügge, 2016).</li> <li>•Evaluation of the Gauteng Provincial Legislature Oversight Mechanisms / Tools (2018) (Brügge, 2018).</li> <li>•Twenty Years of Institution Building and Democratic Consolidation Assessment Report (HSRC, 2015).</li> </ul> <p><b>Subtotal = 6</b></p>	mainly on documents / reports that were produced internally as well as GPL staff and MPLs during the 5 <sup>th</sup> and 6 <sup>th</sup> legislatures.
		<b>Grand Total = 31</b>	

Source: Own compilation

To enhance the credibility of findings, Merriam and Grenier (2019:14) encourage the use of documents alongside other methods of data gathering. This approach is known as triangulation or crystallisation. As such, this study adopted an approach in which documents analysis was supplemented with semi-structured interviews, as outlined in the ensuing section.

### 5.5.2.2 Semi-structured individual interviews

An interview is a structured and focused discussion between two people designed to get the interviewee's knowledge or perception on a matter (Barbour, 2014:18). The researcher employed semi-structured individual interviews. The semi-structured interview guide (see Appendix E) was structured in such a way that each interview took approximately one hour, and the first section was about seeking the interviewee's

consent to participate in the study (Yin, 2016:179). As explained in detail in the ethical consideration section (5.7), before the start of the interview, the researcher explained the purpose of the study, its benefits, and made it clear that participation was on a voluntary basis. Permission to take notes and voice record the interviews was sought and granted from the interviewees. Notes were a backup of the recordings. Transcripts from the recordings were analysed as detailed in section 5.5.2.3.

Although they are time consuming, especially in contacting the participants, individual interviews allowed the researcher to probe answers and acquire deeper insight into the issues (University of the Witwatersrand, 2017:101). The interviews were conducted using the Microsoft Teams platform, which likewise transcribed the recordings. The framework that guided the data gathering process is presented in Table 5.3.

Table 5.3 depicts the linkage between the research objectives, research questions, GPL documents that were reviewed, the corresponding interview question(s) that were posed to the study participants and the literature review section(s) linked to the foregoing aspects for phase two of the study. For example, the objective: 'To discover the nature and scope of operations of the GPL' is linked to the research question: 'What is the nature and scope of operations of the GPL'. Literature related to this objective and question is found in chapters 1, 2 and 4 of the study in the specific sections provided in Table 5.3. Based on the literature and to respond to the foregoing study objective and question, GPL documents such as the Standing Rules were reviewed and interview questions such as: 'To what extent does the GPL involve the people of Gauteng during the planning processes?' were posed to the study participants.

**Table 5.3: Framework for data collection for phase two of the study**

Research Objective	Research Question	GPL Documents Reviewed	Interview Question (GPL internal stakeholders)	Section in Literature Review (Phase One of the Study)
To discover the nature and scope of operations of the GPL	What is the nature and scope of operations of the GPL?	<ul style="list-style-type: none"> <li>• GPL Framework for Integrated Planning, Budgeting, Monitoring, Evaluation and Reporting (PBMER) (GPL, 2017a).</li> <li>• GPL standing rules (GPL, 2018).</li> <li>• GPL Procedure Manuals (GPL, 2018).</li> </ul> <p>Interview questions 1,2,3, and 4 supplemented information that was obtained from these documents.</p>	Q1. Why do the legal frameworks that govern the operations of the GPL change from time to time?	<b>Chapter 4</b> <ul style="list-style-type: none"> <li>•Section 4.2.2 The Compliance Criterion.</li> </ul>
			Q2. To what extent does the GPL involve the people of Gauteng during the planning processes?	<b>Chapter 2</b> <ul style="list-style-type: none"> <li>•Sections 2.2 Study Conceptual Framework.</li> </ul> <b>Chapter 4</b> <ul style="list-style-type: none"> <li>•Section 4.4.2.2 Public participation.</li> </ul>
			Q3: To what extent does the GPL involve the people of Gauteng during the reporting processes?	
			Q4. What is the rationale behind placing the House at the centre of GPL operations and how appropriate is the model considering that public institutions are there to serve citizens?	<b>Chapter 1</b> <ul style="list-style-type: none"> <li>•Section 1.5.9 (Public sector / institution).</li> </ul> <b>Chapter 4</b> <ul style="list-style-type: none"> <li>•Section 4.3.2 (Government Effectiveness).</li> </ul>
To investigate the performance of the GPL over the years and reasons thereof.	How has the GPL been performing over the years and reasons thereof?	<p>All 31 documents in Table 5.2 were reviewed to respond to the research question.</p> <p>Interview question 5 supplemented information that was obtained from the 31 documents about effectiveness.</p>	Q5 How is effectiveness understood in the GPL?	<b>Chapter 1</b> <ul style="list-style-type: none"> <li>•Section 1.1 Introduction.</li> <li>•Section 1.5.2 Effectiveness.</li> </ul> <b>Chapter 2</b> <ul style="list-style-type: none"> <li>•Section 2.4.1 The performance model.</li> <li>•Section 2.4.2 The expectation disconfirmation model.</li> </ul> <b>Chapter 3</b> section 3.2 The Link Between Objectives, Indicators and Targets. <b>Chapter 4</b> <ul style="list-style-type: none"> <li>•Section 4.2.6 The effectiveness criterion.</li> </ul>

Research Objective	Research Question	GPL Documents Reviewed	Interview Question (GPL internal stakeholders)	Section in Literature Review (Phase One of the Study)
				<ul style="list-style-type: none"> <li>•Section 4.3.2 Government effectiveness.</li> </ul>
		All seven (7) Annual reports in Table 5.2 were reviewed and supplemented by interview question 6 pertaining main reasons behind the GPL incurring Unauthorised; Fruitless and Wasteful; and Irregular expenditures over the years	Q6. What have been the main reasons behind the GPL incurring Unauthorised; Fruitless and Wasteful; and Irregular expenditures over the years?	<p><b>Chapter 2</b></p> <ul style="list-style-type: none"> <li>•Section 2.2 Study Conceptual Framework.</li> <li>•Section 2.3 Normative Ethics theories.</li> </ul> <p><b>Chapter 4</b></p> <ul style="list-style-type: none"> <li>•Section 4.2.1 The Financial Criterion.</li> <li>•Section 4.2.2 The Compliance Criterion.</li> <li>•Section 4.4.1 SALS Financial Performance and Compliance with the Law).</li> </ul>
		All five (5) evaluations / studies that were commissioned by the GPL that involved a representative sample of the public of Gauteng assessing the performance of the GPL (see Table 5.2), were reviewed, and supplemented by interview question 7 regarding the determinants of satisfaction with services offered by the GPL.	Q7. In your view, what are the determinants of satisfaction with services offered by the GPL? (Probe determinants such as: age, race, gender, income, quality and quantity of services, homeownership status, community attachment, general and local political efficacies, and jurisdictional structure).	<p><b>Chapter 2</b></p> <ul style="list-style-type: none"> <li>•Section 2.4.1 The Performance Model.</li> <li>•Section 2.4.3 The Individual and Jurisdictional Models.</li> <li>•Section 2.5.1 Race.</li> <li>•Section 2.5.2 Age.</li> <li>•Section 2.5.3 Gender.</li> <li>•Section 2.5.4 Income.</li> <li>•Section 2.5.5 Quality and Quantity of Services.</li> <li>•Section 2.5.6 Homeownership Status.</li> <li>•Section 2.5.7 Community Attachment.</li> <li>•Section 2.5.8 Fragmented Versus Consolidated Government System.</li> <li>•Section 2.5.9 General and Local Political Efficacies.</li> </ul>
		All 11 studies that were commissioned by the GPL and the seven (7) Annual	All information regarding the performance of the GPL in terms of outputs, outcomes and impact was	<p><b>Chapter 1</b></p> <ul style="list-style-type: none"> <li>•Section 1.6 Preliminary Literature Review.</li> </ul> <p><b>Chapter 2</b></p>

Research Objective	Research Question	GPL Documents Reviewed	Interview Question (GPL internal stakeholders)	Section in Literature Review (Phase One of the Study)
		reports (see Table 5.2), were reviewed to gather information regarding the performance of the GPL in terms of outputs, outcomes, and impact	obtained from the documents that formed part of the study. Thus, there was no need to engage the study participant on the matter.	<ul style="list-style-type: none"> <li>•Section 2.2 Study Conceptual Framework.</li> <li>•Section 2.3 Normative Ethics Theories.</li> <li>•Section 2.3.1 Kantian Ethics.</li> <li>•Section 2.3.2 Utilitarianism.</li> <li>•Section 2.3.3 Virtue ethics.</li> <li>•Section 2.4.1 The Performance Model.</li> <li>•Section 2.4.2 Expectation Disconfirmation Model.</li> <li><b>Chapter 4</b></li> <li>•Section 4.2.5 The Sustainability Criterion.</li> <li>•Section 4.3.5.1 Corruption and its effects.</li> <li>•Section 4.3.6.1 Performance of the public sector in democracy.</li> <li>•Section 4.3.7.1 Public Sector Performance in Regulatory Quality.</li> <li>•Section 4.4.2.1 Oversight and Scrutiny.</li> <li>•Section 4.4.2.2 Public participation.</li> <li>•Section 4.4.2.2(a) Scope and value of public participation mechanisms and programmes.</li> <li>•Section 4.4.2.2(b) Capacity-value of the mechanisms or programme to its participants.</li> <li>•Section 4.4.2.2(c) The degree to which public involvement influences the policy making process.</li> <li>•Section 4.4.2.3 Law-making.</li> <li>•Section 4.4.2.3(a) Measuring legislative effectiveness quantitatively.</li> <li>•Section 4.4.2.3(b) Measuring legislative effectiveness qualitatively.</li> </ul>
To investigate the	How appropriate are	All 31 documents in Table 5.2. were reviewed to	Q8: What is the intended impact(s) of the GPL? and please explain	<b>Chapter 1</b> <ul style="list-style-type: none"> <li>•Section 1.5.4 Legislature.</li> </ul>



Research Objective	Research Question	GPL Documents Reviewed	Interview Question (GPL internal stakeholders)	Section in Literature Review (Phase One of the Study)
appropriateness of GPL performance indicators to measure the achievement of the constitutional mandate	GPL performance indicators to measure the achievement of the constitutional mandate?	<p>respond to the research question.</p> <p>Interview question 8 supplemented information that was obtained from the 31 documents about the intended impact(s) of the GPL.</p>	<p>how improved confidence in the GPL results in improved quality of life for the citizens as per the ToC presented in the 2020-25 strategic plan.</p>	<ul style="list-style-type: none"> <li>•Section 1.5.9 Public sector / institution.</li> </ul> <p><b>Chapter 2</b></p> <ul style="list-style-type: none"> <li>•Section 2.4.1 The Performance Model.</li> <li>•Section 2.4.3 The Individual and Jurisdictional Models.</li> <li>•Section 2.6 Theory of Change.</li> </ul> <p><b>Chapter 3</b></p> <ul style="list-style-type: none"> <li>•Section 3.2 The Link between Objectives, Indicators and Targets.</li> <li>•Section 3.4.4 Timing in the intervention logic.</li> <li>•Section 3.5.5 Parliamentary impact indicators.</li> </ul> <p><b>Chapter 4</b></p> <ul style="list-style-type: none"> <li>•Section 4.2.2 The Compliance Criterion.</li> <li>•Section 4.3 Economic, Political and Welfare Indicators of Public Institutions Performance.</li> <li>•Section 4.3.1 Provision of Goods and Services.</li> <li>•Section 4.3.6.1 Performance of the public sector in democracy.</li> <li>•Section 4.4.2.2 Public Participation.</li> <li>•Section 4.4.2.3 Law-making.</li> </ul>
		<p>All 10 planning documents in Table 5.2, that is eight (8) APPs and two (2) strategic plans were reviewed concerning the appropriateness of the GPL performance indicators for measuring the achievement of the constitutional Mandate and supplemented by question 9.</p>	<p>Q9: How appropriate are the GPL performance indicators for measuring the achievement of the constitutional Mandate?</p>	<p><b>Chapter 1</b></p> <ul style="list-style-type: none"> <li>•Section 1.1 Introduction.</li> <li>•Section 1.2 Background information and rationale for the study.</li> </ul> <p><b>Chapter 2</b></p> <ul style="list-style-type: none"> <li>•Section 2.6 Theory of Change.</li> </ul> <p><b>Chapter 3</b></p> <ul style="list-style-type: none"> <li>•Section 3.2 The Link between Objectives, Indicators and Targets.</li> <li>•Section 3.3 Functions and characteristics of indicators</li> </ul>

Research Objective	Research Question	GPL Documents Reviewed	Interview Question (GPL internal stakeholders)	Section in Literature Review (Phase One of the Study)
				<ul style="list-style-type: none"> <li>•Section 3.4.2 Data Gathering Approach.</li> <li>•Section 3.4.4 Timing in the intervention logic.</li> <li>•Section 3.5 Performance indicators for the legislative sector.</li> </ul> <p><b>Chapter 4</b></p> <ul style="list-style-type: none"> <li>•Section 4.2.1 The Financial Criterion.</li> <li>•Section 4.4.1 SALS Financial Performance and Compliance with the Law.</li> <li>•Section 4.4.2.2 Public participation.</li> <li>•Section 4.4.2.3 Law-making.</li> </ul>

Source: Own compilation

### **5.5.2.2.1 Sampling for individual interviews**

Qualitative research requires focusing through sampling because it is often about nuance, depth, complexity, and understanding how things work (Mason, 2002:121). “Sampling refers to the process used to select a portion of the population for study” (Nieuwenhuis, 2010a:79). According to Mason (2002:127), deciding on what to sample, for example people and or organisations, is crucial. For this component, this study used people as one of its sampling categories. This is based on the notion that people are meaningful sources of data for the logical puzzle in question (Mason, 2002:127). Participants were purposefully selected for the purposes of gathering data to supplement and triangulate data obtained from documents.

This study was interested in people who are familiar with planning and performance reporting within the GPL. This means the study adopted a purposive sampling approach in the sense that participants were chosen based on some essential attributes that made them bearers of information required for the research (Yin, 2016:95; Nieuwenhuis, 2010a:79; Schurink, 2009:816). Bamberger *et al.* (2006:327) call this a reputational sample. From the interviews, first-hand, second-hand, and third-hand evidence was obtained.

Whereas the logic of probability sampling hinges on selecting a statistically representative or random sample for the purposes of generalising the findings to a larger population, the logic and power of purposive sampling involves many insights that are yielded about a topic through a few cases that would have been interviewed (Yin, 2016:95; McMillan & Schumacher, 2001:401). This study did not seek to statistically generalise its findings, which made probability sampling inappropriate. Probability sampling is also not appropriate when very few subunits of a population are relevant to the research problem (McMillan & Schumacher, 2001:401), as was the case with this study because only a few individuals within the GPL are at the coalface of planning and performance reporting.

In 2022, the GPL had 487 posts on approved establishment (GPL, 2022a:78). As of 30 June 2022, the GPL had 17 senior managers (GPL, 2022b:2). This is the occupational category that is at the coalface of planning and performance reporting from which the sample was drawn as follows:

- Five office managers or equivalent from the five administrative programmes of the GPL. One of the key functions of an office manager or equivalent is planning and reporting for the programme.
- The head of administration Strategic Planning, Monitoring and Evaluation in the GPL.
- The head of House Committees Strategic Planning, Monitoring and Evaluation in the GPL.

Table 5.4 depicts the inclusion and exclusion criteria used to choose the interviewees.

**Table 5.4: The interviewees' inclusion and exclusion criteria**

Inclusion Criteria	Exclusion Criteria
GPL employees that have planning and performance reporting as one of their <u>main</u> Key Performance Areas.	GPL employees that do not have planning and performance reporting as one of their <u>main</u> Key Performance Areas.
Prospective interviewees must have gone through at least one GPL planning and performance reporting cycle.	Having not completed at least one GPL planning and performance reporting cycle.
Prospective interviewees must not be younger than 18 years and not older than 65 years.	Employees that are younger than 18 years and above 65 years.

Source: Own compilation

Making use of the inclusion exclusion criteria outlined in Table 5.4, the seven individuals described in the foregoing paragraph were identified. These seven individuals were considered a good sample because they were able to provide detailed information about GPL planning and performance with easy to supplement information that was obtained from documents (Robinson, 2014:31). Moreover, according to Yin (2016:95), for qualitative studies, the main intention is to maximise information by choosing a sample that provides access to enough and relevant data. Hence, a researcher should not concern themselves with having a big statistically representative sample. It is imperative that the sample size be determined on the foundation of information that is required to enable the answering of the research question with sufficient confidence (Krippendorff, 2004; Patton, 2002 in Bengtsson, 2016:10). Consequently, qualitative studies can have very small samples, from as little as one informant (Singleton and Straits, 2004 in Auriacombe & Mouton, 2007:448; McMillan & Schumacher, 2001:404).

A sample size may or may not be fixed preceding data gathering, and typically depends on resources such as time and money at the disposal of the researcher (Robinson, 2014:31; Nieuwenhuis, 2010a:79). However, Nieuwenhuis cautions that having a fixed sample size might be flawed because it could result in unsaturated data. The point at which the same issues are repeatedly heard, is the point of data saturation (Merriam & Grenier, 2019:6). Considering the vast experience and areas of specialisation of the seven interviewees, the researcher's expectation that the identified interviewees would provide the required information was met. Since data saturation was attained with the seven individuals, the researcher saw no need to expand the initial sample size. For a summary of the study's target groups, population, and sample sizes, please refer to Table 5.5.

**Table 5.5: Target groups, population, and sample sizes**

<b>Target group</b>	<b>Nature of group involved</b>	<b>Site population</b> <i>(Individuals known to have similar characteristics)</i>	<b>Sample size</b>	<b>Sampling technique</b>
GPL employees	GPL employees involved in planning and performance reporting.	17 senior managers	Although all senior managers have planning and performance reporting as one of their KPAs, the sample is comprised of only those senior managers who have planning and performance reporting as one of their <b>main</b> KPAs: <ul style="list-style-type: none"> <li>•Office managers or equivalent from the five administrative programmes of the GPL (5).</li> <li>•The head of administration Strategic Planning, Monitoring and Evaluation in the GPL (1).</li> <li>• The head of House Committees Strategic Planning, Monitoring and Evaluation in the GPL (1).</li> </ul>	Non-probability sampling: Purposive sampling approach that targets participants based on some essential attributes that makes them bearers of information required for the research (Yin, 2016:95; Nieuwenhuis, 2010a:79; Schurink, 2009:816).
<b>Total</b>		<b>17</b>	<b>7</b>	

Source: Own compilation

Data that was gathered through the analysis of documents (section 5.5.2.1) and semi-structured interviews (section 5.5.2.2) was analysed and interpreted as outlined in the following section.

### **5.5.2.3 Data analysis and assessment / interpretation**

The process of qualitative data analysis is usually ongoing and iterative, in the sense that the collection of data, its processing, analysis, and reporting are entwined (Yin, 2016:179; Nieuwenhuis, 2010b:100). In most qualitative studies, researchers typically find it necessary to revisit the documents, transcripts, and recordings, as well as interviewees, to gather additional data as well as to verify it. Nieuwenhuis (2010b:100) postulates that data analysis must align with the research design and approach adopted for the study. He went further to classify qualitative data analysis strategies into hermeneutics, content analysis, conversation analysis, discourse analysis, and narrative analysis. Conversation analysis (the study of talk in interaction), discourse analysis (exploration of how the central powers in society develop versions of reality in favour of their interests), and narrative analysis (procedures for understanding the accounts produced by research) (Merriam & Grenier, 2019:15; Nieuwenhuis, 2010b:101) were less suitable for the research design that was adopted by this study. Therefore, the study adopted a content analysis approach to data analysis because it is better suited to the research design and approach. Content analysis is also suited to the data collection methods employed by this study, which are documents and interviews which produced textually rich transcripts (Nieuwenhuis, 2010b:101). Content analysis can be used for any number of transcripts or documents and any type of written texts, regardless of their source (Bengtsson, 2016:10).

According to Nieuwenhuis (2010b:101), content analysis is “a systematic approach to qualitative data analysis that identifies and summarises message content. ... It is a process of looking at data from different angles with a view to identifying keys in the text that will help us to understand and interpret the raw data”. Content analysis involves examining textual qualitative data that can be organised thematically or in bands of related topics (Babbie, 2007:275). According to Franklin (2012:34), content analysis entails making extrapolations by precisely and systematically identifying the fixed features of messages. Creswell (2009:45), and Elo and Kynga (2008:107) extend Babbie’s definitions by indicating that content analysis is about methodologically analysing data from several sources, including interviews, videos, textual material, and pictures. In most cases, the outcome of a content analysis is categories or concepts that describe a phenomenon. These categories or concepts are also used to build up

a conceptual system or model (Elo & Kynga, 2008:107; Berg, 2001; Catanzaro, 1988; Polit & Beck, 2006 in Bengtsson, 2016:10).

Content analysis can be utilised with either quantitative (deductive) or qualitative (inductive) data, depending on the study purpose (Elo & Kynga, 2008:109). Where there is a lack of enough or disjointed knowledge about a phenomenon, the inductive approach, which is moving from the specific to the general, is recommended (Nieuwenhuis, 2010b:107; Elo & Kynga, 2008:109). In this case, qualitative researchers develop inductive codes, which are codes that emerge from the data (Yin, 2016:102; Nieuwenhuis, 2010b:107; Cloete, 2007:515). A deductive approach is usually recommended when analysis is based on former knowledge, and the aim is to test an existing theory or expand on it (Nieuwenhuis, 2010b:107; Elo & Kynga, 2008:109). This is moving from the general to a specific (Elo & Kynga, 2008:109). For the deductive approach, a set of existing codes, called a priori codes, which are developed before the data is examined, and typically at the literature review stage, are utilised (Nieuwenhuis, 2010b:107). Considering that not much is known about the ways in which the GPL performance measurement framework is inapt, the study adopted an inductive approach to content analysis.

Both the deductive and inductive approaches have three main stages, namely preparation, organising, and reporting (Elo & Kynga, 2008:109). The preparation phases for both approaches are the same (Elo & Kynga, 2008:109). However, the organising and reporting stages for the two approaches are different. Considering that this study adopted the inductive approach, it is beyond the scope of the study to describe the deductive approach, which involves developing a categorisation matrix to organise the data (Elo & Kynga, 2008:111). Rather, emphasis is placed on the inductive approach that was adopted by the study.

Other than categorising the analysis stage into three phases (preparation, organising, and reporting) as suggested by Elo and Kynga (2008:109), Yin (2016:177) proposes five stages, namely compiling, disassembling, reassembling (and arraying), interpreting, and concluding. Nonetheless, a closer look at the five phases by Yin (2016) and the three stages by Elo and Kynga (2008) shows some similarities and overlapping as demonstrated in the upcoming sections.

#### **5.5.2.3.1 Stage One: compilation stage / preparation phase**

What Yin (2016:178) calls the compilation stage is what Elo and Kynga (2008:109) refer to as the preparation phase. According to Yin (2016:178), compilation means putting the gathered data in order, which could result in a database as the finished product. Yin (2016:183) mentions that the compilation phase has three functions. The first function is to familiarise the researcher with the data. This is achieved through listening to the recordings and reading the document / transcript several times asking oneself questions such as: who is saying this? Where did this happen and when? What is happening and why? What are the distinguishing features of the research? How is the data related to the study question(s)? And what new insights are emerging? (Yin, 2016:183; Elo & Kynga, 2008:109). The second function of this phase is putting the collected data into a consistent format (for example making use of certain words consistently) as well as selecting the unit of analysis, which can be an entire document or interview (Yin, 2016:183; Elo & Kynga, 2008:109). The third function is using either computer software or an alternative method (for example, creating folders on a computer) to compile the study records / units of analysis (Yin, 2016:185).

During this data analysis stage, having more than one analytical viewpoint is one way of enhancing the trustworthiness and credibility of the findings (Lemon & Hayes, 2020:606). Full measures to ensure trustworthiness and authenticity of findings are discussed in section 5.6. This study enhanced the trustworthiness of the findings by engaging an additional researcher / co-analyst during the data analysis and assessment phase.

For this study, as part of the preparatory stage, the two researchers read through the documents and transcripts several times to make sense of the data, as suggested by Elo and Kynga (2008:109). The units of analysis were the entire interview transcripts (seven) and the full documents / reports / evaluations mentioned in section 5.5.2.1. The researchers created six folders on their computers, labelled transcripts, regulatory frameworks, strategic plans, APPs, annual reports, and research reports / evaluations in which respective documents were saved. The created database had 38 records in total (seven annual reports plus eight APPs plus eleven research reports plus three regulatory documents plus two strategic plans plus seven interview transcripts). These were all the documents that were ready at the time of data capturing.



### **5.5.2.3.2 Stage two: disassembling / organising-open coding**

To be able to content analyse the data, there is a need to organise / index / code / assign / categorise it (data) (Dwyer, 2020:60) soon after the preparation stage. The initial coding steps are what Yin (2016:178) regards as the second stage of data analysis, referred to as disassembling. Elo and Kynga (2008:109) call this the organising-open coding phase. Coding is a process of carefully going through a transcript, word for word, and segmenting it into meaningful analytical units for the purposes of enabling the researcher to quickly recover and gather all data assigned a similar code (Nieuwenhuis, 2010b:105; Welman *et al.*, 2005 in Cloete, 2007:516). The idea behind coding is to move systematically to a somewhat higher conceptual level. This involves reading texts and giving them subheadings and headings known as level one and two codes (Yin, 2016:188; Elo & Kynga, 2008:108). According to Dwyer (2020:64), coding can be done efficiently manually, but the use of computer software applications, such as ATLAS.ti and NVivo to assist with coding and analysis is even more efficient. According to Yin (2016:190), computer software can prove effective during the disassembling phase, especially if the database is huge and warrants formal coding. Once codes are assigned to the text, the software can check and recheck the coded materials and can also assist in assigning the codes to the next level of category codes. Nonetheless, the use of software has its own downside, which includes time needed to learn how to use the software, resulting in less time to think about the data and its substantive patterns and themes (Yin, 2016:190). Thus, a researcher must weigh the advantages and disadvantages of using or not using a particular software and adopt the best approach.

Yin (2016:188) mentions that disassembling can also take place without coding by extracting notes from the data. The main advantage of not coding is that the researcher will not have to worry about the mechanics of the coding software but can devote attention entirely to thinking about the data. However, there is a possibility that the researcher's notes may not provide adequate clues about what to do with the data. This may require the researcher to restart the process of extracting notes all over again, which is time consuming (Yin, 2016:189).

For this study, the database was vast and warranted formal coding during the disassembling phase, as recommended by Yin (2016:190). As such, the main

researcher uploaded the 38 records (seven interview transcripts and 31 documents) to ATLAS.ti and read each document line-by-line, assigning headings or codes to highlighted texts. The researcher had prior knowledge of the software, hence did not have to worry about the mechanics of the software. The co-analyst did not have access to the software, so they coded manually. The researcher and co-analyst compared and discussed their level one codes after the open coding process, which yielded level two codes (Elo & Kynga, 2008:113). The researcher saw it fit to code the data based on the following reasons, supported by Yin (2016:201) and Mason (2002:152-3):

- Almost all the data were text-based.
- To acquire a systematic overview of the data in order to have a clear idea of their coverage and scope.
- To enable the easy and quick retrieval of topics, issues, examples, information and themes which do not appear in a sequential manner in the data.
- To assist in establishing whether and how well the data addressed the research questions and theoretical issues.
- For the purposes of deciding what was / not relevant in developing explanations and arguments.
- For making knowledgeable decisions about whether and where to redirect the analytical activities.
- To protect the identity of the interviewees (Yin, 2016:201; Mason, 2002:152-3).

#### **5.5.2.3.3 Stage three: reassembling**

Following the open coding process, the next step involves grouping the headings / categories into higher order headings, called reassembling by Yin (2016:189). Elo and Kynga (2008:111) call this organising through creating categories. Through interpretation, the researchers use their discretion to create categories to provide a way of describing a phenomenon, thereby improving understanding, and availing new knowledge (Elo & Kynga, 2008:111). It is at this stage, that through looking at patterns, level one and two codes are brought to an even higher conceptual level of developing level three codes, which are usually themes and or theoretical concepts (Yin,

2016:191). During the reassembling phase, Yin encourages researchers to query themselves and the data by constantly assessing if the emerging patterns make sense and relate to the concepts of the study, as well as if the patterns become more complicated when the researcher reviews additional data from the database (Yin, 2016:191).

For this study, it is at this stage that level two codes were clustered into families to form level three codes or themes. This was achieved through intensive engagements between the two researchers.

#### **5.5.2.3.4 Step four: interpreting the reassembled data**

Interpreting the reassembled materials, which involves assigning the researcher's own meaning to the reassembled data, constitutes the fourth analysis step (Yin, 2016:191), undertaken in Chapter 6 of this study. Elo and Kynga (2008:111) call this abstraction. Abstraction means using more generic content characteristic words to further describe the phenomenon (Elo & Kynga, 2008:111). Toronto (2020:8) mentions that it is at this stage that the researcher documents the meaning of their review findings by comparing the review findings with background literature and other sources.

The interpreted information is usually presented in many forms including text, tables, and graphics (Yin, 2016:191). According to Yin (2016:207), there is no firm definition of a comprehensive interpretation, but researchers must strive to ensure the completeness, fairness, empirical accuracy, value add, and credibility of their interpretations.

Yin (2016:210) put forward three methods of interpreting a qualitative study, which are description, description and a call for action, and explanation. The descriptive mode entails providing in-depth and revealing thick descriptions of a phenomenon that had not previously been methodologically studied by prior researchers (Yin 2016:210). According to Yin (2016:214), these descriptions could be regarded as a continuation of the reassembling phase, whereby a researcher goes further to build descriptive interpretations. This was the main mode of interpretation adopted by the study. The description and a call for action mode is when a description is provided, followed by a promotion of some subsequent action, such as calling for changes in policy agendas (Yin, 2016:214). Nonetheless, the issue of bias needs to be strongly managed when

using the description and a call for action method because the researcher's biases usually come in during the second step of calling for action (Yin, 2016:214). An explanation mode always occurs as part of a descriptive interpretation, but the difference is that with the explanation mode, the entire interpretation is devoted to explaining how or why things happened the way they did (Yin, 2016:215).

### **5.5.3. Phase Three: Conclusions and Recommendations**

According to Yin (2016:220), concluding is the fifth and final analytic phase, which Elo and Kynga (2008:111) refer to as the reporting phase. The fact that conclusions should be connected both to the interpretive phase, and the study's empirical findings, qualifies them to be part of the study's analysis (Yin, 2016:220). According to Yin (2016:235), conclusions serve to answer the 'so what' questions that arise after processing the study findings and interpretations. The spirit of the significance of the study / lessons learnt / implications of the research / practical implications should be captured at this stage (Toronto, 2020:8; Yin, 2016:220). Yin provides five examples of conclusions and suggests that researchers can use them individually, combine them, or devise entirely different ones. The five types of conclusions are: calling for further research; challenging traditional stereotypes; proposing new theories, concepts, and discoveries; making practical propositions; and generalising to a broader range of settings (Yin, 2016:221). For this study, step five and the final analytic phase responded to the following two research questions:

- In what ways is the GPL performance measurement framework inapt to determine the effectiveness of the GPL? (The main research question) (Phase three - Chapter 7)
- What enhancements can be made to the GPL performance measurement framework? (Phase three - Chapter 7).

Chapter 7 presents conclusions about the appropriateness of the GPL performance measurement framework to determine the effectiveness of the GPL, and the applicability of the theories to the study. Additionally, Chapter 7 introduces practical propositions such as the enhanced GPL ToC and performance indicators. It also calls for further investigations into, for example, determinants of satisfaction with the GPL. Thus, this study combines several approaches to develop phase three of the study.

It is at this phase that the study was concluded or ended. Nonetheless, at this juncture, it is imperative to mention that in conducting the three phases of the study, measures to ensure trustworthiness of the study were upheld. So, the following section outlines these trustworthiness measures.

## **5.6 Ensuring trustworthiness of the study findings**

Both quantitative and qualitative studies are prone to bias (Remington, 2020:46; Creswell & Creswell, 2018:304). Bias affects the validity and reliability of quantitative research findings, and it represents an equivalent of trustworthiness in qualitative research, comprising four elements: credibility, dependability, transferability, and confirmability (Remington, 2020:46; Korstjens & Moser, 2018:121).

Considering that this is a qualitative study, in the following sections, the four elements of trustworthiness are unpacked, including strategies that were adopted by the researcher to operationalise each of the four criteria of trustworthiness.

### **5.6.1 Credibility**

According to Remington (2020:47), credibility refers to the believability and appropriateness of a research account. Credibility in qualitative research is the equivalent of internal validity, which is a concept used in quantitative research pertaining to the truthfulness of a study and its findings (Lemon & Hayes, 2020:605; Korstjens & Moser, 2018:121). Morse and Richards (2002, in Bengtsson, 2016:11) and Bamberger *et al.* (2006:292) agree with the foregoing statements by mentioning that in qualitative studies, validity means that the results honestly mirror the phenomenon studied. Put differently, internal validity or credibility in qualitative studies pertains to the congruence, or agreement, of a study's findings with reality (Merriam & Grenier, 2019:25). In quantitative research, this is about asking whether what is being measured or observed is actually what the researcher thinks is being measured or observed. Thus, the main question about internal validity or credibility is about what constitutes reality. As discussed in section 5.2, whereas quantitative studies are about a single reality, qualitative studies subscribe to the notion of multiple realities (Merriam & Grenier, 2019:25)

Thus, in qualitative research, credibility entails understanding and presenting the various viewpoints and versions of participants, rather than merely quantifying the number of times something is happening or has happened, as is the case with quantitative studies (Merriam & Grenier, 2019:25). This implies that validity is concerned with the extent to which the researcher and participants share an interpretation or understanding of concepts, resulting in the presentation of multiple realities, given that people are different (Merriam, 1998, in Maree & Westhuizen, 2010:38). In other words, different participants should be able to see and relate to their different realities in the study's findings.

Some of the strategies that can be employed to ensure credibility of research findings include triangulation (Lemon & Hayes, 2020:606; Remington, 2020:47; Merriam & Grenier, 2019:26; Bamberger *et al.*, 2006:290), peer debriefing, utilisation of verbatim quotes (Remington, 2020:47), members checks, peer reviews, reflexivity (also known as the researcher's position), achieving saturation (as explained in section 5.5.2.2), and conducting negative case analyses. These strategies uphold the credibility of study findings (Merriam & Grenier, 2019:26-27; Bamberger *et al.*, 2006:290). According to Korstjens and Moser (2018:121), not all strategies may be suitable for a particular study. Consequently, the following sections discuss only strategies employed for the current study to ensure credibility of findings.

### **5.6.1.1 Triangulation**

Triangulation that reinforces the credibility and dependability of a study (Lemon & Hayes, 2020:605) can be achieved in four ways; namely, method, investigator, theory, and data sources (Lemon & Hayes, 2020:606; Merriam & Grenier, 2019:26; Bamberger *et al.*, 2006:290). Method triangulation is about using more than one method to collect data, such as interviews, observation, and focus group discussions (Lemon & Hayes, 2020:606; Korstjens & Moser, 2018:122). Investigator triangulation makes use of more than one person to collect and analyse data, enhancing the depth of the study findings. Theory triangulation is about the use of various theories to analyse the data, while data sources triangulation entails the inclusion of participants with different backgrounds or diverse documents in a study. Triangulation requires the researcher to combine differences and similarities to arrive at a conclusion that supports the findings (Lemon & Hayes, 2020:606).

For the purposes of triangulating data, this study utilised various documents produced by different people, and people with diverse backgrounds to gather data (method and data sources triangulation). Furthermore, an additional researcher was engaged to analyse data in order to achieve more than one analytical viewpoint (Lemon & Hayes, 2020:606). Finally, more than one theory, as discussed in Chapter 2, was used to analyse the data.

### **5.6.1.2 Reflexivity**

Reflexivity refers to the mindfulness of a researcher regarding how their previous experience with the phenomenon, values, and background can influence the research process, including the interpretation of findings (Creswell & Creswell, 2018:304). Merriam and Grenier (2019:27) support the notion and further emphasise that reflexivity should involve a discussion about the association between what or who is being studied, and the researcher, as well as a clarification of the researcher's assumptions, worldview, theoretical orientation to the study, experiences, and the rationale for selecting participants, and how these factors might affect the research process. Disclosing this information is vital as it assists the reader to understand how and why the researcher interpreted data the way they did (Merriam and Grenier, 2019:27).

The researcher's assumptions, worldview, and theoretical orientation were explained in Section 5.2. The basis for selecting the documents that were studied and the interviewees was provided in Sections 5.5.2.1 and 5.5.2.2, respectively. Although the basis for selecting interviewees was provided in Section 5.5.2.2, the issue of the imbalance of power between the participants and the researcher, wherein the latter holds a senior position relative to the former (Creswell & Creswell, 2018:305) was not addressed. According to Creswell and Creswell (2018), a situation where the researcher holds a superior position to the participants is likely to result in inaccurate information because of the power imbalances. However, in the current study, this was not the case, because all seven participants occupied senior positions compared to that of the researcher.

The researcher's previous experiences with the phenomenon were partially explained in Section 1.3 of Chapter 1. Accordingly, the following paragraphs are dedicated to elaborating on the researcher's complete previous experience with the phenomenon.

In 2009, the researcher of the current study joined the GPL research unit as one of researchers of the Committees of the House. In 2013, the researcher was appointed as the research operations manager as well as a member of the GPL Planning, Monitoring, and Evaluation Committee. In these two functions, the researcher was exposed to the planning processes and performance information of the GPL and the South African Legislative Sector (SALS). As a member of the GPL Planning, Monitoring, and Evaluation Committee, the researcher attended several local and international conferences and seminars on planning, monitoring, and evaluation as well as those related to the legislative sector. Organisers of these conferences and seminars include the South Africa Monitoring and Evaluation Association (SAMEA), the African Evaluation Association (AfrEA), the Commonwealth Parliamentary Association (CPA), and the Secretaries' Association of the Legislatures of South Africa (SALSA).

The researcher was appointed to head the GPL research unit in 2014. Considering that the SPME unit was not yet established, while the institutional planning and monitoring was spearheaded by the GPL Planning, Monitoring and Evaluation Committee, the responsibility of evaluations for the institution was bestowed upon the research unit. During the fifth legislative term (2015-2019), the SPME unit was birthed and took over the planning and monitoring function from the GPL Planning, Monitoring and Evaluation Committee. However, due to capacity challenges within the SPME unit, the unit could not fully take over the evaluation function from the research unit. At the time of writing this thesis, evaluations were still co-managed by the research unit where the researcher and author of the thesis is based.

Nonetheless, it is imperative to make it clear that the evaluations that formed part of this study were commissioned and conducted by external independent service providers. The role of the research unit, through the research manager, was to co-manage the evaluations on behalf of the GPL.

### **5.6.1.3 Negative case analysis**

Discrepant, also known as negative case analysis, involves embracing data that challenge or disconfirm the researcher's expectations or emerging findings (Merriam & Grenier, 2019:27). For this study, the researcher, through the reflexivity process,



was conscious of the need to have an open mind to receiving and reporting data, including that which the researcher did not expect, as demonstrated in Chapter 6.

#### **5.6.1.4 Verbatim quotes**

Remington (2020:47) agrees with Elo and Kynga (2008:112) that quotes could be utilised to enhance the trustworthiness of a study and give readers a sense of the original data without revealing the identities of the informants. However, Elo and Kynga (2008:112) caution against including more verbatim quotations than authorial text. If this happens, in their view, the analysis process would be incomplete (Elo & Kynga, 2008:112). For this study, verbatim quotes were mainly utilised at the data presentation and analysis phase in Chapter 6. A balance between authorial text and verbatim quotes was achieved, as demonstrated in Chapter 6.

#### **5.6.2 Dependability**

According to Lemon and Hayes (2020:605), dependability represents the qualitative version of reliability, a concept commonly used in quantitative studies. In quantitative studies, reliability refers to the degree to which research findings can be reproduced (Merriam & Grenier, 2019:27). However, Merriam and Grenier (2019:27) explain that reliability is a challenge in qualitative studies that involve human beings due to their behaviour that is forever changing. Thus, replicating a qualitative study will not produce identical results. So, rather than concerning oneself with other researchers achieving similar results to those of the original researcher, dependability centres on others agreeing that, based on the collected data, the presented results make sense, are consistent, and can be depended upon (Merriam & Grenier, 2019:28). Lemon and Hayes (2020:605) agree with the foregoing explanation of dependability by highlighting its emphasis on confirming that the study findings are unique to a particular place and time, and that the consistency of explanations are visible across the data.

Put differently, dependability involves the concept of consistency by checking whether the data analysis process is aligned with the accepted standards for a specific research design (Korstjens & Moser, 2018:122). For example, statistical data analysis for a qualitative research design will render research findings undependable.

Reliability also relates to the equipment of data gathering (Merriam & Grenier, 2019:28). In qualitative research where the researcher is the main instrument of data gathering and analysis; training and practice can make the researcher more dependable (Merriam & Grenier, 2019:28). For the current study, the researcher has been actively involved in the field of research since 2006, attending various training sessions. Thus, the researcher's knowledge and experience can be depended upon.

There are many strategies that can be used in qualitative research to ensure dependability and consistency. Some of these strategies include triangulation of methods, audit trail, peer examination, and reflexivity (Remington, 2020:47; Merriam & Grenier, 2019:28). For this study, methods triangulation and reflexivity discussed in sections 5.6.1.1 and 5.6.1.2 respectively were employed to also ensure the dependability of the study. Audit trails discussed in the ensuing section were also used.

#### **5.6.2.1 Audit trails**

In a qualitative study, an audit trail is a detailed description of how data was gathered and analysed and how decisions were made throughout the study (Merriam & Grenier, 2019:28). A detailed account of how data for the study was gathered and analysed is found in section 5.5.2 and its subsections. Throughout the thesis, the researcher documented decisions that were made, including how and why they were made. For example, the decision to choose seven participants for the study, as well as how and why they were chosen, was presented in section 5.5.2.2. Thus, readers of this thesis can make use of the audit trail documented throughout the report to authenticate the findings of this study (Merriam & Grenier, 2019:28).

#### **5.6.3 Transferability**

Transferability used in qualitative research is the equivalent of the concept of generalisability and external validity used in quantitative research (Lemon & Hayes, 2020:605; Merriam & Grenier, 2019:28). Transferability is about the degree to which study findings could be applied to other settings and contexts (Lemon & Hayes, 2020:605; Korstjens & Moser, 2018:122). According to Korstjens and Moser (2018:122) and Elo and Kynga (2008:112), regarding transferability, the role of the researcher is to provide thick descriptions of the research process, including the study

context, data gathering and analysis, and sampling of participants, to enable the reader to make judgements about the transferability of the research findings to their setting. The researcher cannot make transferability judgements because they do not know specific settings and the environment of the reader (Korstjens and Moser, 2018:122).

For this study, to facilitate the process of transferability, Chapters 5 and 6 provide thick descriptions of the research process and context respectively, as recommended by Remington (2020:47). For example, data gathering, and analysis processes were detailed in section 5.5.2 and its subsections. In Chapter 6, thick descriptions of the case study, which focuses on the GPL, were provided along with the study's findings, including verbatim quotations.

#### **5.6.4 Confirmability**

Confirmability pertains to the aspect of neutrality as it emphasises the necessity of data interpretations that are embedded in the analysis process grounded in the data, rather than the researcher's viewpoints or preferences (Lemon & Hayes, 2020:605; Korstjens & Moser, 2018:122). According to Korstjens & Moser (2018:122), as with dependability, one of the strategies crucial for ensuring confirmability, is the implementation of audit trails, as discussed in section 5.6.2.1. Other strategies include reflexivity (see section 5.6.1.2) and triangulation (see section 5.6.1.1) (Remington 2020:47). For this study, all three strategies — namely, audit trails, reflexivity, and triangulation — were employed to ensure the confirmability of the study findings.

In section 5.6, various biases that could potentially affect the trustworthiness of qualitative research findings and possible ways to mitigate them were discussed. Further exploration of the elements of trustworthiness is discussed in the forthcoming section on ethical considerations, because these two aspects are intertwined. For example, according to Creswell and Creswell (2018:304), a discussion about accessing a study site is regarded both a trustworthiness issue, as discussed under the researcher's role / reflexivity (see section 5.6.1.2) and also an ethical issue as discussed in the forthcoming section.

Both trustworthiness of a study, and ethical issues can significantly influence the usefulness of research findings, whether qualitative or quantitative (Creswell &

Creswell, 2018:304). Consequently, the following section debates vital ethical issues that must be considered when conducting research, and how these were applied to this study.

## **5.7 Ethical considerations**

According to Visagie (2021:3), ethics in research matters because it serves to protect human participants, third parties, institutions, and environments. Ethics and morality are different in the sense that the former is derived from principles, while the latter is derived from personal values and beliefs, but both are important when conducting research. Researchers and research institutes that do not conduct their research according to proper ethical, professional, and legal frameworks, as well as standards and obligations, are most likely to suffer legal consequences such as suspension or being sued (Visagie, 2021:3). In line with the foregoing statement, all efforts were made to conduct this research in an ethical manner, as guided by Visagie's (2021:19) research ethics decision-making framework. Visagie's framework includes four dimensions, namely:

- The moral dimension comprising universal principles and codes which form the foundation for ethical decision-making. Examples include the Belmont ethics code of 1979, the Singapore statement on research integrity of 2010, and the San code of 2017.
- The statutory and regulatory dimension is about policies, procedures, and statutory provisions to be considered by researchers. Examples from this dimension of statutes and regulations that were used for this thesis include the SA constitution and the Protection of Personal Information Act (POPIA) No 4 of 2013.
- The professional dimension is about the standards for responsible and ethical dimensions. For this thesis, this included obtaining ethics clearance from the Research Ethics Review Committee of the Department of Public Administration and Management, as well as complying with the UNISA policy on research ethics of 2016 and other related standards.
- The special considerations dimension, which pertains to issues such as methodological demands, as well as procedures and contexts, such as the COVID-19 pandemic regulations (Visagie, 2021:19). This study demanded the

use of qualitative as opposed to quantitative methods and COVID-19 pandemic restrictions were not a big issue during the data collection period because most, if not all restrictions, had already been lifted in South Africa in 2023.

A detailed account of how the four dimensions were applied in this study is provided in the ensuing sections. The discussion is centred on one of the most known ethics universal codes, which is the Belmont ethics code of 1979. This code became the model for many later ethics codes, such as the Singapore Statement on Research Integrity of 2010 and the South African San Institute of 2017 (Visagie, 2021:19). The UNISA policy on research ethics of 2016, which this research complied with throughout, likewise subscribes to the Belmont ethics code of 1979 (Visagie, 2021:19). The Belmont ethics code is founded on three basic principles of respect for persons, beneficence, and justice (Al Tajir, 2018:2; Belmont Report, 1979:4), discussed in the subsequent sections in that order.

### **5.7.1 Respect for Persons (Autonomy)**

Respect for persons in research mainly pertains to appreciating the autonomy of participants as well as the protection of persons with diminished independence, such as the minors, prisoners, and the sick (Belmont Report, 1979:4). The South African San Institute (2017:2) amplifies the Belmont principle of respect for persons, by indicating that other than respecting individuals, it is imperative that researchers likewise respect the communities and customs in which they conduct their research.

Respect for persons entails giving participants the freedom to choose whether to participate in research or not (Belmont Report, 1979:4). This freedom is achievable when acceptable standards for informed consent, encompassing information, comprehension, and voluntariness, are put in place. Information primarily involves providing sufficient details to the participant, including research procedures and their purposes, the expected benefits of the study, as well as associated risks (Belmont Report, 1979:6). Comprehension has to do with the manner in which the information is presented for ease of understanding (Belmont Report, 1979:7). For voluntariness to be attained, valid consent to participate should be given voluntarily and not as a result of coercion (threat), undue influence (offer of improper reward), or unjustified pressure (exercised by persons in authority over their subordinates) (Belmont Report, 1979:7).

According to Al Tajir (2018:3), for informed consent to be binding, both the process and the documents have to be satisfactory. Al Tajir went further to mention that the consent document has to include at least two sections, which are the information for the participant, and a space to append their signature. The information section must include information such as the purpose of the study, that participation is on a voluntary basis, why the individual was chosen, the number of study participants, the duration of the study, benefits and risks associated with participating, as well as matters of confidentiality (Al Tajir, 2018:3). For this study, the information for the participants (Appendix C) and participant consent (Appendix D) were two separate documents. Participants signed the participant consent document.

Al Tajir (2018:4) distinguishes between privacy and confidentiality by mentioning that whereas the former is concerned with the data-gathering phase, the latter pertains to those who would have access to information that would have been gathered by the researchers. According to Al Tajir (2018:4), privacy is about the protection of participants from being interrupted or observed directly or indirectly without their permission. As stated in Section 14 of the SA Constitution, privacy is a constitutional right, and Section 2(1) of POPIA indicates that the Act was enacted to safeguard this right by protecting personal information when handled by responsible parties. The foregoing statement implies that the term 'privacy', as used in the SA Constitution and POPIA is broad and includes confidentiality. This is because personal information is managed both during and after the data gathering phase, with the aim of upholding the privacy of data subjects. Consequently, although they are not exactly the same, the terms 'privacy' and 'confidentiality' are employed interchangeably in this thesis to denote upholding the privacy of subjects' data, both during and after the data gathering phase.

In the academic and research fields, POPIA is applicable to research activities that involve recognisable personal information of individuals or institutions (Visagie, 2021:25). Consequently, Visagie reasons that participants' right to privacy is not just a POPIA obligation, but an integral part of research ethics.

Chapter 1 of POPIA provides a very broad definition of personal information, which is information concerning a recognisable living natural person or an organisation. This information includes gender, age, disability, as well as personal views, opinions, or preferences (POPIA, 2013:14). One way to comply with POPIA regarding personal information is through concealing the identities of participants, which includes the storage and use of data subjects' (participants) personal information in an unidentifiable manner (Visagie, 2021:25). Concealing the identities of data subjects can be achieved through, for example, collecting anonymous research data, de-identification or anonymisation, and pseudonymisation or masking. Anonymous research data can be collected for projects that do not require the researcher to know the identity of the participants (Visagie, 2021:25). POPIA (2013:12), defines de-identification as deleting any data that identifies a participant, or data that can be manipulated or connected by a reasonably predictable method to other data that identifies a participant. Pseudonymisation involves replacing identifying fields with pseudonyms (fictitious names) (Universities South Africa (USAf), 2020:11). Masking or pseudonymisation is considered an effective method of safeguarding personal information because both the record of personal information and additional information are required for one to be able to connect personal information to a participant (USAf, 2020:11). According to USAf, POPIA is not applicable when personal information cannot be related to an identifiable individual or organisation. This is usually the case with collecting anonymous research data, and de-identification or anonymisation (Visagie, 2021:25). Nonetheless, with pseudonymisation, where the possibility of re-identification is a possibility, POPIA would apply (Visagie, 2021:25).

Where re-identification is possible, but highly unlikely, this risk must be gauged and recognised before a decision is made on whether the level of concealing is adequate or not (USAf, 2020:12). The possibility of re-identification when dealing with qualitative data was highlighted by Bengtsson in 2016. According to Bengtsson (2016:10), upholding confidentiality and anonymity promised to interviewees may be difficult to achieve given the fullness, richness, and personal nature of the data obtained from interviews. It is relatively easy to recognise what the various interviewees would have said, even without attaching their names to excerpts of the transcript(s) in the research report (Bengtsson, 2016:10).

Despite this complication associated with qualitative information, researchers are nonetheless encouraged to put measures in place to uphold confidentiality of information gained through research. Al Tajir (2018:5) advises that researchers need to think of and detail issues such as storage of data, persons who will have access to it, de-identification or concealing of the participants, for how long the data will be kept before being destroyed, as well as how the study's findings will be shared. This resonates with part of point three (methodology and data) of the Singapore Statement on Research Integrity (2010:1), which requires researchers to store all raw data safely.

#### **5.7.1.1 Application of the respect for persons principle to the study**

For this study to comply with the respect for persons principle, the researcher adopted several measures. In terms of respect for individuals, their community, and their customs, the researcher sought permission, which was granted by the Secretary to the GPL, to undertake this study making use of the GPL as a case study (see Appendix B: Gatekeeper letter). The researcher also sought the informed consent of participants, which satisfied the information, comprehension, and voluntariness criteria mentioned in the foregoing paragraphs. All participants were requested to sign the informed consent letter, which they did, and returned it to the researcher via email. In line with this requirement, the researcher explained the following to the interviewees about the process of consenting, as advised by Evans (2019:513) and Mason (2002:81):

- The participants had a right to refuse to have the interview recorded.
- The participants were not obliged to answer every question asked.
- Data generated through the interviews was going to be used in a way the researcher saw fit, but in an ethical manner.
- The researcher was going to analyse and interpret the data and compare it with data from other sources.
- The researcher was going to publish findings of the study hence allowing other scholars to use the information (Evans, 2019:513; Mason, 2002:81).



The researcher made all efforts to conduct the study in an ethical manner and complied with POPIA and other related legislations. In conducting the study interviews, the researcher avoided:

- asking questions about private matters (personal information) and other questions that were likely to distress or annoy the interviewees (Merriam & Grenier, 2019:30; Coetzee, 2003:116; Mason, 2002:79);
- asking tricky questions meant to confuse the interviewees or prove a point to them (Coetzee, 2003:116; Mason, 2002:79); and
- pressurising interviewees to answer questions in a certain way (University of the Witwatersrand, 2017:102).

Considering that the qualitative research approach is iterative, the researcher initially needed to identify the research participants for the purposes of seeking clarity and gathering additional information later. Consequently, during interviews, names of participants were captured. During the interviews, some participants spoke about issues that could easily identify them, and this personal information was not required to respond to the study objectives. To protect the participants, real names of participants were immediately replaced with a code (pseudonymisation). Information such as the position they occupied, the GPL programme they served, and the nature of work they did in the organisation that revealed their identities was deleted from the transcripts. Nonetheless, as indicated by Bengtsson (2016:10), that it might be difficult to fully conceal the identity of a participant because of the fullness and richness of qualitative data from interviews, the researcher was honest enough to inform the interviewees of this complication during the consenting stage. However, there was no need to conceal the identity of the GPL because permission was sought and granted by the Secretary to the GPL.

As advised by Al Tajir (2018:5), on the matter of data storage, all research documentation such as transcripts, recordings, consent, and information forms are stored on the researcher's password protected personal computer. This data will be kept on the researcher's personal computer for a duration of five years, as recommended by the American Psychological Association (APA) (Berenson (2018:9) and the Institutional Review Board -Social and Behavioural Sciences (IRB-SBS)(Online). Once the 5-year period has lapsed, all electronic records will be

permanently deleted from the researcher's personal laptop. All hard copies were scanned into electronic documents upon receiving them and then shredded immediately.

In 2020 UNISA introduced the publication of an article from the thesis in an accredited journal as one of the requirements for completing the degree. As such, the researcher produced an article for publication in an accredited journal. Moreover, permission to use the GPL as a case study for this research was granted on condition that results of the study would be submitted to the GPL Information Centre for dissemination of research findings within the institution and its stakeholders, and this was adhered to.

### **5.7.2 Beneficence and Non-maleficence**

The beneficence coupled with the non-maleficence principle pertains to maximising benefits and lessening harm to research participants (Al Tajir, 2018:5). The Belmont Report (1979:5), provides a clear distinction between non-maleficence as doing no harm to participants, and beneficence as maximising possible benefits to participants.

Point number seven (social awareness) of the Singapore Statement on Research Integrity (2010:1) is aligned to the Belmont principle of non-maleficence in that it says researchers ought to be sensitive to the probable impact of their research on individuals and communities and must try to minimise or avoid harmful effects on the research subjects. In line with the beneficence principle, the South African San Institute (2017:3) has established a '*care*' principle that compels researchers to conduct research aligned with the needs of local people / communities and to improve their lives. Maximising the benefits can be achieved by ensuring that researchers are honest and transparent in sharing information throughout the lifecycle of their research (South African San Institute, 2017:2).

Al Tajir (2018:5) argues that for the beneficence / non-maleficence principle to be observed, every study should undergo a risk / cost-benefit analysis, and benefits should always outweigh risks for the study to proceed. Risk is considered minimal when the likelihood and extent of discomfort or harm do not exceed what a participant would generally experience in daily life (Al Tajir, (2018:5).

The scientific validity of research, linked to the concept of trustworthiness discussed in section 5.6, is a fundamental prerequisite for beneficence according to Al Tajir (2018:6). Al Tajir emphasises that research should be conducted using a sound methodology that aligns with the purpose and objectives of the study. Conducting research with inappropriate methodologies is deemed unethical because it wastes resources, including the participant's time, and produces misleading results that cannot be used (Al Tajir, 2018:6). Al Tajir's observation echoes point number three (methodology and data) of the Singapore Statement on Research Integrity (2010:1) and the South African San Institute's (2017:4) code on process, which both emphasise the need to utilise appropriate research methods without deviating from the research proposal.

The same issue of scientific validity of research that was raised by Al Tajir in 2018, also supports point number two (ethics and integrity) of the Singapore Statement on Research Integrity (2010:1). The statement instructs researchers to be responsible for their individual research and ensure the publication of accurate, authentic, and reproducible findings, including those (findings) that are contrary to their working hypotheses — an equivalent of negative case analysis discussed in section 5.6.1.3. Although words such as 'reproducible' and 'hypotheses are mainly used in quantitative research, it is imperative to mention that the foregoing statement is equally applicable to qualitative research. The only difference is that qualitative research is not about reproducing findings, but dependability (see section 5.6.2), and creating an audit trail (see section 5.6.2.1) for readers to understand how conclusions were arrived at. Additionally, qualitative research mainly focuses on exploring issues rather than testing a hypothesis.

#### **5.7.2.1 Application of the beneficence and non-maleficence principle to the study**

This research satisfied the principle of beneficence by choosing a research topic that was aligned to the needs of the Public Administration discipline and the legislative sector practitioners. For the discipline, the study has contributed new information about the inaptness of the GPL performance measurement framework. The benefit to

practitioners lies in the concept of transferability (see section 5.6.3) from the recommendations such as the enhanced GPL ToC and performance indicators.

The researcher had a few topics to consider. However, after conducting a cost benefit analysis of each one, the chosen topic for this study was found to pose minimal risks to all stakeholders involved, promising several benefits instead. Furthermore, the costs and benefits of the study were explained honestly to all participants during the consenting stage. The main risk or cost to the participants in the current study was their time. The main cost to the GPL as an institution was that even negative findings about the institution would be reported truthfully. These risks were carefully weighed against a wide range of study benefits for the participants, the GPL, the legislative sector, and the communities of Gauteng, and were found to be minimal.

For the participants that were purposefully chosen on the basis on their involvement in the planning, monitoring, and evaluation processes of the GPL, the researcher explained that the recommendations of the study would assist them in improving the GPL indicators (that they usually develop) to respond to the needs of the people of Gauteng. The researcher further made it known that participants should not expect personal benefits such as monetary compensation for participating in the study, since this was done on a voluntary basis.

The main benefit of the study for the GPL, as was explained to the gatekeeper, is that indicators aligned to the needs of the public of Gauteng would assist the GPL to measure its performance correctly and identify areas of improvement in serving the people of Gauteng. Furthermore, the researcher explained to the gatekeeper that the legislative sector would likely also benefit through the transferability of the findings, as discussed in section 5.6.3.

Regarding the sharing of information throughout the lifecycle of the research, for the current study, this exchange occurred between the researcher and the gatekeeper. The final report was subsequently shared with the GPL Information Centre for the benefit of the entire institution and the legislative sector.

Al Tajir (2018:5) emphasises the importance of employing a sound methodology that is aligned with the purpose and objectives of the study. As mentioned in section 5.4, all research questions could be responded to using qualitative methods. This choice was due to the explorative nature of the study, which aimed to gain a deeper understanding of the phenomenon rather than to generalise findings, necessitating quantitative methods. Consequently, the study adopted a case study design and collected data from both documents and interviewees.

### **5.7.3 Justice**

The principle of justice is concerned with the equal distribution of risks and potential benefits among the research participants (Al Tajir, 2018:7; Belmont Report, 1979:5). Vulnerability, easy availability, or manipulability of people should not be used as a basis for selecting participants of a study. All efforts should be made to afford people who qualify to participate in a study, an opportunity to do so (Belmont Report 1979:6). Related to the Belmont justice principle is the South African San Institute (2017:3) 'justice and fairness' principle, which urges researchers to meaningfully involve participants and notify them of the possible benefits associated with being a participant.

#### **5.7.3.1 Application of the justice principle to the study**

This study adhered to the principle of justice by purposefully selecting participants for the study who could offer meaningful contributions. For this study, people who had meaningful contributions to offer were those between 18 to 65 years of age who had been in the employment of the GPL for at least one planning and reporting cycle, and at the coalface of GPL planning and performance reporting.

The researcher occupied a junior position in the GPL compared to all the participants, proving that the participants were not chosen based on them being vulnerable or easily available or easy to manipulate, as discussed under the reflexivity section (5.6.1.2). Rather, all participants were selected for reasons directly connected to the problem that was being studied. Possible benefits and risks associated with the study, as discussed under the beneficence section above were explained to the participants and the gatekeeper.

#### **5.7.4 How the three ethical principles were applied throughout the lifecycle of the study**

Creswell and Creswell (2018:169) make it clear that ethical issues should be considered throughout the lifecycle of a study. The life cycle stages include: preceding the commencement of a study, at the beginning of the research, data gathering, data analysis, as well as reporting, sharing, and storing of data (Creswell and Creswell, 2018:169). An analysis of information from this ethical consideration section shows that the three founding ethical principles of respect for persons, beneficence and non-maleficence, and justice, are applicable throughout the life cycle of a study. For example, prior to commencing a study, a researcher must seek and gain local permission to study the site and its participants (respect for persons) and select a site with no vested interest in research results (justice). At the beginning of the study a researcher must, for example, identify a research problem that benefits participants and their communities (beneficence); and is respectful to the norms and culture of the people involved (respect for persons). During the data gathering phase, researchers are compelled to ensure that all participants are treated fairly (justice); avoid using participants and leaving them with no benefits such as information (beneficence / non-maleficence); and avoid gathering harmful information (respect for persons). Regarding data analysis, researchers are required to respect the privacy and confidentiality of the participants (respect for persons) as well as to report findings truthfully (beneficence). Respect for persons is the main ethical principle applied during the report writing, dissemination, and storage of information phase (Creswell & Creswell, 2018:169). This study has all these phases that were put forward by Creswell and Creswell (2018), and applicable ethical principles were always observed, as explained in the foregoing paragraphs.

#### **5.7.5 Ethical Issues that were considered during the documents analysis stage**

As indicated under section 5.5.2, both published and unpublished documents were accessed and analysed for this study. Coetzee (2003:121) and Mason (2002:117) advise that it is sensible to also apply all the ethics points raised in relation to human participants when employing a documents analysis approach. Consequently, the researcher applied the same ethical principles in analysing documents. Before commencing the study, the researcher sought permission from the Secretary to the

GPL to use the GPL (including relevant documents) as a case for this study. Although Yin (2016:63) mentions that acquiring informed consent to use an institution's documents could prove difficult, the researcher did not face this challenge because permission was granted by the Secretary to the GPL (see Appendix B). When the study started, no one was pressurised to avail the documents to the researcher. The researcher asked for the documents from the SPME unit after explaining what they were going to be used for and also indicating that permission was granted by the Secretary to the GPL to use such documents. During the data gathering phase, the researcher did not collect harmful or irrelevant documents. For example, there was no need to collect budget documents or human resources records because these would not assist in responding to the research questions. During the analysis phase, the researcher eliminated information from the GPL documents that was likely to reveal the identities of certain employees. The researcher also reported all findings truthfully without taking any sides. As with transcripts and recordings, all GPL unpublished documents are stored on the researcher's personal laptop that is password protected, and all these documents will be deleted from the researcher's computer after 5 years, as recommended by APA (Berenson, 2018:9).

## **5.8 Chapter summary**

This chapter focused on the research design and methodology used to respond to the main and secondary research questions. The interpretivist study scientific approach was discussed in detail. The rationale for adopting an interpretivist, as opposed to a positivist approach, was likewise provided. The case study qualitative design adopted by the study was also discussed. The case study design was used because very little is known about the ways in which the GPL performance measurement framework is inapt. Consequently, a case study design was adopted to explore and gain insights into the phenomenon. Data collection methods, namely documents analysis and interviews that were employed to gather data for the study, were also discussed at length. The discussion also covered the content analysis approach to analysing data that was obtained through documents review and interviews. Various strategies to enhance the trustworthiness of the study findings, such as multiple data sources and an additional researcher (co-coder / analyst) were similarly discussed in this chapter. The ethical considerations that guided this study were likewise discussed. Visagie's

2021 ethical decision-making framework was adopted, and the discussion centred on the three Belmont principles of autonomy, beneficence, and justice.

Making use of the data collection techniques discussed in this chapter, namely documents analysis and interviews, data was gathered. The collected data is presented, analysed, and interpreted in Chapter 6, as described in this chapter.



## **CHAPTER 6: PRESENTATION, ANALYSIS, AND INTERPRETATION OF THE RESEARCH FINDINGS**

### **6.1 Introduction**

Chapter 5 focused on describing the scientific approach, design, and methodology adopted for the current study. Put differently, Chapter 5 explained how the three phases of the study were realised. Phase one comprises Chapters 2, 3, and 4, and these conceptual chapters were realised through a thorough review of available literature. Chapter 6 forms phase two of the study. Phase two explores the nature, scope of operations, and performance of the GPL, as well as the appropriateness of GPL performance indicators. Thus, Chapter 6 responds to the following three research questions, namely: What is the nature and scope of operations of the GPL? How has the GPL been performing over the years and reasons thereof? How appropriate are GPL performance indicators to measure the achievement of the constitutional mandate?

After this introduction, the following section describes the documents that formed part of phase two of the study. This is followed by an outline of participants' demographic profiles, which in turn, is followed by a section that describes the case study. The discussion on the study's findings forms the penultimate section of the chapter, which ends with a summary of Chapter 6.

### **6.2 Description of legislative and related documents used for phase two of the study**

Table 5.2 in Chapter 5 presented a sample of documents that were reviewed for phase two of the study, as well as the justification for choosing these documents. In this section, a description of the processes that were followed to develop these documents is provided. Put differently, the purposes of the documents and methodologies that were used to develop the documents are outlined in Table 6.1. Limitations of the past research, used for phase two of the current study, are likewise documented in Table 6.1. This information assists in understanding and interpreting the findings of the current study. For example, where findings are contradicting, the past research limitations would assist in determining the finding(s) to adopt.

**Table 6.1: Description of legislative and related documents that formed phase two of the study**

GPL documents reviewed	Processes followed to develop the document(s)
<ul style="list-style-type: none"> <li>•One (1) 2015-2019 Strategic plan.</li> <li>•Five (5) 2015-2019 APPs.</li> <li>•Five (5) 2015-2019 Annual reports.</li> <li>•One (1) 2020-2025 Strategic plan.</li> <li>•Three (3) APPs (2020/21; 2021/22; 2022/23).</li> <li>•Two (2) Annual reports (2020/21; 2021/22).</li> </ul> <p>Subtotal = 17 documents.</p>	<p>See section 6.4.1.2 (<i>Planning and reporting in the GPL</i>)</p>
<p>GPL regulatory documents:</p> <ul style="list-style-type: none"> <li>•PBMER (GPL, 2017a).</li> <li>•Standing rules (GPL, 2018).</li> <li>•GPL Processes and procedures Manual (GPL, 2018).</li> </ul> <p>Subtotal = 3 documents.</p>	<p>GPL Framework for Integrated Planning, Budgeting, Monitoring, Evaluation and Reporting (PBMER) was developed through consulting key planning, budgeting, and reporting documents such as FMPPLA, the GPL standing rules, the Sector Oversight Model (GPL, 2017a:5).</p> <p>The Rules Committee chaired by the Speaker is there to make recommendations to the House concerning the Standing rules of the GPL (GPL, 2018a:61). The Deputy Speaker and eight other members appointed in consultation with the party Whips constitute the Rules Committee (GPL, 2018a:61).</p>
<p>The Study of the Impact of Laws Passed by the Gauteng Provincial Legislature: 1994-2008 (Batseta Consulting, 2014).</p> <p>Subtotal = 1 document</p>	<p>The report documents the findings of the study on the impact of laws that were passed by the GPL from 1994 to 2008 on the citizens of the province (Batseta Consulting, 2014:11). It is also vital to note that this is the first systematic evaluation that was conducted to assess the relevancy, appropriateness, and impact of laws passed for the province of Gauteng (Batseta Consulting, 2014:11).</p> <p>Although predominantly qualitative, hence the findings of the study are based overwhelmingly on the perceived impact of the Acts (Batseta Consulting, 2014:13), the study used a mixed-methods approach combining both traditionally qualitative and quantitative methods and a range of data collection tools (Batseta Consulting, 2014:12). In addition to desktop research, data was also gathered predominantly through semi-structured in-depth interviews and focus group discussions. Participants for the qualitative part of the study were purposefully chosen. Probability sampling was used to draw a representative sample of 2 502 Gauteng residents.</p>

GPL documents reviewed	Processes followed to develop the document(s)
	<p>Since there were a few provincial legislations to be investigated with limited resources, certain key provincial legislations were selected for the purpose of this study. The basis for the selection was on the following criteria:</p> <ul style="list-style-type: none"> <li>•Whether there was a prominent Act in the sector or more than one representing distinct themes / topics.</li> <li>•The inter-relatedness (stated and implied) of the legislation</li> <li>•The value that the research would add. For example, doing research on a topic where a lot of research already exists versus filling a gap. Each of these might add value in different ways.</li> <li>•The extent of the social impact that the legislation has / might have.</li> </ul> <p>To this end, 13 Acts across the different sectors formed part of the study. Legislations that were enacted later than 2008 were excluded because of the limited duration between implementation and determination of impact (Batseta Consulting, 2014:12).</p> <p>The main limitation of the study was that the impacts of the legislations were not statistically computed but were based on the opinions and perceptions of the participants (Batseta Consulting, 2014:13).</p>
<p>Perceptions of the People of Gauteng on key elements of legislative performance: Views on the Gauteng Legislature after the first 20 years of democracy (HSRC, 2015).</p> <p>Subtotal = 1 document.</p>	<p>The study employed a 'mixed methods' research methodology, which included 48 key informant interviews (KIIs), 16 focus group discussions (FGDs) and a household survey (HHS) of 504 respondents. This approach was appropriate to allow for the triangulation of results from different sources. The study covered all five regions of Gauteng (HSRC, 2015:7).</p> <p>It was crucial to carry out this study because, since the establishment of the GPL in 1994, no systematic study that sought to solicit the perceptions of the people of Gauteng on the efficacy in all the four mandates of the GPL had been conducted (HSRC, 2015:11).</p> <p>The following were the limitations of the study:</p> <ul style="list-style-type: none"> <li>•Due to limited resources, the study adopted a predominately qualitative approach and very few areas were explored through the quantitative approach. Because of limited resources the study</li> </ul>

GPL documents reviewed	Processes followed to develop the document(s)
	<p>likewise did not explore citizens perceptions internally focused objectives of the Gauteng Legislature such as governance and leadership of the Legislature (HSRC, 2015:17).</p> <p>•Perception studies are, by nature, vulnerable to the prevailing circumstances at the time of the study. Sporadic events that might occur during the study can influence public perceptions and, therefore, the final results. For this study, data gathering happened during the transition from the fourth to the fifth term of the Gauteng Legislature which in the 2014/15 financial year or around the provincial and national elections period, which might have influenced some of the perceptions of the citizens (HSRC, 2015:17).</p>
<p>Twenty Years of Institution Building and Democratic Consolidation Assessment Report (GPL, 2015a).</p> <p>Subtotal = 1 document.</p>	<p>The report documents the historical account of the performance of the Gauteng Provincial Legislature (GPL) over the first 20 years of democracy. The study adopted a qualitative research design and both primary and secondary data sources were employed (GPL, 2015a:4).</p> <p>The study relied heavily on the internal documents of the Legislature (GPL, 2015a:5), which could be regarded a major limitation of the study because of biasness associated with such approaches. Primary data was also gathered through interviews, FDGs, and participants were purposefully chosen. Ten interviews were conducted with former and current Members of the Provincial Legislature (MPL's) and staff. Participants for the FDGs were drawn from across the five regions of Gauteng namely, Ekurhuleni, Johannesburg, Sedibeng, Tshwane, and the West Rand (GPL, 2015a:5).</p>
<p>Re-engineering of Public Participation Studies:</p> <ul style="list-style-type: none"> <li>•A study to evaluate the Bua Le Sechaba public participation mechanism of the GPL (Vutivi Management Sevices, 2016).</li> <li>•A Study to Evaluate Public Participation Mechanisms of the Gauteng Provincial Legislature: Petitions System (Teaching Screens, 2016).</li> <li>•Sector Parliaments in South African Provincial Legislatures: The Case of the Gauteng Provincial Legislature (Lubizo Holdings, 2016).</li> <li>•Sub-Study to Evaluate the Gauteng Provincial Legislature's Public Participation Mechanisms in</li> </ul>	<p>The Re-engineering of public participation study aimed to review the effectiveness and relevance of the GPL public participation mechanisms (GPL, 2016a:1).</p> <p>The study adopted a predominantly qualitative approach (GPL, 2016a:2,3). Data was gathered from GPL documents such as attendance registers, committee reports and concept documents. In-depth interviews and focus group discussions with purposefully selected people were also conducted to gather data. Observations of various activities of the GPL were also done as a way of gathering data for the studies (GPL, 2016a:2,3).</p> <p>The main limitation of the studies is that due to the unavailability of registers and databases, the people of Gauteng did not form part of the study as initially planned or were not interviewed to gauge their experiences and perspectives (Vutivi Management Services, 2016:2,3). Consequently, the study ended up relying on the available reports, which had missing information in some cases.</p>

GPL documents reviewed	Processes followed to develop the document(s)
<p>Respect of Oversight and Law Making (Brügge, 2016). Subtotal = 4 documents</p>	
<p>Evaluation of the Gauteng Provincial Legislature Oversight Mechanisms / Tools (Brügge, 2018). Subtotal = 1 document.</p>	<p>Surveys were conducted, using a Likert style questionnaire, during two committee meetings (the then Health and Economic Development, Agriculture and Rural Development) in two Gauteng communities. From the Alexandra committee meeting 118 respondents participated and 48 from Pretoria (Kievitskroon) giving a total of 166 respondents (Brügge, 2018:73).</p> <p>The rationale for conducting surveys during committee meetings rather than holding FDGs was because of the concern that in a public forum, people might be less forthcoming about their views, about issues such as trust; confidence in the legislator and intentions around rewarding parliamentarians with their vote. (Questionnaires allowed respondents to do so relatively privately).</p> <p>The main limitation of the study is that the sample was not representative of the people in all regions of Gauteng. The intention was to conduct further surveys during other committee meetings, but this did not materialise because of time constraints (Brügge, 2018:73).</p>
<p>Perceptions Survey Report (Ipsos Global Reputation Centre, 2019). Subtotal = 1 document.</p>	<p>A mixed methods approach was used to gather information about the perceptions of the people of Gauteng on the performance of the GPL. The study was conducted amongst the general public (aged 15 years and older) in all population groups who were residing in Gauteng (Ekurhuleni, Johannesburg, Tshwane, Sedibeng, and the West Rand) (Ipsos Global Reputation Centre, 2019:10).</p> <p>For the qualitative component of the study, one (1) FDG and five (5) semi-structured interviews with key stakeholders that were purposefully selected were conducted (Ipsos Global Reputation Centre, 2019:11). The quantitative component of the study used probability sampling to recruit 1000 respondents. The sample size of 1000 gave a 95% confidence interval level and a 3% error rate (Ipsos Global Reputation Centre, 2019:11).</p> <p>In the report, the limitations of the study were not clearly expressed. Nonetheless, as with the 2015 perception survey, data gathering for this study happened just before the 2019 provincial and national elections, which might have influenced some of the perceptions of the citizens. This could be regarded as the main limitation of the study.</p>

GPL documents reviewed	Processes followed to develop the document(s)
<p>An Evaluation of the Gauteng Provincial Legislature’s Law-Making Process (Ipsos Public Affairs, 2020).</p> <p>Subtotal = 1 document.</p>	<p>To increase the credibility of the results through triangulation, a mixed-method approach was adopted to respond to the objectives of the study (Ipsos Public Affairs, 2020:10). The study covered all the five (5) regions of Gauteng, (Ekurhuleni, Johannesburg, Tshwane, Sedibeng, and the West Rand) and targeted people who were aged 18 years and above (Ipsos Public Affairs, 2020:12).</p> <p>Due to the Covid-19 pandemic, data was gathered virtually / remotely through telephonic and online techniques (Ipsos Public Affairs, 2020: 10-11). The qualitative component comprised:</p> <ul style="list-style-type: none"> <li>•Six (6) individual interviews with internal (GPL) stakeholders involved in the law-making process.</li> <li>•Four (4) individual interviews with external stakeholders (political researchers, civil society representatives, municipal officials, etc.).</li> <li>•Five (5) FGDs (4-5 respondents per group) with individuals who previously participated in the activities / business of the GPL. Having fewer respondents was most appropriate for online groups and allowed for easy probing and exploring of relevant topics in more detail (Ipsos Public Affairs, 2020:10,11).</li> </ul> <p>For the quantitative component, the respondents were contacted telephonically from a list of mobile phone numbers of Gauteng residents sourced from a reputable supplier (Ipsos Public Affairs, 2020:12). A total sample of 500, with a margin of error of +/-4.6% and a confidence interval of 97% was used to gather the data (Ipsos Public Affairs, 2020:13).</p> <p>In the report, limitations of the study were not explicitly stated. However, data was gathered from the people of Gauteng telephonically during the COVID-19 pandemic period when physical interactions were limited. Thus, those who did not have access to a telephone / cell phone were excluded from the study and this could be regarded the main limitation of the study.</p>
<p>Mid-Term Evaluation of the Sixth Term Strategic Plan for Gauteng Provincial Legislature (Citofield, 2023).</p> <p>Subtotal = 1 document.</p>	<p>The study employed a mixed--methods approach to gather data from the adult population of Gauteng across the five regions (Ekurhuleni, Johannesburg, Tshwane, Sedibeng, and West Rand) (Citofield, 2023:13).</p> <p>For the qualitative component of the study, five (5) FDGs and 16 semi-structured interviews with key stakeholders that were purposefully selected were conducted (Citofield, 2023:15). The quantitative component of the study used probability sampling to recruit 411 respondents. The sample size of 411 gave a 95% confidence interval level and an error rate of 5% (Citofield, 2023:17).</p>

GPL documents reviewed	Processes followed to develop the document(s)
	<p>The following were the main limitations of the study:</p> <ul style="list-style-type: none"> <li>•Information gaps in the sense that the evaluation team did not receive a full set of internal documents needed for the study. Hence the evaluation team had to make judgements based on information available (Citofield, 2023:17).</li> <li>•Some of the key stakeholder groups that were targeted for key informant interviews were not interested or available to participate in the study. Thus, 16 instead of the originally planned 20 interviews were conducted.</li> </ul> <p>Regarding the survey component of the study, a lot of the people of Gauteng refused to participate in the study. This resulted in focus being paid to having a sample that was representative of the population size of the province and people who knew and could evaluate the GPL. Consequently, the study sample did not fully matched, but approximated the demographics (race, gender, and age) of Gauteng provided by Statistics South Africa (Citofield, 2023:17).</p>
<b>Total = 31 documents</b>	

Source: Own compilation

### 6.3 Description of participants

Table 6.2 presents the demographic profile of the seven study participants. As mentioned in Chapter 5, to protect the confidentiality of the participants, their names were replaced with codes. For example, participant one (1) and seven (7) represent the persons who were interviewed first and seventh respectively.

Out of the seven participants, one person (14%) had been in the employment of the GPL for between two to five years. Four people (57%) had been with the GPL for between six to 10 years and two people (29%) for between 11 to 15 years. All participants belonged to the management occupational category, and 57% were males while 43% were females.

**Table 6.2: Demographic profile of the participants**

Participant Code	Period of employment	Occupational Category	Gender
Participant 1	2 – 5 years	Management	Female
Participant 2	6 – 10 years	Management	Male
Participant 3	11 – 15 years	Management	Male
Participant 4	6 – 10 years	Management	Female
Participant 5	6 – 10 years	Management	Male
Participant 6	11 – 15 years	Management	Female
Participant 7	6 – 10 years	Management	Male

Source: Own compilation

### 6.4 Discussion of findings

This section is divided into three. The first segment is about the nature and scope of the GPL operations in response to the research objective: 'To discover the nature and scope of operations of the GPL'. The second segment discusses the performance of the GPL from the perspective of both internal and external stakeholders in response of the research objective: 'To investigate the performance of the GPL over the years and reasons thereof'. The third section responds to the objective: 'To investigate the appropriateness of GPL performance indicators to measure the achievement of the constitutional mandate'.



## **6.4.1 The nature and scope of the GPL operations**

To unpack the main theme about the nature and scope of the GPL operations, three sub-themes were identified; namely, major legal frameworks that govern the operations of the GPL, the operating model of the GPL, and planning and reporting within the GPL. These three sub-themes are discussed in the following sections, and section 6.4.1 closes with a summary of findings on the nature and scope of the GPL operations.

### **6.4.1.1 Major legal frameworks that govern the operations of the GPL**

In Chapter 4 section 4.2.2 (The Compliance Criterion) some of the key legislations that govern the operations of the legislative Sector of South Africa were identified. These legislations include the Constitution of South Africa Act 108 of 1996 and the Financial Management of Parliament and Provincial Legislatures Act (FMPPLA) 10 of 2009. To discover the legislations that direct the operations of the GPL it was necessary to review GPL planning documents and Annual reports as presented in Table 6.3.

**Table 6.3: Key national and provincial legislations that govern the GPL operations**

Legal framework	5 <sup>th</sup> Legislature Planning documents						5 <sup>th</sup> Legislature Annual Reports (ARs)					6 <sup>th</sup> Legislature Planning documents				6 <sup>th</sup> Legislature ARs	
	2015-2019 Strategic plan (GPL 2015b:5)	2015/16 APP (Nothing at all) (GPL 2015c)	2016/17 APP (GPL 2016b:6)	2017/18 APP (GPL 2017b:12)	2018/19 APP (GPL 2018c:10)	2019/20 APP (GPL 2019b:12)	2015/16 AR (GPL 2016c:22)	2016/17 AR (GPL 2017c:17)	2017/18 AR (GPL 2018b:13)	2018/19 AR (GPL 2019a:15)	2019/20 AR (GPL 2020b:13)	2020-2025 Strategic plan (GPL 2020a:8,9)	2020/21 APP (GPL 2021b:9-11)	2021/22 APP (GPL 2021c:9,11)	2022/23 APP (GPL 2022b:9,11)	2020/21 AR (GPL 2021a:11)	2021/22 AR (GPL 2022a:13)
The SA Constitution.					x	x			x	x	x	x	x	x	x	x	x
FMPPLA.			x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Political Party Fund Act, 2007.					x	x			x	x	x					x	x
Treasury Regulations.					x	x			x	x	x					x	x
Preferential Procurement Framework Act 5 of 2000.					x	x			x	x	x					x	x
Public Finance Management Act 1 of 1999.	x				x	x	x	x	x	x	x					x	x
The Promotion of Access to Information Act,2 of 2000.					x	x			x	x	x					x	x
Gauteng Legislature Services Board									x	x						x	x

Legal framework	5 <sup>th</sup> Legislature Planning documents						5 <sup>th</sup> Legislature Annual Reports (ARs)					6 <sup>th</sup> Legislature Planning documents				6 <sup>th</sup> Legislature ARs	
	2015-2019 Strategic plan (GPL 2015b:5)	2015/16 APP (Nothing at all) (GPL 2015c)	2016/17 APP (GPL 2016b:6)	2017/18 APP (GPL 2017b:12)	2018/19 APP (GPL 2018c:10)	2019/20 APP (GPL 2019b:12)	2015/16 AR (GPL 2016c:22)	2016/17 AR (GPL 2017c:17)	2017/18 AR (GPL 2018b:13)	2018/19 AR (GPL 2019a:15)	2019/20 AR (GPL 2020b:13)	2020-2025 Strategic plan (GPL 2020a:8,9)	2020/21 APP (GPL 2021b:9-11)	2021/22 APP (GPL 2021c:9,11)	2022/23 APP (GPL 2022b:9,11)	2020/21 AR (GPL 2021a:11)	2021/22 AR (GPL 2022a:13)
(LSB) Amendment Act 6 of 1999.																	
Gauteng Provincial Legislature Service Act,5 of 1996.					x	x	x	x	x	x						x	x
The Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act 4 of 2004.												x	x	x	x		
Money Bills Amendment Procedure and Related Matters Act, 9 of 2009.												x	x	x	x		
Gauteng Petitions Act, 5 of 2002.												x	x	x	x		
National Key Points Act, 102 of 1980.												x	x	x	x		
Mandating Procedures of												x	x	x	x		

Legal framework	5 <sup>th</sup> Legislature Planning documents						5 <sup>th</sup> Legislature Annual Reports (ARs)					6 <sup>th</sup> Legislature Planning documents				6 <sup>th</sup> Legislature ARs	
	2015-2019 Strategic plan (GPL 2015b:5)	2015/16 APP (Nothing at all) (GPL 2015c)	2016/17 APP (GPL 2016b:6)	2017/18 APP (GPL 2017b:12)	2018/19 APP (GPL 2018c:10)	2019/20 APP (GPL 2019b:12)	2015/16 AR (GPL 2016c:22)	2016/17 AR (GPL 2017c:17)	2017/18 AR (GPL 2018b:13)	2018/19 AR (GPL 2019a:15)	2019/20 AR (GPL 2020b:13)	2020-2025 Strategic plan (GPL 2020a:8,9)	2020/21 APP (GPL 2021b:9-11)	2021/22 APP (GPL 2021c:9,11)	2022/23 APP (GPL 2022b:9,11)	2020/21 AR (GPL 2021a:11)	2021/22 AR (GPL 2022a:13)
Provinces Act, 52 of 2008.																	
Public Audit Act, 25 of 2004.												x	x	x	x		
Electoral Act, 73 of 1998.												x	x	x	x		

Source: Own compilation

Table 6.3 shows that between the fifth and sixth legislative terms, 16 pieces of legislation were mentioned in various documents as legal frameworks that govern the operations of the GPL. However, it should be noted that other than the SA Constitution and FMPPLA, the legal frameworks stated in the GPL planning documents for the fifth and sixth terms are different. For the 6th Legislature, it is interesting to note that the key legislations mentioned in the planning documents are different from those identified in the Annual reports. Key legislations mentioned in the 6th Legislature Annual reports correspond to those of the 5th Legislature Annual reports and planning documents. To get clarity pertaining to these anomalies, the following question was posed to the participants:

**Question: Why do the legal frameworks that govern the operations of the GPL change from time to time?**

In response to the question, most of the participants mentioned that this could be an error that needs to be rectified, because the legal frameworks that govern the work of the GPL have not drastically changed over the years. Participants 1, 5, 6 and 7 had this to say:

*“So, I wouldn't know exactly why... because if for instance, I'm to open let's say the annual performance plan of the past financial year and the annual report that we currently busy with, they should be speaking to the same legislative framework. As far as I know they should be aligned, so if they are not aligned ... there is an anomaly there. Because anything that you plan should carry on up to the reporting stage.”* (Participant 1)

*“Those would remain standard until they are reviewed or discontinued so I would suppose it's a function of an error rather than deliberate. I don't see a logical conclusion, between having one set this time around and changing it without the law having been done away with. Hence, I'm saying it could be an error.”* (Participant 5)

*“The major legal frameworks that govern the GPL operations are: Constitution of the Republic of South Africa, 1996 (Sections 114 to 118); Financial*

*Management of Parliament and Provincial Legislatures Act, 2009 (Act 10 of 2009), as amended; the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act, 2004 (Act 4 of 2004); Gauteng Petitions Act, 2002 (Act 5 of 2002); Money Bills Amendment Procedure and Related Matters Act, 2009 (Act 9 of 2009); National Key Points Act, 1980 (Act 102 of 1980); Mandating Procedures of Provinces Act, 2008 (Act 52 of 2008); Public Audit Act, 2004 (Act 25 of 2004); and the Electoral Act, 1998 (Act 73 of 1998). The legal frameworks are not supposed to change except when new legislation that affects the functioning of the Legislature is introduced. What usually changes for the same financial year in the APP and or annual report are the indicators.”* (Participant 6)

*“It could be an omission ... even if a policy is reviewed or a legal framework is reviewed, it doesn't necessarily have to be taken off. ... The latest version needs to be included so it could be an omission from the institution, and it can put us into trouble when we don't include those pieces of legislation. (Participant 7)*

Participant 3 agreed that this could be a human error, but also mentioned that there could have been some additions to cater for the audit focus areas, hence the variances. However, the participant stressed the need to have all documents thoroughly checked to minimise errors, as well as eliminate information or sections of the APP, such as the legal frameworks, that readers are likely to ignore or skip reading. Below are Participant 3's own words:

*“Ideally the legal framework set out in the annual performance plan should primarily be similar at best if not identical to the legal framework as set out in the annual report. ... If not similar, I don't think this is malicious. Chances are they may have been additions, especially with respect to the audit focus areas. ... But what remains concerning is that you are saying within the same financial year ..., because it takes away the consistency of planning and the legitimacy as well. ... So, I think throughout the process, there should be sufficient checks and balances at different levels in the institution to check these areas so that even if it is human error, it's checked not by a single unit or a single person, and when the error is picked up ... it can be adjusted or amended. It is also*

*important that we limit these documents to only what is necessary, and we don't put information in these documents that may be deemed unnecessary. I'm not saying the information is unnecessary, but it may be deemed unnecessary so that with time you'll find people ignoring those sections and focusing only on the APP tables on Key Performance Information. The ignored sections which we would loosely call page fillers would include the legal framework. So, these documents ... should be as lean, containing only the necessary information as possible.”* (Participant 3)

Participant 2 insinuated that inconsistencies in the documents were associated with very little effort to do the right things:

*“There's no consistency... The legal framework that we use within GPL does not change. So let me put it clear to say that the challenge is that the annual performance plan is reviewed on an annual basis ... and they don't consult their strategic plan when they are reviewing the annual performance plan.”*  
(Participant 2)

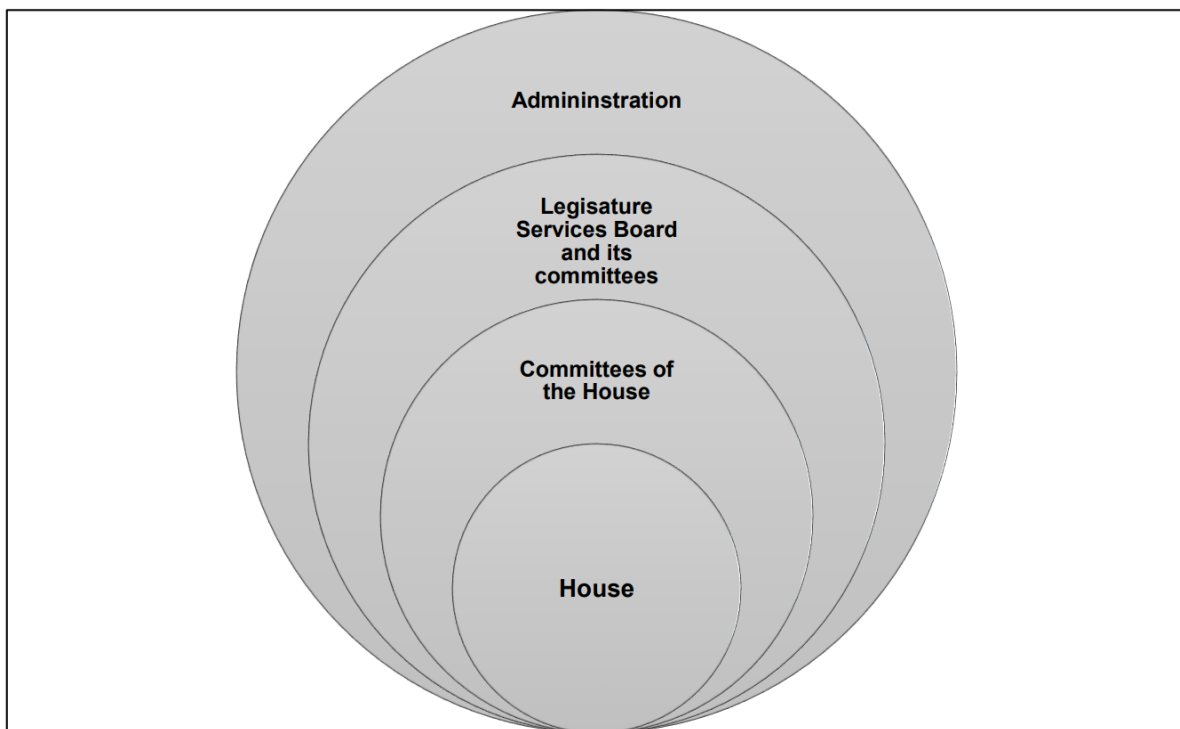
Only one participant was adamant that this was not an error. Participant 4 spoke about the different focuses during the planning and auditing phases, hence the discrepancy in the legal frameworks captured in the planning and reporting documents. Participant 4 had this to say:

*“Those which we incorporate in the APP would be talking to some of the areas of implementation, but you may find that when it comes to being audited, they may not necessarily be required to be in the annual report and that is why you see that slight discrepancy.”* (Participant 4)

In this section, the first sub-theme about legal frameworks that govern the work of the GPL was discussed. From here the reader's attention is turned to the second sub-theme, which is the operating model of the GPL.

### 6.4.1.2 The GPL operating model

In section 1.5.9 (*Public sector / institution*), the definition of public institutions, which includes legislatures was provided. According to Dube and Danescu (2011:3), the primary role of public institutions is to deliver goods and services to citizens. As stated in section 4.3.2 (*Government Effectiveness*), a public institution is considered effective only if the goods and services it produces match the preference of citizens. This suggests that each public sector should always prioritise or put the citizens at the centre. To determine what is at the centre of the GPL operating model, GPL documents were studied, and they all present a model depicted in Figure 6.1, known in the institution as the onion ring. In the following segments, the components of the GPL onion ring are unpacked.



**Figure 6.1: The operating model of the GPL**

Source: GPL (2020a:11)

#### 6.4.1.2.1 The House

The model depicted in Figure 6.1 shows that everything that happens in the GPL rotates around the House which is at the centre (GPL 2020a:11). The structure of the GPL House and how it is constituted has almost remained the same since 1994, to date. The current House, or 6th Legislature, consists of MPLs from various political



parties, as per the vote of the Gauteng province - proportional representation (GPL 2020a:11). Proportional representation means that the number of votes that a political party garnered is calculated proportionally to translate into the number of MPLs in the House. Thus, a political party with the most votes would get the majority of MPLs in the House and vice versa (Parliamentary Monitoring Group, 2019: Online). During the current or 6<sup>th</sup> Legislature, the House is comprised of a total of 73 public representatives (MPLs), constituted as follows:

- African National Congress (ANC) 37
- Democratic Alliance (DA) 20
- Economic Freedom Fighters (EFF) 11
- Freedom Front Plus (VF+) three (3)
- Inkatha Freedom Party (IFP) one (1)
- African Christian Democratic Party (ACDP) one (1) (GPL 2020b:11).

Considering the importance of the House, as per the operating model of the GPL, it is vital to explore some of its characteristics and activities. In accordance with section 110(1) of the SA Constitution, the House must sit within 14 days after the results of an election have been declared. In other words, this is when the House is constituted, and signifies the beginning of a legislative term. According to Standing Rule 9 of the GPL (2018a:10), a judge nominated by the Chief Justice determines the date and time of the first sitting. The judge then reads the notice of convening the Legislature during the first sitting. In line with Standing Rule 10 of the GPL (2018a:10), each MPL must swear or affirm their faithfulness to the Republic and obedience to the Constitution.

During the first sitting, as per Section 111 (1) and (2) of the SA Constitution, a judge selected by the Chief Justice must preside over the election of a Speaker, who then presides over the election of a Deputy Speaker. In accordance with Section 111(5) of the SA Constitution, the Speaker oversees the election by the House of two more Presiding Officers, namely the Chairperson of Committees and the Deputy Chairperson of Committees. In this initial sitting, Section 128 of the SA Constitution stipulates that after the election of the Speaker and Deputy Speaker, a judge designated by the Chief Justice must preside over the election of the Premier, who serves as the head of the provincial executive. The House also appoints delegates to

the National Council of Provinces (NCOP), who are based in Cape Town in line with provisions of Section 113 of the SA Constitution.

After this first sitting, subsequent sittings of the House are designated for activities such as live debates on motions of public importance, as outlined in Chapter 8 of the GPL standing rules of 2018, as well as the tabling of executive reports, such as the annual and quarterly reports, as stipulated in Chapter 4 of the GPL standing rules of 2018.

Put succinctly, it is in the House where decisions / resolutions about the legislative constitutional mandates are taken. From here, the reader's attention is directed to the next layer of the ring; namely, the House Committees.

#### **6.4.1.2.2 House Committees**

The House is supported by Committees of the House which are vehicles through which the legislature fulfils its constitutional mandate. In accordance with Standing Rule 147 of the GPL (2018a:56), a Committee of the House remains in existence until the GPL is dissolved. However, an ad hoc Committee exists until it has concluded its business. Additionally, each House Committee has powers to determine its own procedures in accordance with the standing rules, draw up its annual programme, and execute its constitutional mandates as stipulated by Standing Rule 148 of the GPL (2018a:56).

GPL House Committees are divided into three clusters, namely Social Transformation cluster (STC), Economic Transformation Cluster (ETC), and Governance and Administration (G&A). STC and ETC committees mirror the executive departments. They are called Portfolio Committees and deal with social and economic matters respectively. Examples of STC Portfolio Committees include Community Safety, Education, Health and Wellness, and Human Settlements. Portfolio Committees such as Finance, Economic Development, Infrastructure Development, and Roads and Transport belong to the ETC. Committees in the G&A cluster are mostly standing committees that are not attached to a specific executive department except the Office of the Premier. The cluster is mainly concerned with principles of governance and

administration matters as the name suggest. At the time of writing this thesis, the GPL had the following eight Standing Committees, namely:

- The Rules Committee that is chaired by the Speaker. According to Standing Rule 168 of the GPL (2018a:56), the Rules Committee is there to make recommendations to the House concerning the rules of the GPL and determines the membership of Committees of the GPL among other duties.
- The Programming Committee that is similarly chaired by the Speaker. The programming Committee is responsible for preparing and or adjusting, as well as overseeing the execution of the annual programme of the GPL, among other duties, according to Standing Rule 173 of the GPL (2018a:62).
- The Committee of Chairpersons is chaired by the Chairperson of Committees. The Committee is instructed by Standing Rule 171 of the GPL (2018a:62) to coordinate the work of the Committees of the GPL, consider the annual programme of Committees, and make recommendations to the Rules and Programming Committee on any matter affecting the functioning of any Committee of the House.
- The Privileges and Ethics Committee is chaired by the Deputy Speaker. This Committee, according to Standing Rule 175 of the GPL (2018a:62), is responsible for overseeing the implementation of the Members Code of Conduct, investigating, and reporting on charges of breach of privilege and contempt against MPLs, and considering as well as acting on any report of the Integrity Commissioner when it is fitting to do so.
- The Standing Committee on Public Accounts (SCOPA) is mainly responsible for examining the financial statements of the GPL and the provincial executive, as well as the reports issued by the Auditor General on the businesses of any provincial organ of the state, among other functions, according to Standing Rule 178 of the GPL (2018a:63).
- The Petitions Committee is guided by the Petitions Act 5 of 2002. This committee processes petitions that would have been submitted to the GPL by the citizens.
- The Oversight Committee on the Premier's Office and the Legislature (OCPOL) is responsible for overseeing the activities of the GPL and the Premier's Office in accordance with Standing Rule 183 of the GPL (2018a:64).

- The Committee for the Scrutiny of Subordinate Legislation (CSSL) is responsible for reviewing every provincial bill that gives power to the provincial executive or any other body to adopt subordinate legislation. It is also responsible for scrutinising and reviewing all subordinate legislation (regulations) according to Standing Rule 185 of the GPL (2018a:64).

The next layer after the House Committees is the Legislature Services Board (LSB) discussed in the following section.

#### **6.4.1.2.3 The Legislature Services Board**

The LSB and its committees provide strategic support services to the House and its Committees (GPL 2020b:11). The LSB was established in terms of the Public Finance Management Act 1 of 1999, Legislature Services Act 5 of 1996, the Protocol on Corporate Governance for Public Entities, and the recommendations of King IV (GPL 2020b:54). The Speaker is the chairperson of the Board whose members are appointed in terms of Section 4 (1) of the Legislature Services Act 5 of 1996. The LSB is held accountable by OCPOL, and the Secretary to the GPL (Accounting Officer) is held responsible by the LSB (GPL 2020b:54). The LSB is responsible and accountable for the businesses and performance of the GPL and for guaranteeing the sustainability of the organisation into the future. In other words, the Board is responsible for formulating the strategic, annual, and operational plans, allocating resources for the execution of those plans, and monitoring as well as reporting on the results (GPL 2020b:55). The LSB does its work by delegating authority to the LSB Committees (Human Resources Development, Performance and Remuneration, and Audit and Risk) and is responsible for the management of the GPL. Powers delegated to management or administration are set and controlled through delegations of authority to include only a restricted monetary decision-making capacity without erstwhile approval by the Board (GPL, 2020b:55). Administration is the last ring depicted in Figure 6.3 and is attended to in the ensuing section.

#### **6.4.1.2.4 Administration**

The Administration led by the Secretary (Accounting Officer) provides day-to-day support to the House and its Committees (GPL, 2020a). The administration of the GPL

has five (5) programmes; namely, Leadership and Governance, Office of the Secretary, Corporate Support Services, Core Business, and Chief Financial Officer's Office (GPL, 2020d:9). The heads of the five programmes form the executive management of the GPL also known as the Secretariat.

From the foregoing account, the House is at the centre, and administration at the periphery of the GPL operating model. Nonetheless, government effectiveness is about placing citizens at the centre, yet the GPL has the House. Thus, to understand the rationale behind placing the House at the centre of the GPL operating model, the following question was posed to the participants:

**Question: What is the rationale behind placing the House at the centre of GPL operations, and how appropriate is the model considering that public institutions are there to serve citizens?**

Participants were split in their view of the appropriateness of the GPL operating model. Three out of seven participants mentioned that placing the House at the centre of the model was appropriate. Participant 1 said the House is correctly placed at the centre, as a symbol of what it is meant to be addressing, which is the needs of the people of Gauteng:

*"I think it goes with ... one's interpretation of the House. My interpretation of the House is that it involves quite a lot of things. It's not just the House sitting as me and you would know it. Committee work happens at the very centre of the House and the Committee is out there to address the needs of the people. ... Committees are meant to be addressing the plight of the people, so the house exists because of the people. ... So that is my view on why the house is at the centre, because it's not just about the Members or the committees, but what the House is meant to be addressing."* (Participant 1)

Participant 2 also supported having the House at the centre but disagreed with having the LSB as part of the operating model structure. This is what Participant 2 said:

*"In my view, something needs to be reviewed. Well, the one at the centre is fine. But the issues of LSB, the board -in my view it is not supposed to be there. This is a duplication of the role of the Accounting Officer. ... The LSB is*

*applicable to the private sector. The LSB has external people who come to make decisions about the GPL, which is wrong.” (Participant 2)*

The third participant who agreed with having the House at the centre of the model is Participant 5. The participant mentioned that in addition to having the operating model, which the participant regarded correct as it is, the GPL needs to develop a business model which expresses the centrality of the people of Gauteng in whatever the GPL does. Participant 5 had this to say:

*“I hold a completely different view. ... my view is that the organisation requires to have in place a business model. The purpose of having a business model in place is simply to communicate to the people that you serve how you are going to generate value for them and that answers the question why you exist. And ordinarily, a business model is then supported by an operating model. The GPL operating model in this instance would be appropriate, as it is depicted in the onion ring, because all that it says is that the Members are ... the face of the organisation ... and this is how the Members are enabled. So, the fault does not necessarily lie with the design of the operating model, but the fault lies with the absence of a business model.... Relying solely on the operation model has limited our focus to be inward looking. The Constitution wants us to be concerned with how the work that we do benefit the people that deserve to be beneficiaries of that work.” (Participant 5)*

The remaining four participants opined that the GPL operating model was not appropriate. One of the four participants opined that the model should be inverted so that administration is at the centre, and the House on the periphery. According to Participant 3, this is because administration is the engine of operations, and not the House, which deals with the outputs of the operations. Below is what Participant 3 said:

*“When I see the operating model personally, I see ... perhaps an administrative or hierarchical structure of the institution. I don't see it as an operating model at all. I think the operating model is much more complex and ... it should be having less rings. ... If I could graphically express it, it would have your mandate execution at the centre. I may move away from an onion ring totally, but if I have to keep it in an onion ring, I will put the house and the Committees' right at the*

*end. I would put the administration right in the centre. So basically, I will invert the entire thing around. ... So, administration should be in the centre as opposed to the House and its committees. ... to emphasise the centrality of administrative support to the discharging of mandates.” (Participant 3)*

The remaining three of the four participants who opined that the GPL operating model is not appropriate, mentioned that the people of Gauteng, not the House, should be at the centre of the model. Below is what Participants 4, 6, and 7 said:

*“When we were doing that review, ... we put people at the centre... because we are there to make sure that the lives of the people of Gauteng improve one way or the other through our constitutional mandate.... the House actually is ... an enabler to ensure that the aspirations of the people are actually being taken care of through the work of the House and its committees.” (Participant 4)*

*“The rationale behind placing the House at the centre is informed by the role that is played by MPLs as official elected public representatives. The House serves as the Committee of all Committees, and it is only public elected representatives that can participate in the House debates. In my view, it is the people of Gauteng that should be at the centre of GPL operations. The GPL, through its mandate, exists to serve the people of Gauteng and not the other way round.” (Participant 6)*

*“We are in the process of revising that model whereby we will put the citizens at where the House currently is. It should be citizens first, then the second ring is the House.” (Participant 7)*

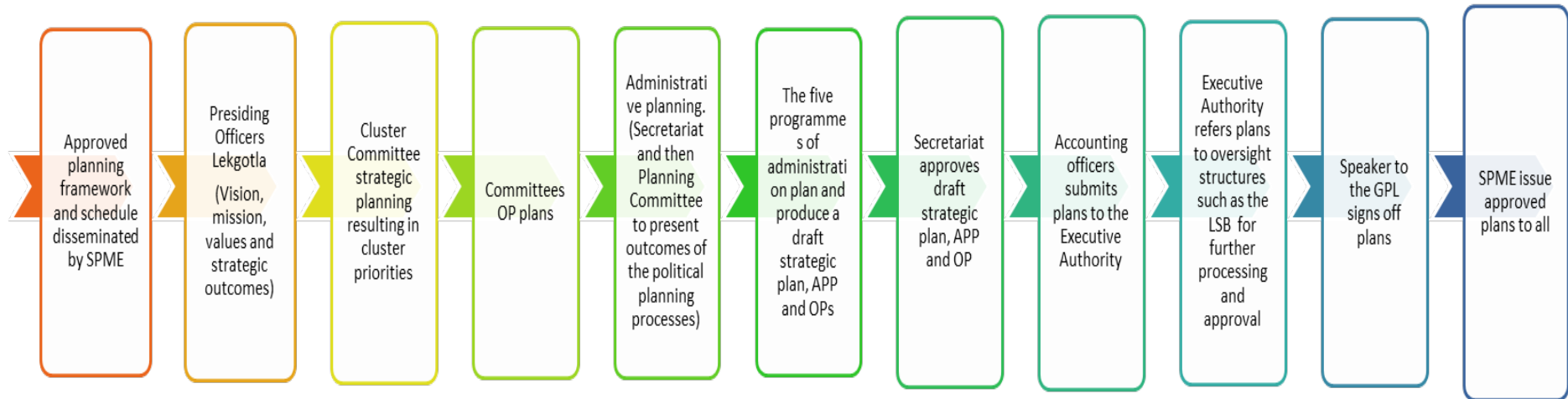
In this section, the second sub-theme about the operating model of the GPL was discussed. The next section discusses the final sub-theme, which is concerned with how planning and reporting are done in the GPL.

#### **6.4.1.3 Planning and reporting in the GPL**

As stated in sections 2.2 (Study Conceptual Framework) and 4.4.2.2 (Public participation), legislatures are compelled to include the public in all their business. At this juncture, it is imperative to mention that this section focuses on the inclusion of

the public during the GPL planning and reporting processes. The involvement of the public during the execution of the mandate is discussed separately in section 6.4.2.4 (a) (Public participation mandate performance of the GPL). In the GPL, planning and reporting are guided mainly by the Framework of Integrated Planning, Budgeting, Monitoring, Evaluation, and Reporting (PBMER) that was updated in 2017 (GPL, 2017a:1). The SA Constitution, FMPPLA, and the Government-Wide Monitoring and Evaluation System (GWM&ES) were used to develop the GPL PBMER framework (GPL, 2017a:1). Thus, to ascertain the extent to which the GPL has been involving the public in its planning and reporting processes, GPL APPs, strategic plans, annual reports, and the PBMER were reviewed. Figure 6.2 depicts the high-level planning process of the GPL. This process is triggered by Section 14 (1) of FMPPLA, which states that within six months after an election of a legislature, or on a date determined by a legislature, the accounting officer must prepare a draft strategic plan for a legislature's administration that must be presented to the Speaker.





**Figure 6.2: The GPL planning process flow**

Source: Adapted from the Business Process and Procedure of the GPL SPME Unit (2018:5-6)

As depicted in Figure 6.2, the SPME Unit draws up a schedule of when planning should start and end. In most cases, the first structure on the planning schedule is the top political leadership of the GPL, called the Presiding Officers, and is comprised of the Speaker, Deputy Speaker, Chairperson of Committees and Deputy Chairperson of Committees (see section 6.4.1.2 The GPL Operating Model). It is vital to note that the Presiding Officers pronounce on the vision, mission, values, strategic outcomes, and impact of the GPL. From the presiding officers, next to sit are Committees of the House that are divided into three clusters, namely Social Transformation, Economic Transformation, and Governance and Administration. The clusters come up with cluster priorities, which together with the vision, mission, values, outcomes, and impacts inform individual House committee operational plans. From here, the administration takes over by first discussing and confirming the political priorities, mission, vision, values, outcomes, impacts, and operational plans of House committees. (GPL SPME Unit, 2018: 5-6). Making use of information stated in the preceding sentence, Administration develops the strategic plan, APP, and operational plans of the GPL with indicators and targets (GPL, 2017:6; 2020:17). The Secretariat approves the draft plans, which are then submitted to the Speaker, also known as the Executive Authority. The Speaker then refers the plans to the LSB for further processing and approval. Once approved by the LSB, the Speaker signs off on the plans, and sends them to the SPME unit for filing and dissemination to all relevant stakeholders.

According to Section 14 (2) of FMPPLA, a strategic plan should span over five years, or any other period determined by a legislature. A strategic plan should be reviewed on a yearly basis and any changes to the plan should be limited to revisions connected to substantial policy shifts or deviations in the service-delivery environment (GPL, 2017:11). An amendment to an existing strategic plan can be communicated through publishing an annexure to the APP, or by issuing a revised strategic plan (GPL, 2017:11).

A strategic plan is implemented and realised through APPs. Thus, the APPs of a term are informed by a five-year strategic plan. In addition to the strategic plan, planning directives, such as the State of the Nation Address (SONA), State of the Province Address (SOPA) and the budget speech by the finance minister are taken into

consideration when developing the APPs (GPL, 2017b:1). These directives outline the Executive priority areas, thus the plans of the legislature zoom-out these priority areas as oversight focus areas.

Effective planning results in apt plans, which when correctly implemented, would result in the achievement of results that improve the lives of the citizens. In the foregoing GPL planning account, which seems aligned to the legal prescripts, such as FMPPLA, there was no mention of the involvement of the people of Gauteng. This is true for the planning process shown in Figure 6.2 and the GPL planning documents that were reviewed. To further understand how the GPL operates during the planning processes in so far as involving the people of Gauteng is concerned, the participants were asked the following question:

**Question: To what extent does the GPL involve the people of Gauteng during the planning processes? Please explain your answer.**

In response to the question, all the participants agreed that the GPL has not been involving the people of Gauteng in its planning processes. However, there was a split of views in terms of whether involving the public adds value or not. Most (five out of seven participants) were either very clear or indirect about the importance of involving the people of Gauteng in the business of the GPL:

*“I think that is where, as an institution we possibly have a gap. ... Because what I'm trying to think is throughout the planning process and not at a point where we are adopting or approving our plans in the House, but throughout the planning process, I do not think we have really involved the people so much.”*  
(Participant 1)

*“There is probably limited involvement of the people of Gauteng in the planning process. We have not necessarily made a concerted effort to ask committees when they go to do their planning, to incorporate the intention of the people of Gauteng.”* (Participant 4)

*“It should be clear that my predisposition is that, in one way or the other there has got to be an input or a view of the people taken into consideration. As things stand, I don't think that we do that.”* (Participant 5)

*“The GPL planning approach is prescriptive and does not involve the people of Gauteng. The GPL has a top-down strategic approach .... Some of the planning tools like committee enquiries that can assist the GPL to involve the people have been reduced.”* (Participant 6)

*“No, we are not doing well in that space.”* (Participant 7)

The other two participants bemoaned that the GPL is not well known by the people of Gauteng, thus involving the public would not add much value. Participants 2 and 3 had this to say:

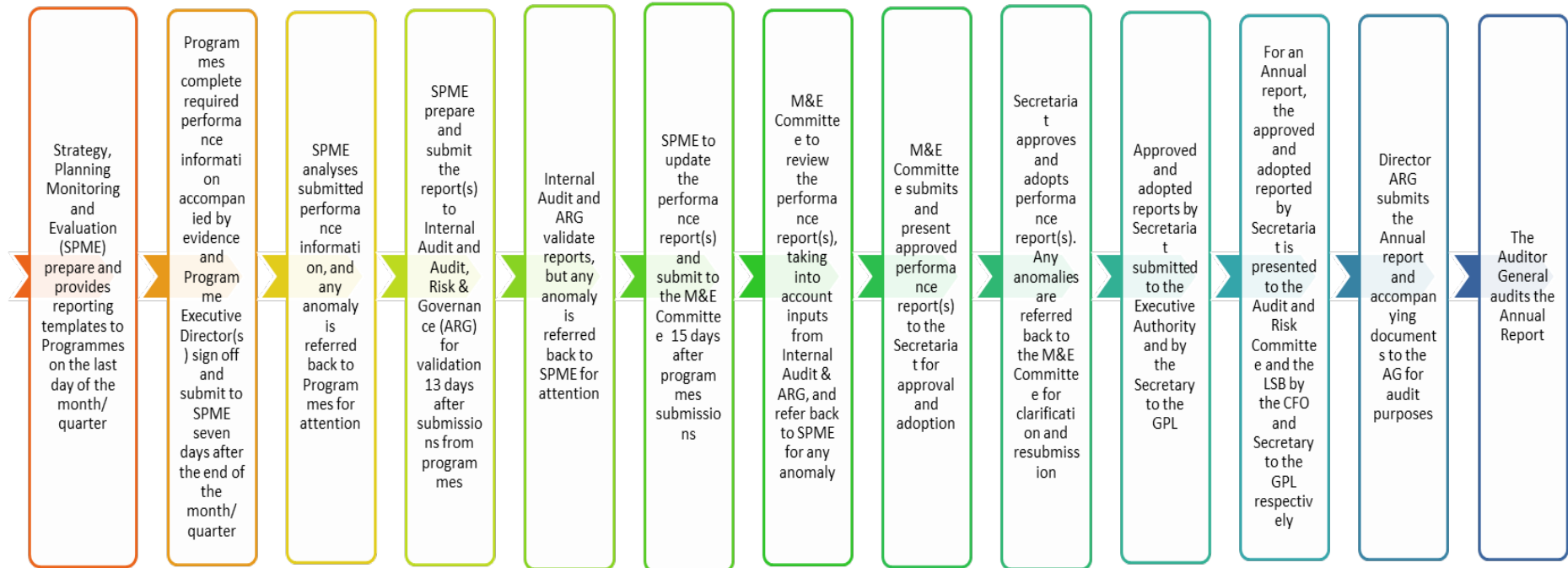
*“Short answer is no. ... My question again or a part of this discussion is: Would it add value if they are involved? I'm not convinced that it would add value because many members of the public, you know, we have this drive about creating awareness of the legislature and there's a great confusion between even the Premier and the Speaker. People don't even know what the legislature is there for. They think that the Premier is the head of the legislature... so where there is poor understanding of the institution itself, I think that to get people involved in planning of that institution wouldn't add much value until such time that there is awareness and confidence.”* (Participant 3)

*“Let me tell you, the legislature is one of the departments that the people of Gauteng do not know about.... So, there is no involvement of the people.”* (Participant 2)

Moving on to reporting, it should be noted that the reporting process of the GPL, which is depicted in Figure 6.3, is governed by Chapter 8 of FMPPLA. This section of the legislation clearly stipulates what is required of a legislature in terms of in-year reporting (monthly financial statements, quarterly performance reports, and a mid-year budget and performance assessment) and the annual report, financial statements, and auditing. In the GPL, reporting happens monthly, quarterly, mid-year, at the end of the

Financial Year, mid-term, and at the end of the term (GPL, 2017a:6). For in-year reporting (quarterly reports) and the Annual report (FMPPLA requirements) there is no mention of the involvement of the people of Gauteng, as shown in Figure 6.3.

Figure 6.3 shows that after the issuing of reporting templates by the SPME Unit, the five programmes report and submit their reports to the SPME Unit for analysis and then to Internal Audit for validation. The validated reports are then submitted to the GPL Monitoring and Evaluation Committee for further processing and initial approval. The GPL Monitoring and Evaluation Committee then presents the reports to the Secretariat for approval and adoption. The approved and adopted reports are then submitted to the Speaker by the Secretariat. Quarterly reports are not audited. After being signed by the Speaker, they are referred to OCPOL, a committee that oversees the work of the GPL. Annual reports are, however, audited. Therefore, they are referred to other oversight structures, such as the LSB, before the Speaker appends their signature. Once the Speaker signs the annual report, it is then sent to the Auditor General for auditing.



**Figure 6.3: The GPL Annual reporting process flow**

Source: Adapted from the Planning Framework of the GPL (2017a: 23-25).

As with the quarterly and annual reports, for the mid-term and the end of the term reporting, the GPL PBMER framework is likewise silent about the involvement of the people of Gauteng. It was therefore necessary to engage the participants through the following question to gain a clearer picture concerning the involvement of the people of Gauteng in the reporting processes of the GPL:

**Question: To what extent does the GPL involve the people of Gauteng during the reporting processes?**

In responding to the question, all participants agreed that the GPL has not been doing enough to involve the people of Gauteng in the institution's reporting processes. What varied among the participants were their views on the extent of involvement and reasons for non-involvement of the public.

The first participant insinuated that the people of Gauteng were not involved at all during the reporting process and argued that this needs to be corrected:

*"It is possibly just us in our little corner..., maybe we should run a survey on that. I'm sure such a survey would also assist us get an input from the people of Gauteng ... about change in the quality of life of the people."* (Participant 1)

The other participants disagreed with the first participant in that the people were not involved at all. Participants 4 and 6 mentioned that the people of Gauteng were involved, but not in all the processes. Below is what the two participants said:

*"I think in this financial year we have gotten an external evaluator to come and review the work that we have been doing until the mid-term and then at the end of the term will also do some form of evaluation. The report ... presents how the people of Gauteng view the work of the institution. ... Maybe we could possibly...solicit the views of the people of Gauteng routinely and not wait until mid-term. So, I think that is probably a gap there."* (Participant 4)

*"The involvement of the people of Gauteng during the reporting processes is not consistent across all reporting processes."* (Participant 6)

Participants 2 and 3 were of the view that most of the people of Gauteng did not have a good understanding of the roles and responsibilities of the GPL. Consequently, they

were not involved in the reporting processes and involving them would not add any value to the process:

*“But I don’t think they are meeting the right target of people who can positively contribute to the subject matter that is being discussed.”* (Participant 2)

*“No, they’re not involved. If we had to go out and start including people ... you would start having major confusion in terms of trying to create awareness and what purpose, we serve. Maybe for now, I think it should be left as is.”* (Participant 3)

Participant 5 mentioned that the people of Gauteng were not involved during the planning process. Therefore, involving them at the end, which is the reporting stage, would not be meaningful or add value to the process:

*“It’s going back to the planning process to say when you planned without including the people and then come the reporting time when you come with your targets and your indicators, they’re not really going to make much sense to them simply because those very people were not involved from the beginning of the process. I mean, how do I sign off the quality standard that I did not contribute to.”* (Participant 5)

In supporting Participant 5, Participant 7 took the discussion further by mentioning the disengagement of people who attend the House sittings during the consideration of the report produced by OCPOL, the committee that oversees the GPL. Below is what Participant 7 said:

*“Even if the people are invited to the House ... they’re not active in terms of interrogating the OCPOL reports, and I do not even think that they have got the appetite to interrogate.”* (Participant 7)

However, it is imperative to mention that the public is not permitted to contribute to proceedings in the chamber / House. Thus, Participant 7 might have misinterpreted this as a lack of public interest in the business of the GPL.

Section 6.4.1.3 dealt with the last sub-theme, which discussed planning and reporting in the GPL. Thus, all three sub-themes, namely the legal frameworks that govern the work of the GPL, the GPL operating model, and reporting in the GPL have now been



discoursed. The subsequent section summarises findings on the nature and scope of GPL operations. Put differently, the ensuing section presents a summary of findings about the three sub-themes.

#### **6.4.1.4 Overview of findings about the nature and scope of GPL operations**

1. The legal frameworks that govern the work of the GPL change from time to time. Most of the participants mentioned that this is an anomaly that should be rectified. Some participants mentioned that the reason for this anomaly is that the GPL produces documents that are below standard due to limited capacity, and in some cases due to negligence, which is related to unethical behaviour.
2. Participants' views were split regarding the appropriateness of the GPL operating model. While some participants argued for placing citizens at the centre of the operating model, others felt that having the House at the centre was appropriate. However, some called for a complete overhaul of the model. Participants that called for the placing of the citizens at the centre of the operating model are aligned to what was discussed in section 4.3.2 (Government Effectiveness).
3. Planning and reporting in the GPL are done as per the applicable legal prescripts (FMPPLA and PBMER), but the people of Gauteng are minimally involved in the processes. Some participants mentioned that involving the people of Gauteng in the business of the GPL would not add any value since most people are not familiar with the institution. Nonetheless, not involving the public in the business of the GPL contradicts what available literature recommends, as presented in sections 2.2 (Study Conceptual Framework) and 4.4.2.2 (Public participation).

In section 6.4.1, the objective: 'To discover the nature and scope of operations of the GPL' was explored. From here, the reader's attention is directed to the objective: 'To investigate the performance of the GPL over the years and reasons thereof', which is the focus of the next section.

## **6.4.2 Performance of the GPL over the years and reasons thereof**

This section is divided into five segments. The first segment attends to how performance or effectiveness is understood in the GPL. The second and third sections are about the performance of the GPL from an internal and external perspective respectively, and then a fourth section examines the other reasons behind GPL performance. A summary of findings pertaining to the performance of the GPL forms the fifth section.

### **6.4.2.1 Meaning of effectiveness**

To better comprehend the intricacies of the GPL performance, gaining a clear picture of how 'effectiveness' is understood in the context of the GPL is vital. This section focusses on the definition of effectiveness that was provided in sections 1.1 (Introduction), 1.5.2 (Effectiveness), 4.2.6 (The Effectiveness Criterion), and 4.3.2 (Government Effectiveness). This definition suggests that effectiveness pertains to achieving planned goals, or realising planned outcomes / impacts, such as improved quality of life. The notion of associating effectiveness with achieving planned outcomes is aligned to the Expectation Disconfirmation Model discussed in section 2.4.2, and public sector efficiency discussed in sections 1.5.3 and 4.2.3, which values the perceptions and expectations of citizens. Nonetheless, in section 2.4.1 (The Performance Model), effectiveness is associated with inputs, such as policies, and outputs, such as a road (Roos & Lidström, 2014:137). Put differently, available literature or theories show that effectiveness can be defined, on the one hand, in terms of inputs and outputs (the performance model), and on the other hand, in terms of outcomes (the expectation disconfirmation model). This difference necessitated the need to review GPL documents stated in Table 5.2, and again in Table 6.1, to discover how effectiveness is defined in the institution. Results from the 31 GPL documents that formed part of the study, and were examined, are presented in Table 6.4.

**Table 6.4: Definition of effectiveness extracted from GPL documents**

Type of GPL documents	GPL document reviewed	Number of times the word effectiveness is mentioned	Definition of effectiveness provided in the document
Planning documents.	2015-2019 Strategic plan (GPL, 2020a).	5	<i>“Measures the extent to which an objective has been achieved or how likely it is to be achieved.”</i> (Page 9)
	2015/16 APP (GPL, 2015c).	12	None.
	2016/17 APP (GPL, 2016b).	0	None.
	2017/18 APP (GPL, 2017b).	2	None.
	2018/19 APP (GPL, 2018b).	12	None.
	2019/20 APP (GPL, 2020c).	16	<i>“Doing the right things.”</i> (Page 9).
	2020-2025 Strategic plan (GPL, 2020a).	8	<i>“The contribution made by the institution’s results to the achievement of the overall goal. It relates to the question of whether a strategy is working or not.”</i> (Page 52).
	2020/21 APP (GPL, 2021a).	11	None.
	2021/22 APP (GPL, 2021b).	8	None.
	2022/23 APP (GPL, 2022c).	8	None.
Regulatory documents.	GPL Framework for Integrated Planning, Budgeting, Monitoring, Evaluation and Reporting (PBMER (GPL, 2017a).	0	None.
	GPL Standing rules (GPL, 2018a).	0	None.
	GPL processes and procedures Manual (2018)	0	None
	2015/16 Annual report (GPL, 2016c).	26	None.
	2016/17 Annual report (GPL, 2017c).	13	None.
	2017/18 Annual report (GPL, 2018c).	18	None.
	2018/19 Annual report (GPL, 2019).	12	None.
	2019/20 Annual report (GPL, 2020b).	7	None.
	2020/21 Annual report (GPL, 2021c).	18	None.

Type of GPL documents	GPL document reviewed	Number of times the word effectiveness is mentioned	Definition of effectiveness provided in the document
Performance documents	2021/22 Annual report (GPL, 2022a).	15	None.
	The study on the Impact of laws Passed by the Gauteng Provincial Legislature (Batseta Consulting, 2014).	14	None.
	Perceptions of the People of Gauteng on key elements of legislative performance: Views on the Gauteng Legislature after the first 20 years of democracy (HSRC, 2015).	53	<i>“The extent to which an intervention has attained, or is expected to attain, its major relevant objectives efficiently in a sustainable fashion and with a positive institutional development impact”</i> (Page 14).
	Twenty Years of Institution Building and Democratic Consolidation Assessment Report (GPL, 2015a).	18	
	A study to evaluate the Bua Le Sechaba public participation mechanism of the GPL (Vutivi Management Services, 2016).	13	None.
	A Study to Evaluate Public Participation Mechanisms of the Gauteng Provincial Legislature: Petitions System (Teaching Screens, 2016).	26	None.
	Sector Parliaments in South African Provincial Legislatures: The Case of the Gauteng Provincial Legislature (Lubizo Holdings, 2016).	6	None.
	Sub-Study to Evaluate the Gauteng Provincial Legislature’s Public Participation Mechanisms in Respect of Oversight and Law Making (Brügge, 2016).	18	None.
Performance documents	Evaluation of the Gauteng Provincial Legislature Oversight Mechanisms / Tools (Brügge, 2018).	174	<i>“Outcomes / impact.”</i> (Page 188).
	Perception Survey Report (Ipsos Global Reputation Centre, 2019).	7	None.
	An Evaluation of the Gauteng Provincial Legislature’s Law-Making Process (Ipsos Public Affairs, 2020).	5	None.
	Mid-Term Evaluation of the Sixth Term Strategic Plan for the Gauteng	5	None.

Type of GPL documents	GPL document reviewed	Number of times the word effectiveness is mentioned	Definition of effectiveness provided in the document
	Provincial Legislature (Citofield, 2023).		

Source: Own compilation

The analysis of 31 documents that were reviewed shows that whereas the word 'effectiveness' is present in almost all the documents, the term was defined in five (5) documents only; namely, the 2015-2019 Strategic plan, 2019/20 APP, 2020-2025 Strategic plan, GPL Public Perception Survey of 2015, and the Evaluation of the Gauteng Provincial Legislature Oversight Mechanisms / Tools study of 2018.

The 2015-2019 strategic plan definition of effectiveness is about the degree to which an objective was / will likely to be achieved. As discussed in section 3.2 (The Link Between Objectives, Indicators, and Targets), that objectives can be operational, strategic, or high-level, the foregoing definition is not clear about the type of objective to be achieved. Thus, the definition is not fully aligned to that of this study, which is strictly about outcomes and impacts (strategic and high-level) as provided in section 1.5.2 (Effectiveness).

In the 2019/20 APP and the 2020/21- 2024/25 strategic plan, effectiveness is defined as doing the right things, and about the working or not working of a strategy, respectively. Both definitions are not very clear, but the words 'doing' and 'working' are associated with execution, and not result or effect. This suggests that the two definitions are at operational level.

The remaining two definitions in the 2015 perception survey report and the 2018 oversight report are about outcomes / impacts and are aligned to the definition of effectiveness adopted by the study. The varying definitions of effectiveness for one institution made it necessary to pose the following question to the participants to gain a better understanding of how effectiveness is defined in the GPL:

### **Question: How is effectiveness understood in the GPL?**

Responses from all the participants show that effectiveness in the GPL is associated with achieving some results of some sort, or the accomplishment of a task. However, the participants differed in their views on the level of results to be achieved. For example, in Participant 1's view, effectiveness has to do with the achievement of strategic outcomes linked to the impact on the lives of the people. However, in the GPL, effectiveness is interpreted at individual or operational level, Participant 1 opined:

*“Effectiveness goes with efficiency. I think I always want to marry those two. It is ... linked to our impact on the people. But at institutional level the thinking is different ... because of the mentality of working in silos. ... I think everybody in their own little silos seem to think they are effective, but in the overall picture, No.”* (Participant 1)

Participants 4, 5, and 7 were also very clear that in the GPL effectiveness is interpreted at an operational level, associated with activities and outputs, as opposed to outcomes or impacts:

*“When we talk about effectiveness, we are talking about, whatever results that you were intending in the short term, if you've planned to do something and you are able, then you have been able to be successful. And then also you may find that we use sometimes ... effectiveness and efficiency together. ... when you look at effectiveness and you know indeed, we do have those reports and they are tabled on time and all of that, we can then be able to say yes, ... because that is the desired result that we want to have from each of those committees. But whether we are doing it in an efficient manner that is another question that we may need to look at.”* (Participant 4)

*“So, you look at it from a project management perspective. You look at the triple constraints, you look at the body of work that you needed to do, say you had 10 things you said must be produced. So, whether or not you have produced the 10 things. ... Did you do 10 things according to how you said you are going to do it?”* (Participant 5)

*“They could be referring to processes... that is when they say we are performing ... well. ... Maybe if you think this is terms of processing policies for example. To say our policies always go through the Human Resources Development Committee, Secretariat, and the board.” (Participant 7)*

Participant 2 argued that although everyone knows that effectiveness is associated with the achievement of the intended results, they were not specific about the level of the intended results, and whether they were strategic or operational. Participant 2 went further to elaborate that in the GPL, although people might know the definition of effectiveness, they were not putting it into practice. However, it also appears that Participant 2 seemed to associate effectiveness with the execution of plans or recommendations contained in reports, which is about processes, as mentioned by Participants 4, 5, and 7. Thus, Participant 2 insinuated that the GPL is not effective because it has not been implementing some of its processes. This is what Participant 2 had to say:

*“Effectiveness is to achieve the intended results... and to adequately deploy resources to achieve result. So, effectiveness is just how we all know it, but we don't know how best to achieve it in practical terms. ... The Legislature has a lot of good reports that are shelved .... And effectiveness is seen by implementing what the report details which is not happening” (Participant 2).*

Participants 3 and 6 mentioned that in the GPL, effectiveness involves ensuring that things are working according to plan or specifications, regardless of level (operational or strategic). This again shows that effectiveness in the GPL is understood at implementation or operational level. However, both participants agreed that there is something wrong with the current approach. Whereas Participant 3 did not clarify the exact nature of the challenge, Participant 6 was very clear that there is a need for the GPL to consider the expectation of citizens / impact in its definition and understanding of effectiveness, as indicated by Participant 1. Below is what Participants 3 and 6 said:

*“I don't think as an institution we've really got to the bottom of the spirit of the word effectiveness and got to creating specific and independent criteria about effectiveness. I think at the moment ... effectiveness really means ... something that works well. Administratively, we are able to put controls in place and we are able to ensure that things work reasonably well whether it's administratively,*

*operational or strategic. That is what I think effectiveness is taken to be in our strategic plan.” (Participant 3)*

*“The GPL strategy defines effectiveness as ‘the contribution made by the institution’s results to the achievement of the overall goal. It relates to the question of whether a strategy is working or not.’ However, the above definition does not consider effectiveness as the value of achieving a quality decision that is based on competence. Therefore, effectiveness is deficient because it does not match the expectations of constituents and how the process and outcomes evolve. In my view, if people believe in a political process based on negotiation and compromise, then governance is effective if its process and outcomes reflect that approach.” (Participant 6)*

In this section, how effectiveness is understood within the GPL was unpacked, which is mainly about the operations of the GPL. With the knowledge of how effectiveness is understood in the GPL, the following section investigates the actual performance or effectiveness of the GPL from an internal perspective.

#### **6.4.2.2 Performance of the GPL from an internal perspective**

GPL performance information presented in Tables 6.5 and 6.6 was extracted from the GPL Annual Reports which are compiled by GPL staff. Thus, this is the performance of the GPL from an internal perspective. However, instead of taking the performance figures as stated in the annual reports, a physical count of targets was reported as achieved or not by the researcher and is presented in tabled 6.5 and 6.6.

During the period of the 5th Legislature Strategic Plan (2015/16-2019/20), the GPL achieved 72% of its targets in the 2015/16 Financial Year. The GPL saw an improvement over the span of two financial years, achieving 81% and 87% of the set targets in the 2016/17 and the 2017/18 Financial Years, respectively. Unfortunately, performance dropped by 3% to 84% in the 2018/19 Financial Year and dropped further to 75% in the 2019/20 Financial Year. On average, the GPL achieved 75% of its targets set for the 5th Legislature Strategic Plan as presented in Table 6.5.



**Table 6.5: Performance of the GPL during the implementation of the 5th Legislature strategic plan**

Objective / Outcome	2015/16 Annual Report targets (GPL, 2016c:41-113)			2016/17 Annual Report targets (GPL, 2017c:32-53)			2017/18 Annual Report targets (GPL, 2018b:27-41)			2018/19 Annual Report targets (GPL, 2019)(GPL, 2019a:28-45)			2019/20 Annual Report targets (GPL, 2020b: 25-50)			2015/16 to 2019/20 % of targets Achieved
	Achieved	Not Achieved	% Achieved	Achieved	Not Achieved	% Achieved	Achieved	Not Achieved	% Achieved	Achieved	Not Achieved	% Achieved	Achieved	Not Achieved	% Achieved	
Improved Accountability by the Executive to the Legislature in respect of service delivery.	26	11	70%	6	1	86%	4	1	80%	7	1	88%	9	2	82%	<b>76%</b>
Improved meaningful involvement by the public in Legislature business.	26	10	72%	6	2	75%	2	1	67%	2	1	67	1	2	33%	<b>70%</b>
Increased responsiveness of Laws to meet the needs of the people of Gauteng.	17	9	65%	3	1	75%	1	0	100%	1	0	100%	1	0	100%	<b>66%</b>
Fostered coherent and coordinated legislative sector.	13	3	81%	6	0	100%	2	0	100%	1	0	100%	1	0	100%	<b>88%</b>
Enhanced public confidence in the governance and leadership of the Legislature.	76	20	79%	16	4	80%	3	0	100%	5	0	100%	5	2	71%	<b>80%</b>

Objective / Outcome	2015/16 Annual Report targets (GPL, 2016c:41-113)			2016/17 Annual Report targets (GPL, 2017c:32-53)			2017/18 Annual Report targets (GPL, 2018b:27-41)			2018/19 Annual Report targets (GPL, 2019)(GPL, 2019a:28-45)			2019/20 Annual Report targets (GPL, 2020b: 25-50)			2015/16 to 2019/20 % of targets Achieved
	Achieved	Not Achieved	% Achieved	Achieved	Not Achieved	% Achieved	Achieved	Not Achieved	% Achieved	Achieved	Not Achieved	% Achieved	Achieved	Not Achieved	% Achieved	
Modernised business practices towards supporting the functions of the Legislature.	15	15	50%	5	2	71%	1	0	100%	0	1	0%	1	0	100%	55%
<b>Totals</b>	<b>173</b>	<b>68</b>	<b>72%</b>	<b>42</b>	<b>10</b>	<b>81%</b>	<b>13</b>	<b>2</b>	<b>87%</b>	<b>16</b>	<b>3</b>	<b>84%</b>	<b>18</b>	<b>6</b>	<b>75%</b>	<b>75%</b>

Source: Own compilation

**Table 6.6: Performance of the GPL during the Implementation of the 6th Legislature Strategic Plan**

Outcomes	2020/21 Annual Report targets (GPL, 2021a:22-41)			2021/22 Annual Report targets (GPL, 2022a:24-46)			2020/21 to 2021/22 % of targets Achieved
	Achieved	Not Achieved	% Achieved	Achieved	Not Achieved	% Achieved	
Outcome 1: Enhanced oversight and accountability towards service delivery.	4	2	67%	4	2	67%	<b>67%</b>
Outcome 2: Increased responsiveness of laws to meet the needs of people of Gauteng.	3	1	75%	4	0	100%	<b>88%</b>
Outcome 3: Enhanced meaningful public participation.	2	0	100%	1	1	50%	<b>75%</b>
Outcome 4: Improved alignment and collaboration between organs of state.	1	0	100%	1	0	100%	<b>100%</b>
Outcome 5: Enhanced compliance with relevant fiduciary requirements and principles of good governance.	4	4	50%	10	1	91%	<b>74%</b>
<b>Totals</b>	14	7	67%	20	4	83%	<b>76%</b>

Source: Own compilation

Performance dropped to 67% during the first year (2020/21) of the 6th Legislature Strategic Plan (2020/21- 2024/25). The main contributor to this drop was the COVID-19 pandemic, which caused some of the activities of the GPL, such as oversight visits, to be temporarily suspended. This was especially true during Levels 5 and 4 lockdown periods. Lockdown levels 5 and 4 called for minimal physical interaction among human beings. Nonetheless, performance improved to 83% of the targets achieved during the second year (2021/22) of the 6th Legislature strategy. Performance improved because the lockdown levels had been reduced, which allowed reasonable physical activities. Moreover, the GPL had put measures in place to allow for virtual or remote work where necessary. For example, some public participation activities, House Committee meetings, and House sittings took place online where necessary. As shown in Table

6.6, the average performance for the two financial years of the 6th Legislature Strategic Plan stood at 76% of targets achieved.

During the 2015/16 to 2019/20 term, best performance was witnessed in cooperative governance at 88%. This success was attributed partially to well-functioning and established structures, such as the forums for the Speakers, Petitions, and Public Accounts, as well as technical teams like the Secretaries' Association of the Legislatures of South African (SALSA) that support cooperative governance activities (GPL 2015:22). Targets for improving public confidence in the GPL were achieved at 80%. Oversight, public participation, and law-making targets achieved were all above two thirds at 76%, 70%, and 66% respectively. In terms of the GPL's six objectives for the term, "Modernised business practices towards supporting the functions of the Legislature" performed the worst, at 55% of met targets. Seemingly, the unsatisfactory performance of 55% can be attributed to a general lack of awareness regarding the benefits of ICT in the GPL. This issue is further compounded by the lack of clear records management processes, a deficient knowledge management strategy, and insufficient relevant capacity and skills necessary to facilitate the transformation process within the institution (GPL 2015:17, 2020a:29).

As with the 2015/16 to 2019/20 term, for the first two years of the 2020/21-2024/25 strategic term, cooperative governance performed the best at 100% of all targets being achieved (see Table 6.9). law-making followed at 88%, followed by public participation and compliance with relevant fiduciary requirements and good governance principles at 75% and 74% targets achievement. Oversight performed the worst at 67% of targets achieved, both from the mandates and objectives perspectives for the 2020/21-2024/25 term. The oversight mandate requires substantial interaction with the citizens and service delivery sites. As mentioned in the preceding paragraphs, due to the COVID-19 pandemic, some of the oversight activities were suspended temporarily, hence a drop in performance compared to all other objectives and activities of the GPL.

Relatively low performance (74%) in achieving relevant fiduciary requirements and good governance principles targets supports what was stated in section 4.4.1 (SALS Financial Performance and Compliance with the Law), that the sector has been struggling to comply with applicable legislation, resulting in Unauthorised, Fruitless and Wasteful, and Irregular Expenditure(s). Failure to comply with applicable

legislation result in an unclean audit, as explained in section 4.2.1 (The Financial Criterion). In the GPL Annual reports, reasons for Unauthorised; Fruitless and Wasteful; and Irregular expenditure(s) were not clearly stipulated. Thus, to gain a better understanding of non-compliance by the GPL with some of the applicable legislation(s), the following question was posed to the participants:

**Question: What have been the main reasons behind the GPL incurring Unauthorised; Fruitless and Wasteful; and Irregular expenditures over the years?**

In response to the question, one of the participants mentioned family emergencies and emerging priorities or unforeseen circumstances as some of the reasons behind the Unauthorised; Fruitless and Wasteful; and Irregular expenditures that the GPL has been incurring over the years. In their own words, this is what Participant 1 said:

*“This happens ... when a committee goes on an overseas trip ... and they usually plan the trips ahead of time. Then what happens is that when one of their members or even when one of the staff members that was booked, or supposed to travel has an emergency in a sense that a very close family member passes away... then cancellations are done at the last minute, just before the trip. Then that would be disclosed as a wasteful expenditure. ... not that it was planned, but these events happen. Another reason is when there is an emerging priority say in that area with cholera; so, obviously oversight visits or whatever... have to be carried out. In that way, if they were to go and start booking accommodation or booking a venue to visit, it wasn't planned and how then do we disclose such?” (Participant 1)*

Participant 5 attributed the Unauthorised; Fruitless and Wasteful; and Irregular expenditure(s) by the GPL to poor planning. In their view, the so-called emerging priorities are a symptom of poor planning in the GPL:

*“I wonder why we don't make that disclosure, because I think it's a requirement that we make that disclosure in our annual report. The root cause may be traced to our planning, because for example, if we were not exhaustive in our planning, we are creating an opportunity for things to pop up. In many instances, the*

*argument is that this is an emerging priority, but when you look at it, you find that our planning was not as robust as it should have been.” (Participant 5)*

In addition to poor planning, lack of professionalism and boldness as well as willingness to do the right thing(s) were mentioned as some of the reasons behind Unauthorised; Fruitless and Wasteful; and Irregular expenditure(s) by the GPL. These points are closely linked to corruption that was discussed in section 4.3.5.3 (Ways of reducing corruption). In their own words, Participant 2 said the following:

*“It's about being professional in conducting the work. Number 1 ... based on my knowledge, it is poor planning. Number 2 is reaction to event as informed by political mandate or instruction. Number 3 they are afraid to advise political principals that there is no fund. Number 4, the Legislature is doing the work of the executive such as buying shoes when schools open which should be done by the Department of Education. This might be politically driven to win votes.... Also, when they don't tell a service provider that a particular event has been cancelled. ....Let me also give you an example of one committee that undertook a particular trip when they got there, they were told that the conference had been cancelled, but those people still stayed there for seven days doing nothing. That is fruitless and wasteful expenditure. How do we then justify international travel where you go and the event is no longer taking place, but you still remain on site until you have to come back?” (Participant 2)*

Participant 6 mentioned capacity limitations and negligence which is related to unwillingness to do the right things as some of the reasons behind failure to properly manage projects and contracts resulting in the GPL incurring Unauthorised; Fruitless and Wasteful; and Irregular expenditure(s):

*“The main reasons behind fruitless and wasteful expenditure and irregular expenditure are poor project and contract management. In addition, negligence, low motivation levels of staff and capacity results in poor implementation of projects.” (Participant 6)*

The other participants avoided the direct question but chose to concentrate on the point that the reasons behind the Unauthorised; Fruitless and Wasteful; and Irregular expenditures incurred by the GPL were not clearly stated in the Annual reports and

the other reports of the GPL. Participant 3 indicated that it is a problem that the reports are not clearly stipulating the reasons behind Unauthorised; Fruitless and Wasteful; and Irregular expenditure(s) incurred by the GPL and this amounts to misstating information:

*“I think what you raise is a very important question, but what is more important is the remarks you just made before you closed ..., the question itself, which you said the reasons do not come out so clearly in the documents, and that is the bigger concern. .... If reasons for fruitless and wasteful expenditure ...are not coming out clearly in our reports, then it's a problem because we are misstating information...”* (Participant 3)

Participant 4 went on to explain the measures in place to recuperate funds associated with Unauthorised; Fruitless and Wasteful; and Irregular expenditure(s).

*When such has happened, we must undertake some form of an investigation and where you find that indeed ... somebody is responsible ... then there is a way to then formally ... recoup those expenditures from the specific people who would have been linked to that expenditure... previously we were not recouping. So now ..., if the accounting officer is not able to recoup that money from you as an official, then he is going to be responsible to pay it back. ... So, in some instances after investigations ... colleagues have started paying back the money.”* (Participant 4)

Participant 7 highlighted that the reporting template might not have a section to detail reasons behind Unauthorised; Fruitless and Wasteful; and Irregular expenditures:

*“Depending on the framework for the annual report ... the framework ... might not have a section that says give detailed reasons.”* (Participant 7)

From the foregoing account, none of the participants are in support of Unauthorised; Fruitless and Wasteful; and Irregular expenditures by the GPL. This is because the inappropriate use of funds diverts resources to other areas not necessarily included in the plans of the institution, thereby compromising service delivery in some instances, as stated in section 4.3.5.1(Corruption and its effects).

In this section, the performance of the GPL was presented from the perspective of how effectiveness is understood within the institution, which is primarily at an operational level. The following section discusses the GPL’s performance from an external perspective, or that of the citizens.

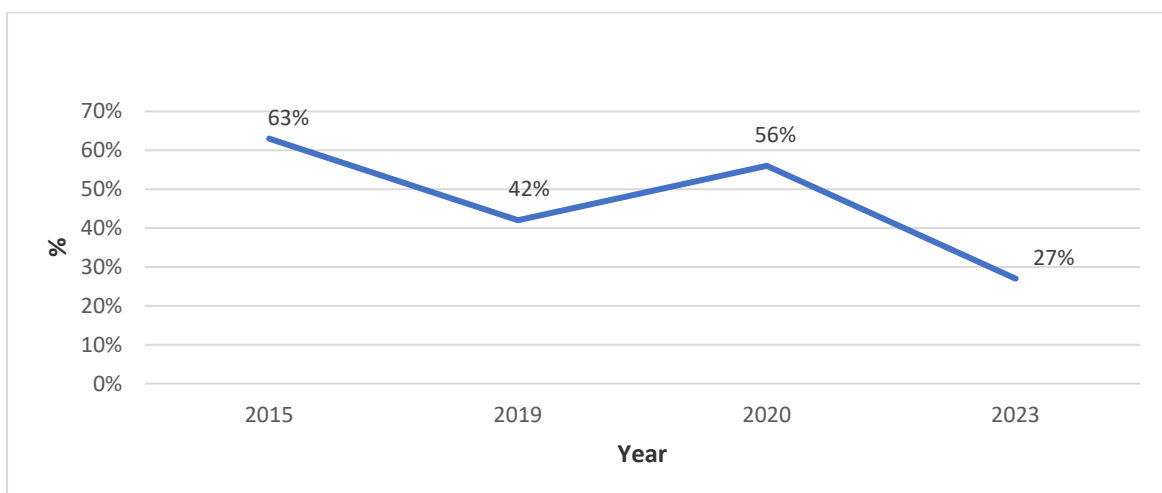
#### 6.4.2.3 Performance of the GPL from an External Perspective

As stated in section 1.6 (Preliminary Literature Review) and section 4.3.5.1 (Corruption and its effects), citizen trust in both developed and developing countries’ public institutions has been dropping in recent years. Thus, GPL documents, which form part of the study, were reviewed to investigate if the same trend applies to the GPL. As discussed in section 2.4.1 (The Performance Model), trust can be used as a proxy to measure performance, or the effectiveness of an institution. Thus, the general performance of the GPL can be estimated by measuring public trust in the institution. Table 6.7 presents results on Gauteng public trust in the GPL from various studies that were conducted by the GPL.

**Table 6.7: Gauteng public trust in the GPL**

Period	Trust level
2015	63% (HSRC, 2015:51).
2019	42% (Ipsos Global Reputation Centre, 2019:89).
2020	56% (Ipsos Public Affairs, 2020:24).
2023	27% (Citofield, 2023:7).

Source: Own compilation



**Figure 6.4: Gauteng public trust in the GPL**



Source: Own compilation

Table 6.7 and Figure 6.4 show that the Gauteng public's trust in the GPL dropped from 63% in 2015 to 42% in 2019 but went up slightly to 56% in 2020 and dropped again drastically to 27% in 2023. This trend supports what literature says about the dwindling trust levels in public institutions, including the GPL (see section 4.3.5.1).

However, it is imperative to note that perception results are significantly influenced by socio-economic factors. For example, the COVID-19 pandemic hit South Africa in 2020, and according to the Law-making study (2020:4), more than two-thirds (68%) of Gauteng residents expressed satisfaction with the government's response to the pandemic, indicating that Gauteng was implementing COVID-19 measures in the best interest of its residents. This high level of satisfaction among the people of Gauteng might have contributed to the increase in citizens' trust in public institutions, such as the GPL in 2020 compared to 2019. The year 2023 was marked by frequent electricity load shedding and interest rate increases, which could have negatively affected the mood and perceptions of the citizens, hence a huge drop in public trust in the GPL.

In addition to public trust in an institution, the 2015, 2019, and 2023 public perception surveys also utilised perceived general living conditions as proxy indicators for public institutions effectiveness. Public perceptions on the living conditions in Gauteng, which by extension measure the effectiveness of the GPL, are presented in Table 6.8 below.

**Table 6.8: Perceptions of Gauteng publics regarding living conditions**

Perception	2015 (HSRC, 2015:54)	2019 (Ipsos Global Reputation Centre, 2019:26)	2023 (Citofield, 2023:96)
Living conditions improved in the past five years.	36%	29%	11%
Living conditions stayed the same in the past five years.	43%	34%	22%
Living conditions became worse over the past five years.	20%	31%	53%
Don't know.	0%	6%	14%
<b>Totals</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Source: Own compilation

It is interesting to note that the percentage of Gauteng people who believed that living conditions improved in the past, decreased from 36% in 2015 to 29% in 2019, and decreased again to 11% in 2023. The same trend can also be seen for the public of

Gauteng who perceived that living conditions stayed the same in the past. From Table 6.8, the figure was 43% in 2015, but went down to 34% in 2019, and took a further knock to 22% in 2023. The same picture, but in a different direction is presented for the people of Gauteng who believed that living conditions deteriorated over the years. In 2015, one-fifth (20%) of Gauteng citizens mentioned that the living conditions had deteriorated. In 2019, close to a third (31%) of the people of Gauteng registered their dissatisfaction with the living conditions in the province, and this figure went up to more than half at 53% in 2023.

The foregoing account shows that living conditions and trust results are in harmony, because they both show a downward trajectory. This suggests suboptimal performance by the GPL from an external perspective. To confirm the foregoing statement, it is imperative to explore the performance of the GPL from a mandate perspective. Accordingly, the following three sections present and discuss, from an external perspective, the performance of the GPL in achieving the constitutional mandates; namely, public participation, oversight, and law-making.

#### **6.4.2.3.1 Public participation mandate performance of the GPL**

It was stated in section 6.4.2.2 that public participation is one of the mandates and objectives of the GPL. Through the public participation mandate, citizens' views are heard with the possibility of influencing policy for the benefit of the citizens (see section 4.4.2.2 Public participation). Consequently, it is vital to examine the effectiveness of the GPL public participation mandate as was done in the succeeding paragraphs.

As stated in Section 4.4.2.2 (Public participation), to assess the effectiveness of the public participation mandate, it is advisable to employ a three-way approach; namely, evaluating the scope and value of public participation mechanisms and programmes; assessing the capacity-value of the mechanisms or programmes for their participants; and gauging the degree to which public involvement influences the policy-making process. This systematic assessment helps determine the extent to which the public participation mandate is being effectively executed and achieved in an institution.

In so far as the scope and value of public participation mechanisms and programmes are concerned, available literature indicates that most legislatures, including the South African Legislative Sector (SALS), utilise various mechanisms, which include sector

parliaments, ‘taking the legislature to the people’, public hearings, petitions, and public education (see section 4.4.2.2.1).

For the GPL, a review of the institutional documents, which form part of the study, revealed that the GPL likewise utilises an array of public participation mechanisms. These mechanisms include the petitions system, public education, sector parliaments, and public hearings (HSRC, 2015:31). Thus, the GPL is aligned to best practices in so far as the provision of an array of mechanisms and programmes is concerned. This resonates with what was discussed in section 4.4.2.2(a) (Scope and value of public participation mechanisms and programmes) about good performance of the SALS in this area.

Regarding the second area of assessing performance, which is the capacity-value of the mechanisms or programmes related to deliberative democracy concerned with the inclusiveness and equality of participants as stated in section 4.4.2.2(b) (Public participation), the results of the 2020 and 2023 studies that were conducted for the GPL are shown in Table 6.9.

**Table 6.9: Deliberative democracy in the GPL in 2020 and 2023**

	<b>2023</b> (Citofield, 2023: 94,117)	<b>2020</b> (Ipsos Public Affairs, 2020: 46, 47, 49)
<b>GPL conducts business in an open and transparent manner</b>		
Strongly agree / agree	24%	52%
Strongly disagree / disagree	48%	29%
<b>GPL is accessible to all people living in Gauteng</b>		
Strongly agree / agree	24%	53%
Strongly disagree / disagree	50%	21%
<b>GPL communicates effectively</b>		
Strongly agree / agree	16	55
Strongly disagree / disagree	57	16

Source: Own compilation

As shown in Table 6.9, there was a decline from 52% to 24% and 53% to 24% of the people of Gauteng who mentioned that the GPL conducts business in an open and transparent manner, and is accessible to all people living in Gauteng, respectively. There was also a drop from 55% to 16% of the residents of Gauteng who indicated

that the communication from the GPL was clear and effective to enable deliberative democracy. Results of an earlier GPL perception survey study conducted in 2015 showed that the GPL had been struggling in deliberative democracy for some time. For instance, only 38% of the 2015 household survey participants believed that the Gauteng Legislature provided an effective forum for debate (HSRC, 2015:66). Inadequate time allocated to public participation activities was cited as one of the reasons for ineffective public participation (Ipsos Public Affairs, 2020: 39-41).

Moreover, FDG participants of the 2015 Perception survey mentioned that they were “unaware of the public education workshops... and other legislative activities... hosted by the institution” (HSRC, 2015:48). Ineffective communication associated with poor information provision was mentioned by 8% of the public of Gauteng during the 2019 perception survey as one of reasons they struggled to evaluate the GPL on achieving its mandate (Ipsos Global Reputation Centre, 2019:32). Ineffective communication was partially blamed on the usage of communication channels not favoured by the public. For example, both the 2020 and 2023 GPL studies revealed that the most preferred methods of receiving information from the GPL were television, social media, and radio, as opposed to the traditional methods, such as physical public meetings and awareness campaigns that the GPL has always used (Citofield, 2023:79; Ipsos Public Affairs, 2020:52). This points to limited inclusiveness by the GPL in involving all the people of Gauteng. This is supported by what was stated in section 4.4.2.2(b) (Capacity-value of the mechanisms or programme to its participants) that the South African middle class, as well as national groups, such as Whites, Indians, and Coloureds were mostly excluded from many meetings of legislatures.

The main observation from the foregoing account, therefore, is that the GPL has been performing poorly in deliberative democracy. This is in line with what was mentioned in section 4.3.7.1 (Public Sector Performance in Regulatory Quality), that deliberative democracy in law-making and other processes of legislatures have always been a problem in South Africa.

The third arm of the three-way approach to assessing the effectiveness of the public participation mandate is the extent to which public involvement influences policy-making process. For the GPL, results of the 2020 and 2023 studies on public

perceptions of the extent to which public involvement influenced policymaking are presented in Table 6.10.

**Table 6.10: The degree to which public involvement influenced policy making process in the GPL**

Perception	2023 (Citofield, 2023:117)	2020 (Ipsos Public Affairs, 2020: 24,39)
<b>The GPL improves the quality of life of Gauteng Citizens</b>		
Strongly agree / agree	27	50
Strongly disagree / disagree	41	21
<b>The GPL meaningfully engages the people of Gauteng/ my inputs are heard and considered</b>		
Strongly agree / agree	23%	37%
Strongly disagree / disagree	47%	31%

Source: Own compilation

Table 6.10 shows a decline from 37% to 23% and 50% to 27% of the people of Gauteng who perceived that their inputs were considered by the GPL in decision-making, resulting in an improved quality of life of citizens, respectively.

In 2015, the percentage of people of Gauteng who believed that their vote was effective in influencing decision-making within government was 55% (HSRC, 2015:49). This figure echoes the findings of a study that was conducted in 2016, wherein a total of 123 GPL Committee oversight reports for departmental budgets and annual reports for the 2014/15 financial year were analysed. These reports revealed that:

... across the board, civil society attendance in Committee oversight meetings was high at 76%, and 61% of oversight reports confirmed that submissions were made. However, only 22% of reports confirmed that Committees applied submissions made in their recommendations and evidence of feedback being provided to communities was evident in only 2% of reports that were analysed... (Brügge, 2016:18).

The unsatisfactory GPL results in terms of public influence in the policy making processes align with the content discussed in section 4.4.2.2(c) (The degree to which

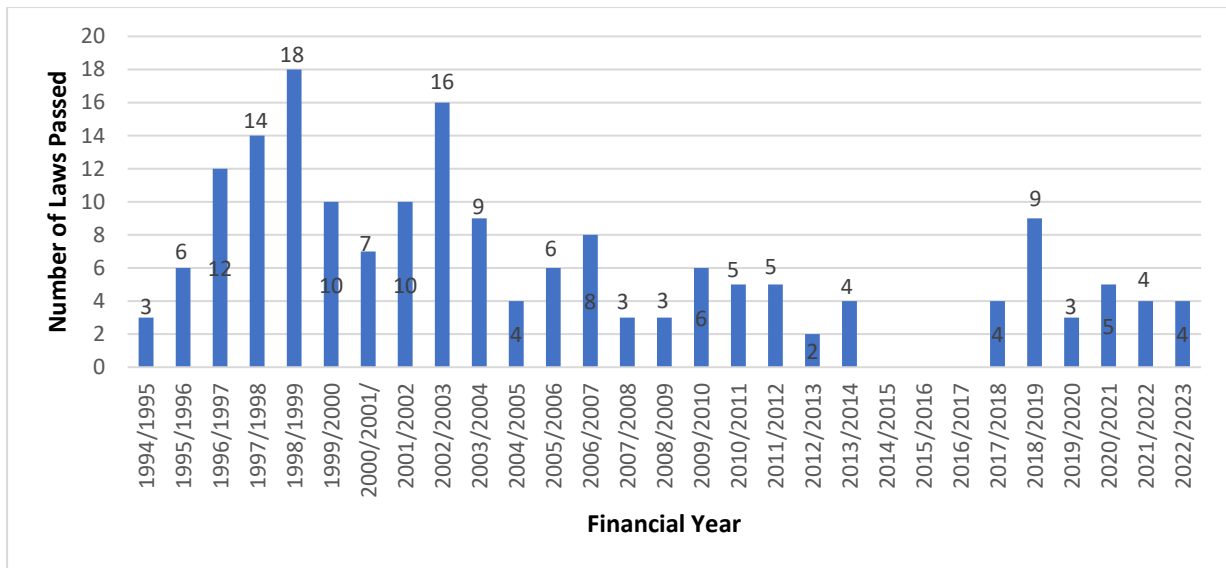
public involvement influences the policy making process) regarding SALS. The available literature indicates that SALS has been ineffective and has made minimal efforts to meaningfully engage the public in influencing policy and decision-making processes.

Overall, in the eyes of the people of Gauteng, the GPL has been performing poorly in executing the public participation mandate. In 2019, 34% of the people of Gauteng provided affirmative responses regarding the execution of the public participation mandate by the GPL. In 2023, this figure dropped to 18% (Citofield, 2023:108). This finding is consistent with what was stated in section 4.3.6.1 (Performance of the public sector in democracy), that the number of people satisfied with their national democracies (closely linked to the public participation mandate) across the globe has been declining over the years.

#### **6.4.2.3.2 Law-making mandate performance of the GPL**

As with the public participation mandate, law-making is likewise a mandate and objective of the GPL (see section 6.4.2.2). In so far as law-making is concerned, the main objective of the GPL is to make laws that are responsive to the needs of the citizens or people of Gauteng. Thus, it is imperative to investigate the extent to which the GPL law-making mandate has been effective or responsive to the needs of the citizens, which is the focus of the ensuing paragraphs.

As stated in section 4.4.2.3 (Law-making), effectiveness in making laws should not only be about the number of bills passed by a legislature but should also be about ensuring that adopted bills meet the needs of the citizens. Put differently, effectiveness in executing the law-making mandate should be assessed both quantitatively and qualitatively. In section 4.4.2.3(a) (Measuring legislative effectiveness quantitatively), it was observed that overall, SALS has been praised for passing many bills within a given period of time – representing good law-making performance quantitatively. In the same section, it was also observed that the executive initiated more laws compared to legislatures. For the GPL, results showing the number of laws that were passed by the GPL from 1994 (when democracy was attained) to date, are presented in Figure 6.5 below.



**Figure 6.5: Number of laws passed by the GPL (1994-2023)**

Source: Twenty Years of Institution Building and Democratic Consolidation Assessment Report (2015:43); and GPL electronic Monitoring and Evaluation data bases (n.d)

Information presented in Figure 6.5 was obtained from two sources. Information for the period 1994/95 to 2013/14 was obtained from the Twenty Years of Institution Building and Democratic Consolidation Assessment Report that was compiled in 2015 (GPL, 2015b:43). Due to poor record keeping in the GPL, as was stated in section 1.10 (Scope of the Study), records of the total number of laws that were passed between 2014/15 and 2016/17 could not be found in a central location. For the period 2017/18 to 2022/23, information was mined from the GPL electronic Monitoring and Evaluation databases.

As can be seen from Figure 6.5, during the first Legislature (1994/95 -1998/99), GPL passed 53 laws. During the second Legislature (1999/2000 – 2003/04), 52 laws were passed. The figures went down to 24 and 22 passed laws during the third (2004/05 – 2008/09) and fourth (2009/10 – 2013/14) Legislatures respectively. During the fifth Legislature (2014/15 – 2018/19), where information for three financial years is missing; four and nine laws were passed in 2017/18 and 2018/19 respectively. For the sixth Legislature (2019/20 - 2023/24), which was left with approximately one financial year at the time of writing this thesis, 16 laws have been passed. However, making use of

the sixth legislature strategic plan (2020/21 – 2024/25), it should be noted that 13 legislations had been passed at the time of writing this thesis.

At this juncture, it is vital to highlight the difference between a legislative term and a five-year strategic plan term. In section 6.4.1.2, it was mentioned that a strategic plan is developed six months after the elections and that the constitution of a House, or the legislative term, takes place 14 days after the announcement of the election results. This shows that there is a time lag or difference between a legislative term and a strategic plan for the five-year term. For example, the South African general elections were held on the 8th of May 2019 (South African Government 2019: Online) and results were announced on the 11<sup>th</sup> of May 2019 (Parliamentary Monitoring Group 2019: Online). Counting 14 days from the 11<sup>th</sup> of May suggests that the first House sitting took place on the 25<sup>th</sup> of May 2019, of the 2019/20 Financial Year. In other words, this is when the sixth Legislature was constituted. However, the development of the sixth Legislature strategic plan happened six months later. This suggests that for the 2019/20 Financial Year, the first year of the sixth Legislature strategic plan, plans that were developed during the fifth legislature strategic plan were used. This means the first financial year of implementing the sixth Legislature strategic plan was 2020/21 and the last year will be 2024/2025. Thus, it is imperative to note a one-year time difference between a legislative term and a strategic plan term.

Going back to the laws that were passed since democracy, as mentioned in section 4.4.2.3(b) (Measuring legislative effectiveness qualitatively), Figure 6.2 shows that most of the laws were passed (initiated and or amended) during the first and second legislatures to address the ills of apartheid. From the third legislature onwards, the number of laws passed started to decline because most of the laws associated with apartheid had already been dealt with during the first and second legislatures (HSRC, 2015:29).

Out of the many (151) laws that were passed by the GPL during the first (53), second (52), third (24) and fourth (22) Legislatures, only 13 were initiated by the GPL, either as Committee or Private Members Bills (GPL, 2015b:43). The remaining 138 were initiated by the executive. Of the 138 bills that were introduced by the executive, 55 were money bills, while 83 were policy bills, including amendments and repealing of Acts (GPL, 2015b:43). Between 2017/18 and 2022/23, 29 laws were passed. Out of



these 29 laws, only two were initiated by the GPL. These are the Financial Management of the Gauteng Provincial Legislature Repeal Bill and the Gauteng Provincial Legislature Money Bills Amendment Procedure and Related Matters Bill that were passed during the 2018/19 Financial Year. Of the 27 laws that were initiated by the executive, 24 were money bills. Only three laws, namely the Gauteng Provincial Road Traffic Amendment Bill, the Gauteng Transport Authority Bill, that were adopted during the 2018/19 Financial Year, and the Gauteng Township Economic Development Bill that was adopted in the 2021/22 Financial Year, were policy bills. This narrative supports the literature, which reveals that quantitative performance of Legislatures in terms of law-making is significantly impressive and that most of the laws have been initiated by the executive compared to legislatures. However, it is imperative to assess the law-making mandate qualitatively, which is the focus of the forthcoming paragraphs.

A qualitative assessment is concerned with the degree to which a law is likely to achieve / have achieved the desired results or impact (see section 4.4.2.3(b) Measuring legislative effectiveness qualitatively). This is also known as the effectiveness test, which involves assessing, among other issues, the extent to which the contents of the legislation are realistic and aligned to the legislation purpose, results, and the broader legislative context.

For the GPL, results of the studies that were commissioned by the GPL to assess the performance of the institution in law-making revealed a mixed outcome. For example, participants of a study conducted in 2014 about the impact of laws that were passed by the GPL from 1994 to 2008 provided examples of the effectiveness of various legislations, as well as areas of non-effectiveness, as presented in the following paragraphs.

The 2014 study found that the Gauteng Street Children Shelters Act 16 of 1998 was one of the legislations which had positive results. According to the participants, there was a decrease in the overall number of street children due to the legislation place (Batseta Consulting, 2014:19). Regarding the Gauteng Tourism Act 10 of 2001, the participants indicated that the legislation raised the profile of tourism within the province. Consequently, the province hosted a few significant sporting events, business, and recreational events, which directly contributed to the promotion and

development of tourism (Batseta Consulting, 2014:21). However, some participants mentioned that the same Tourism Act was not aligned with the legal order because it was not fully synchronised with the provincial and national tourism sector strategies and other economic policies (Batseta Consulting, 2014:19). Consequently, some of the participants rated the legislation ineffective.

The Gauteng Arts and Culture Council Act 11 of 1998 was found to have impacted the people of Gauteng positively by improving entertainment, skills development, employment generation, social cohesion, and the prevention of various social ills, as well as financial relief for the beneficiaries and their families through the bursaries that were offered (Batseta Consulting, 2014:26). Another legislation that was rated positively by the 2014 participants is the Gauteng District Health Services Act 08 of 2000. The participants argued that the Act made a positive impact on the elderly, the youth, women, the poor, as well as people with minor and chronic ailments in the main. The participants also mentioned that the Act resulted in the improvement in the general quality of life for the people of Gauteng, and hence, savings in terms of the provincial government budget (Batseta Consulting, 2014:27). However, other 2014 participants indicated that there was a misalignment between the Gauteng Act and the National Act, as well as the lack of alignment between primary health care and municipal institutional structures. Thus, the Act was found to not be assisting to achieve the broader health objectives.

It was mentioned in section 4.3.7.1 (Public Sector Performance in Regulatory Quality), that South Africa has been struggling with regulatory reforms intended to make conducting business easy. Participants in the Impact of Laws Passed Study of 2014 confirmed the same challenges and dissatisfaction with the Gauteng Liquor Act, No.2 of 2003, and its Amendments. The findings of the study revealed that the number of shebeen permits exceeded the number of licenses issued in accordance with the Act, and that monitoring, and enforcement of the law was a huge challenge. The cumbersome and complicated nature of the application process resulted in many people employing the services of liquor consultants who charged exorbitant prices (Batseta Consulting, 2014:22). Thus, the study recommended the adoption of a simplified application process, as well as introducing an electronic system to lodge applications, and the creation of a “one-stop-shop” for people to obtain licenses

(Batseta Consulting, 2014:22). This pointed to weaknesses associated with the effectiveness of the law-making function of the GPL.

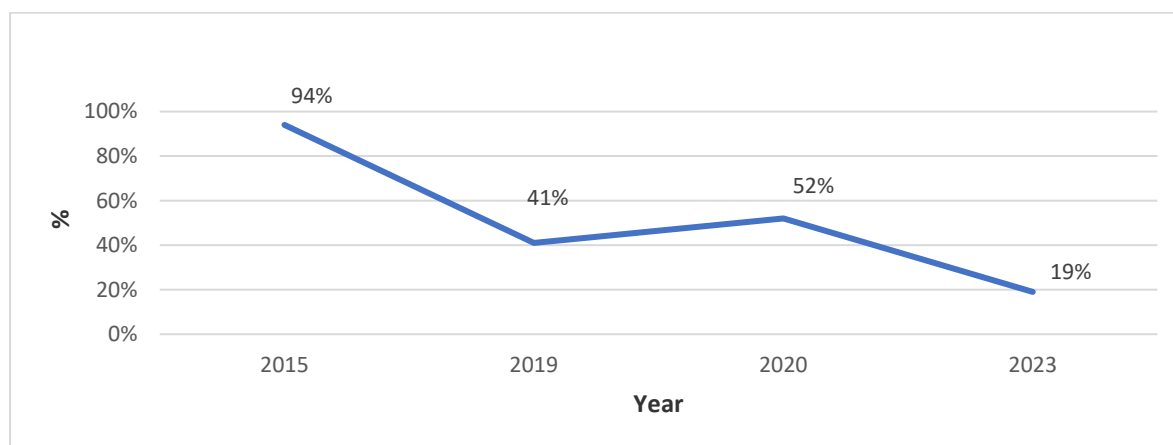
Moving from 2014 to 2015, the perception survey that was conducted in 2015, likewise revealed mixed feelings among the people of Gauteng pertaining the law-making mandate. However, most (94%) participants considered the GPL effective in its law-making mandate (HSRC, 2015:54). Most participants in the FDGs indicated that they were witnessing positive results around education where learners could have access to free basic education. In their view, such education laws were responsive to the needs of most people in the province. The 2015 perception survey participants went further to acknowledge the “relevance of the laws passed in addressing some of the socio-economic ills facing the province” such as the illicit use of drugs (HSRC, 2015:61). However, some 2015 perception survey participants registered dissatisfaction with the way the GPL was executing the law-making mandate. These participants raised concerns around inadequate monitoring and evaluation by the GPL of the implementation by the Executive of passed laws (HSRC, 2015:63). This is in line with what was stated in section 4.3.7.1 (Public sector performance in regulatory quality), that South Africa has been very slow in conducting systematic regulatory impact assessments (RIAs).

Between 2015 and 2023 the GPL experienced a significant decline of 75% of people satisfied with how the GPL executes the law-making mandate, as depicted in Table 6.11 and Figure 6.6. Some of the people of Gauteng mentioned that they were dissatisfied because most of the laws did not speak to their needs due to poor public consultations (Ipsos Public Affairs, 2020:36). Again, this is aligned to what was raised in section 4.3.7.1 (Public Sector Performance in Regulatory Quality), that public participation has not been executed effectively in South Africa during the law-making processes. Poor implementation of passed laws was also mentioned by the people of Gauteng as one of the reasons for their dissatisfaction with the law-making mandate (Ipsos Public Affairs, 2020:37).

**Table 6.11: People of Gauteng satisfied with the GPL’s execution of the law-making mandate**

Period	2015	2019	2020	2023
Satisfied with the GPL’s execution of the law-making function.	94% (HSRC, 2015:54).	41% (Ipsos Global Reputation Centre, 2019:63).	52% (Ipsos Public Affairs, 2020:36).	19% (Citofield, 2023:101).

Source: Own compilation



**Figure 6.6: People of Gauteng satisfied with the GPL’s execution of the law-making mandate**

Source: Own compilation

In summary, the GPL has been passing a reasonable number of laws over the years, performing relatively well quantitatively. However, qualitatively, the performance of the GPL has been on a downward trajectory. This has implications for the operations of the GPL in so far as the execution of the law-making mandate is concerned. For example, citizens have been bemoaning laws that are not fully responsive to their needs. Thus, future law-making strategies must be geared towards correcting these undesirable results.

From here, the focus shifts to the oversight mandate of the GPL.

#### **6.4.2.3.3 Oversight and scrutiny mandate performance of the GPL**

Oversight and scrutiny is a mandate and objective of the GPL (see section 6.4.2.2). The main aim of oversight and scrutiny in the GPL is to influence service delivery by the Executive for the benefit of the citizens or people of Gauteng. Consequently, it is

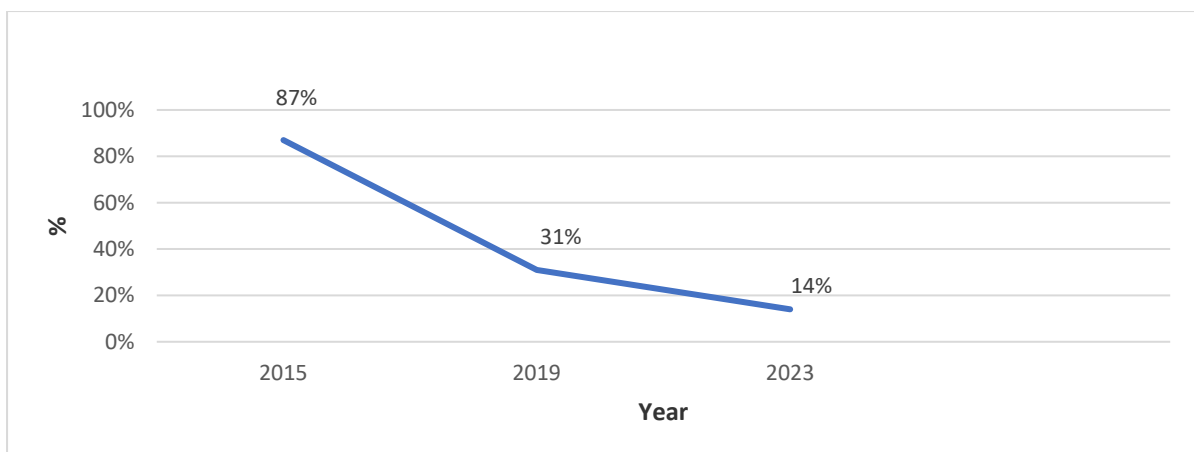
vital to investigate how the oversight and scrutiny mandate of the GPL has been effective, and this is done in the following paragraphs.

As stated in section 4.4.2.1 (Oversight and scrutiny), legislatures, including SALS, have been sub-optimally performing in oversight and scrutiny. For the GPL, performance in terms of the oversight and scrutiny mandate is presented in Table 6.12.

**Table 6.12: People of Gauteng satisfied with the GPL’s execution of the oversight and scrutiny mandate**

	2015	2019	2023
Satisfied with the GPL’s execution of the oversight and scrutiny function.	87% (HSRC, 2015:57).	31% (Ipsos Global Reputation Centre, 2019:65).	14% (Citofield, 2023:105).

Source: Own compilation



**Figure 6.7: People of Gauteng satisfied with the GPL’s execution of the oversight and scrutiny mandate**

Source: Own compilation

Table 6.12 and Figure 6.7 show that the perceptions of the people of Gauteng regarding how the GPL executes the oversight and scrutiny mandate has been on a downward trajectory. In 2015, the majority (87%) of the people of Gauteng mentioned that they were satisfied with how the GPL was executing the oversight and Scrutiny mandate. The figure went down to 31% in 2019 and further down to 14% in 2023. This finding about the GPL supports what is available in literature, as stated in section 1.6

(Preliminary Literature Review) that the performance of both developing and developed nations' parliaments has been on a downward trajectory.

There are several reasons that have been advanced for this suboptimal performance by the GPL. One of them is capacity. It was mentioned in section 4.2.5 (The Sustainability Criterion) that capacity is one of the prerequisites for public institutions' effectiveness. The GPL, in a study conducted in 2018, demonstrated capacity in terms of head count, but lacked the necessary skills to execute oversight and scrutiny functions effectively (Brügge, 2018:107). For example, the study revealed that most of the GPL oversight recommendations / resolutions in 2018 were primarily information seeking, due to inadequate capacity to develop explanation seeking and remediation (press for action) seeking recommendations / resolutions, which result in improved oversight and service delivery (Brügge, 2018:107). The same challenge of not passing explanation seeking and remediation oversight resolutions was exposed in the 2023 perception survey study (Citofield, 2023:30). In the same perception survey of 2023, 93% of the study respondents strongly disagreed with the statement that the GPL had highly skilled MPLs and staff (Citofield, 2023:117) capable of developing and implementing effective resolutions leading to service delivery, among other activities. It is crucial to note that citizens usually regard the government as one entity and do not distinguish between the three arms of the state; namely, the Executive, Judiciary, and the Legislature (Citofield, 2023:17). Thus, poor performance by the Executive, for example in service delivery, could affect how citizens perceive the effectiveness of the Legislature. To support the foregoing, the 2023 perception survey found that increasing cost of living, interest rates, and load shedding challenges, which were experienced countrywide, influenced how the people of Gauteng rated the performance of the GPL (Citofield, 2023:17).

Lack of political will was stated in section 4.2.5 (The Sustainability Criterion) as another reason for suboptimal performance by legislatures in fulfilling their constitutional mandate. For the GPL, this lack of political will was observed by participants of the GPL law-making process study that was conducted in 2020 (Ipsos Public Affairs, 2020:61). As stated in section 4.4.2.1 (Oversight and scrutiny), a lack of political will to conduct oversight and scrutiny effectively is partly due to the South African political system that promotes allegiance to a political party as opposed to the Constitution and the citizens (Brügge, 2018:89). In South Africa, as of the time of writing this report, it

has not been individuals that have been voted into office, but political parties. In most cases, the senior members of political parties take up positions in the Executive branch of the state, and the junior members sit in legislatures and find it challenging to hold their seniors accountable. This situation, which hinders the political will to fully serve the citizens, impedes the complete execution of the oversight and scrutiny mandate by legislatures (see section 4.4.2.1). For instance, junior members in the Legislature may find it difficult to ask pressing questions concerning action by the Executive, and instead settle for inert questions that do not lead to service delivery to improve the lives of citizens. As explained in the foregoing paragraph, poor service delivery affects how citizens perceive the GPL.

As mentioned in section 4.3.5.1 (Corruption and its effects), corruption hampers service delivery, and third world countries have been trailing behind in controlling corruption. Thus, this unethical behaviour, manifested in the form of corruption, could be argued as one of the reasons for the suboptimal performance by legislatures in executing the oversight mandate. In almost every study commissioned for the GPL, corruption was cited by the people of Gauteng as one of the major challenges stifling service delivery in the province (Ipsos Public Affairs, 2020:18; Ipsos Global Reputation Centre, 2019:35; Brügge, 2018:87; HSRC, 2015:59; Batseta Consulting, 2014:14)

Unethical behaviour, such as corruption, associated with an unwillingness to do the right thing, which in this case is to serve the citizens, as well as lack of capacity result in ineffectiveness, as stated in section 2.2 (Study Conceptual Framework). This narrative is aligned to a discussion that was advanced in section 2.3 (Normative Ethics Theories), which emphasised the importance of ethical behaviour and skills. The first normative ethics theory discussed in section 2.3.1 (Kantian Ethics), argued that ethical behaviour that results in effectiveness is associated with fairness, observing individual rights, justice, and consistency. The second normative ethics theory called Utilitarianism, explained in section 2.3.2 (Utilitarianism), emphasised the maximisation of total preference satisfaction of citizens, and is also linked to what was discussed in section 2.4.2 (Expectation Disconfirmation Model). The third and last normative ethics theory called Virtue ethics, discussed in section 2.3.3 (Virtue ethics), recognises the importance of skills, capacity and an advanced virtuous character, in so far as ethical behaviour is concerned. As can be seen from the foregoing narrative, Kantian Ethics,

Utilitarianism, and Virtue ethics all discourage corruption, which hinders service delivery and influences citizens' perceptions of a legislature.

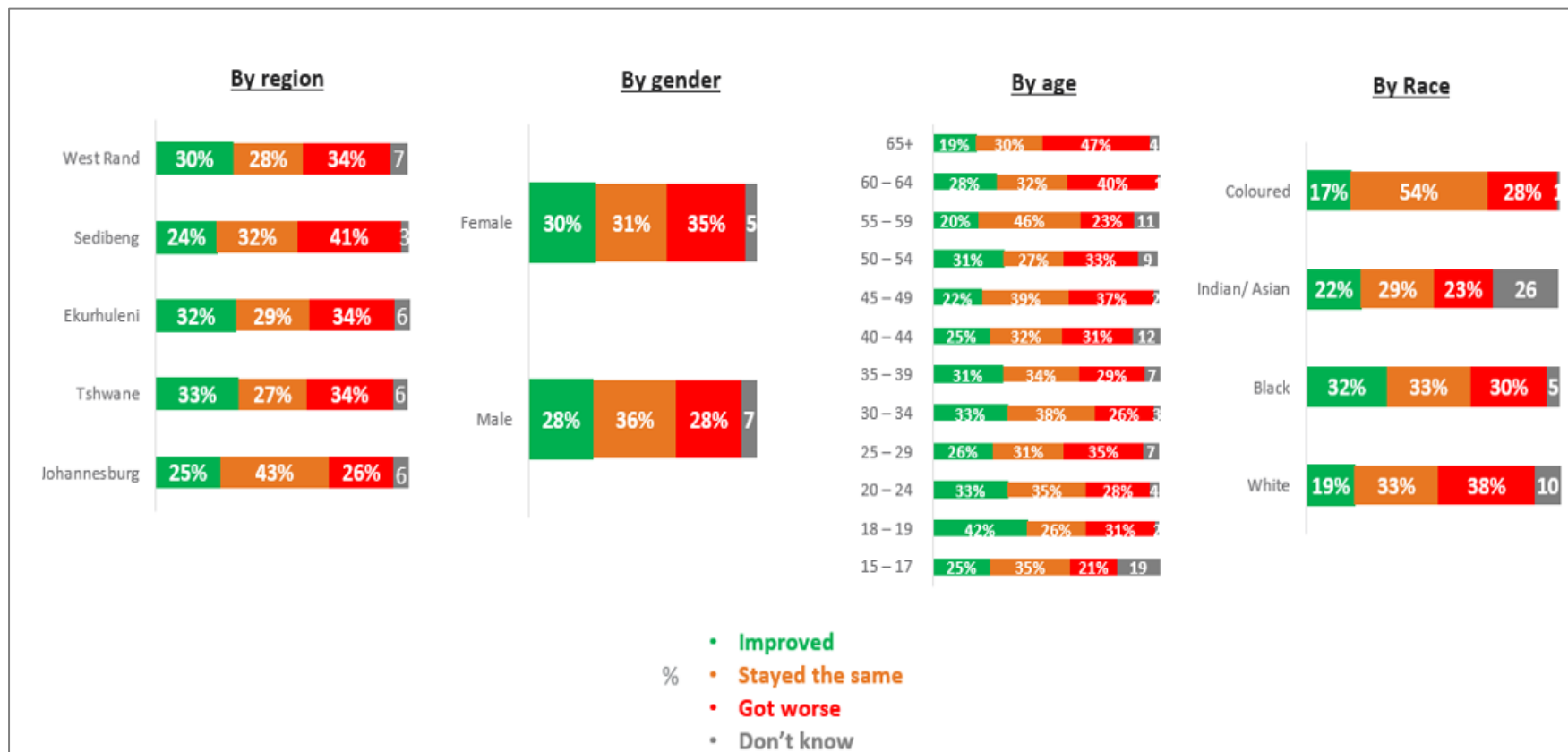
Thus far, all the theories, except the Individual and Jurisdictional models that were outlined in Chapter 2, have been discussed in detail. This makes it necessary to look at the study data through the Individual and Jurisdictional models' lens. This is done by unpacking the determinants of satisfaction, or other factors that cause people to be satisfied or unsatisfied with government services and is presented in the forthcoming section.

#### **6.4.2.4 Other factors behind satisfaction / dissatisfaction of citizens**

Studies that were conducted by the GPL (see Table 6.1) were further reviewed to gain a better understanding of how the determinants of citizens' satisfaction influenced the general effectiveness of the GPL presented in the foregoing section. In other words, the review of the documents was done to ascertain the linkage between the case study and the Individual and Jurisdictional models discussed in section 2.4.3 (The Individual and Jurisdictional Models).

In studies that were commissioned by the GPL, most of the determinants of citizen satisfaction with government services were explored. Although geographical location, gender, age, and race (see Figure 6.8) were explored explicitly; income, homeownership status, community attachment, jurisdictional structure, general and local political efficacies, and quality and quantity of services were explored implicitly. Thus, the subsequent sections have headings of determinants that were explicitly explored by the studies that were commissioned by the GPL. However, in those headings the other determinants were also discussed.





**Figure 6.8: Perceptions of Gauteng publics regarding GPL performance over the past five years**

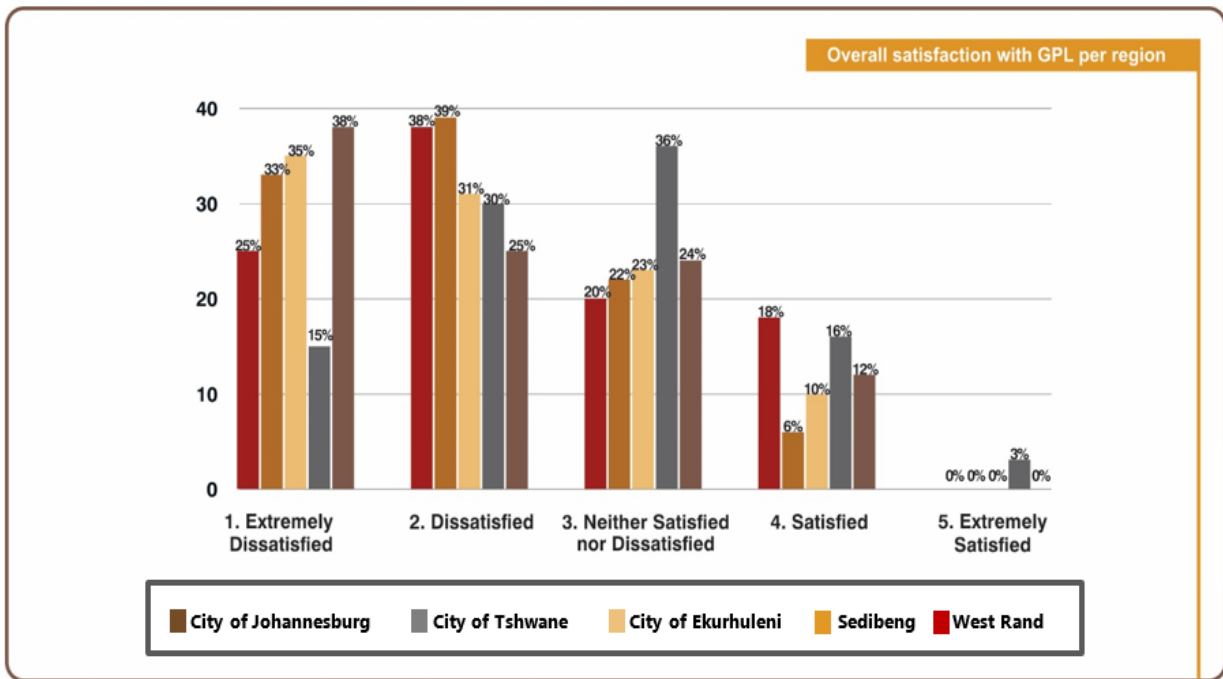
Source: Ipsos Global Reputation Centre (2019:27)

#### **6.4.2.4.1 Geographic location / region**

It was stated in section 2.5.8 (Fragmented Versus Consolidated Government System) that small cities offer their residents enhanced accessibility and better services compared to big cities, which are usually congested with traffic and in which it is difficult to maintain order. Thus, small cities with improved accessibility in most cases positively influence citizen satisfaction with government services (Mbassi *et al.*, 2019:119).

In Gauteng, most people reside in Johannesburg, followed by Tshwane, Ekurhuleni, and then Sedibeng, and the West Rand (Citofield, 2023:16). Thus, Gauteng is comprised of five regions. It should also be noted that Johannesburg, Tshwane, and Ekurhuleni are metropolitan cities, whereas the West Rand and Sedibeng regions are semi-rural. Traffic congestion is usually a problem in the metropolitan cities. Based on this background information, an assessment follows to determine where the most unhappy or happy residents are between the metropolitan cities and semi-rural districts.

Results of the 2019 perception survey presented in Figure 6.8 revealed that the most unhappy region was Sedibeng at 41%, followed by West Rand, Ekurhuleni, and Tshwane at 34% each, and finally Johannesburg at 26%. Still in 2019, most of the people who believed Gauteng had improved came from Tshwane (33%), followed by Ekurhuleni (32%), and then West Rand at 30%. Johannesburg was in position four at 25%, and the least number of people who opined that Gauteng had improved came from Sedibeng at 24%. The 2023 perception survey results depicted in Figure 6.9 concur with the 2019 results, although the former results are about the GPL and the latter are about the entire province. In 2023, 72% of citizens dissatisfied with the GPL came from the Sedibeng region, followed by Ekurhuleni at 66%. The West Rand region and the city of Johannesburg followed Ekurhuleni at 63% each. Tshwane had the least citizens who were dissatisfied with the GPL in 2023, at 45%. In terms of the most citizens satisfied with the GPL in 2023, Tshwane had the most at 19%, followed by West Rand (18%), Johannesburg (12%), Ekurhuleni (10%), and finally, Sedibeng with the least satisfied citizens at 6%.



**Figure 6.9: Overall satisfaction with GPL per region**

Source: Citofield (2023:94)

Interesting to note is that the Sedibeng region came out as the unhappiest region, while Tshwane, which is a metropole, emerged as the region with the most satisfied citizens in both the 2019 and 2023 surveys. West Rand emerged as number three out of five regions in 2019 and number two out of five regions in 2023 in terms of citizens' satisfaction. The fact that residents of the West Rand and Sedibeng, the smaller cities, were less satisfied compared to those from big cities such as Tshwane, contradicts findings of scholars such as Mbassi *et al.* (2019:119) and Fitzgerald and Durant (1980:589) (see section 2.5.8 Fragmented Versus Consolidated Government System). Instead, the finding reinforces the conclusion by Lowery and Lyons (1989:87) that dissatisfaction has very little to do with the jurisdictional structure or size of a city, but rather, it has to do with other factors. In this case, one of the factors could be better service delivery in big cities, as discussed in section 2.5.5 (Quality and Quantity of Services). Results of the 2019 perception survey depicted in Figure 6.10 revealed that the Sedibeng region was one of the regions that experienced poor service delivery.

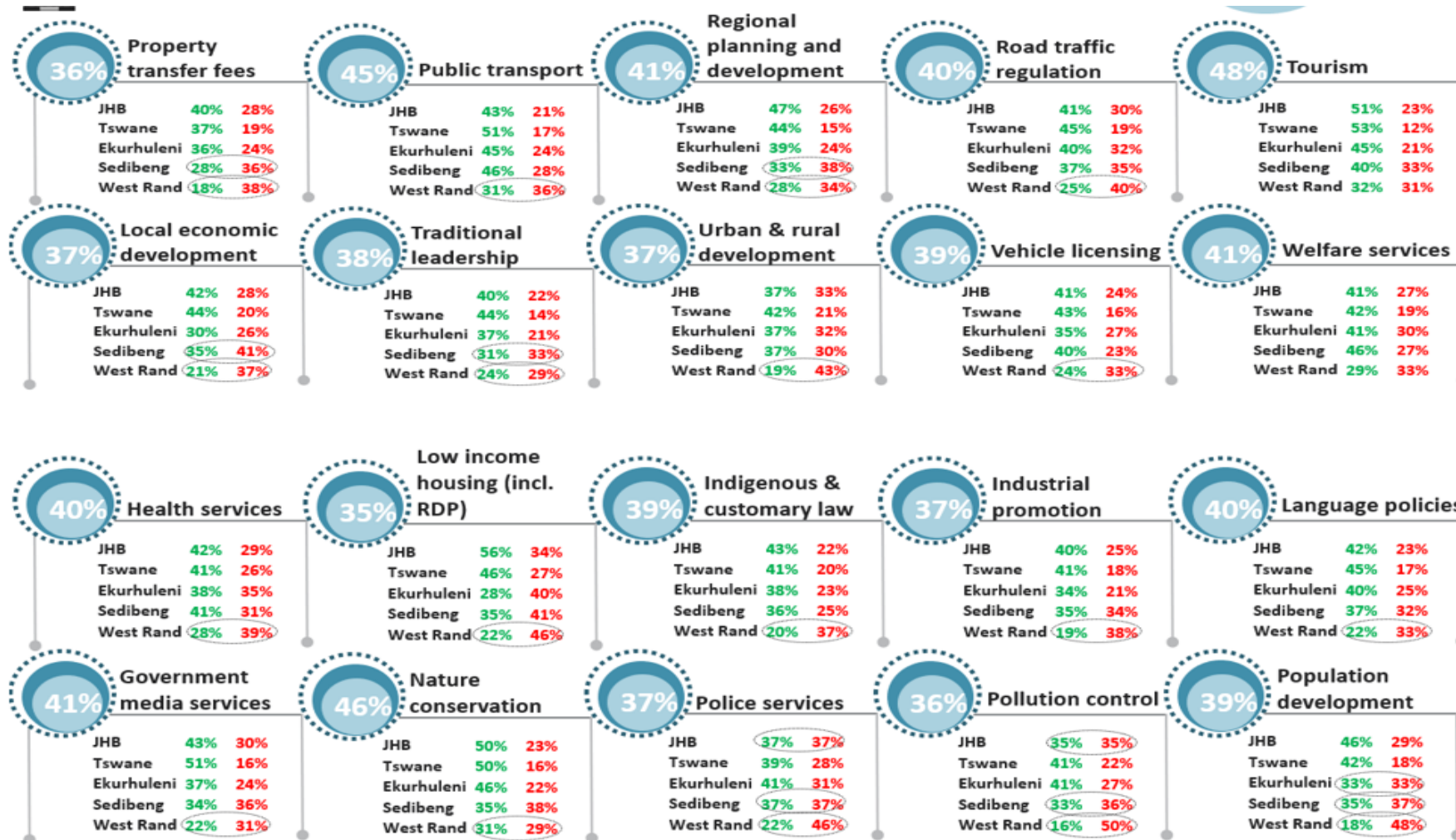


Figure 6.10: Service delivery in Gauteng

Source: Ipsos Global Reputation Centre (2019:33)

This could be one of the explanations why people in the Sedibeng region rated government services as poor. However, the West Rand region's ratings of service delivery were worse than those of Sedibeng, as shown in Figure 6.10. Despite this, the West Rand was not as unhappy with the GPL and the province as the Sedibeng region was. This contradicts the foregoing statements that quality and quantity of services affect citizens' satisfaction with a government but supports what Brown and Coulter (1983:51,57), and Stipak (1979:46) said, as stated in section 2.5.5 (Quality and Quantity of Services), that the two are not correlated.

The foregoing account suggests that in Gauteng, there is not a clear relationship between geographic location and the quality and quantity of goods and citizens' satisfaction with an institution. In the next section, the relationship between gender and citizen satisfaction with the GPL is explored.

#### **6.4.2.4.2 Gender**

Regarding gender, it was stated in section 2.5.3 (Gender) that there is no consensus among scholars regarding gender as a determinant of citizen satisfaction with government services. However, some scholars believe that in general, women are less satisfied with government services compared to men (Mizrahi *et al.*, 2020:457; Brown & Coulter, 1983:54). In Gauteng, although the 2019 perception survey findings presented in Figure 6.8 show that indeed females (35%) were more unsatisfied than man (28%) regarding how the province had been performing, it should be noted that females (30%) were also more satisfied than man (28%). This finding explains why there is no consensus among scholars on gender being a determinant of citizen satisfaction with government services. The 2023 perception survey did not explore the dimension of gender satisfaction with government services.

Thus, it can be concluded that for Gauteng, there is not a straightforward relationship between gender and satisfaction with the GPL. The following section explores another determinant of satisfaction, which is age.

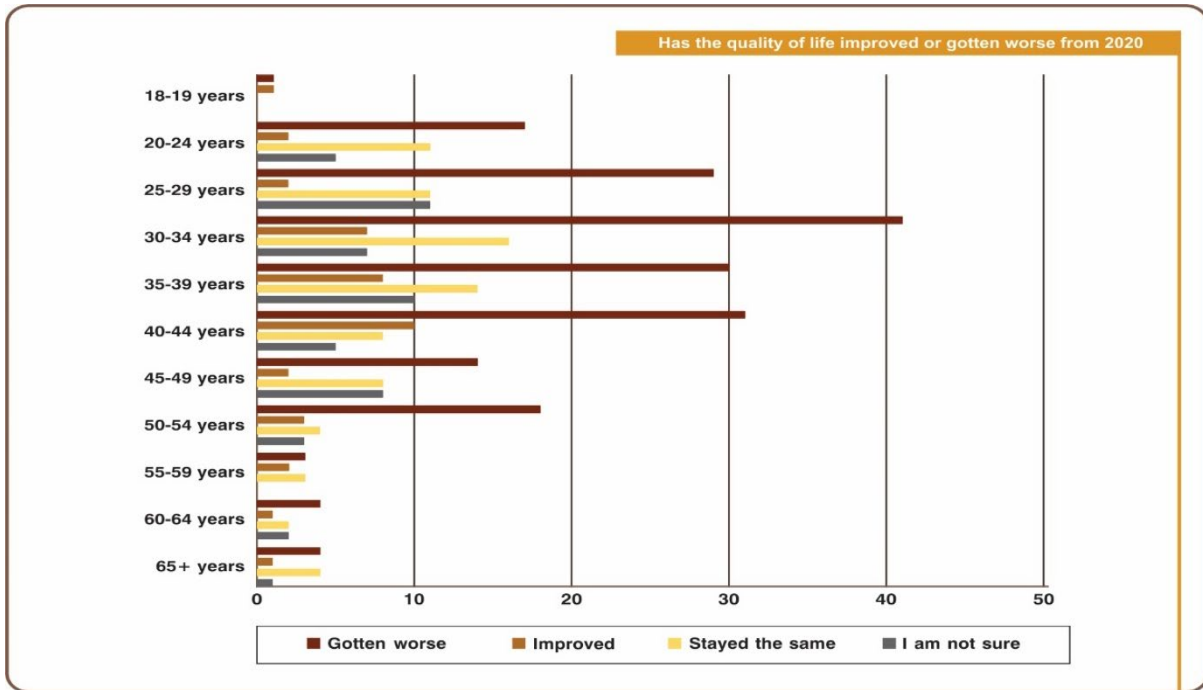
#### **6.4.2.4.3 Age**

As with gender, as stated in section 2.5.2 (Age), there is no agreement among scholars regarding age as a determinant of citizen satisfaction with government services.

However, several scholars found that young people (below 35 years) were usually less satisfied with government performance compared to older people (de Kadt, Dallimore, *et al.*, 2021:71; Merten, 2016:n.p; Cloete, 2015:515; Grant, 2014:n.p; Fitzgerald & Durant, 1980:589). For Gauteng province, as presented in Figure 6.8, it is interesting to note that results of the 2019 perception survey contradict the foregoing statement. In 2019, for the age category 40 to over 65, more people indicated that life had become worse in Gauteng, compared to those that indicated that life in the province had improved. However, for the age group 15 to 39, more people expressed satisfaction with the quality of life in Gauteng compared to those who mentioned that life had become worse. Within the 15 years to 39 years age category, only the 25 to 29 age group had more people (35%) who gave a negative rating compared to those giving a positive rating (26%) on the performance of the province.

However, a more recent study, conducted in 2023, supports the findings of scholars who concluded that younger people were more likely to be less satisfied with government performance compared to older people. As depicted in Figure 6.11, although the number of people in all age groups who mentioned that the quality of life in Gauteng had dropped is high, the numbers are even higher for the young people, or economically active age categories. This finding supports the conclusions that were made by most scholars pertaining to age being a determinant of citizen satisfaction with government services.

For Gauteng, although there seem to be a relationship between age and satisfaction with the GPL, the age category that is correlated to citizen satisfaction is not conclusive. In the next section, the remaining determinants of citizens' satisfaction with government, including race, are discussed.



**Figure 6.11: Gauteng Citizens 2023 perceptions on the quality of life by age**

Source: Citofield (2023:97)

#### 6.4.2.4.4 Race

On the issue of race, it was mentioned in section 2.5.1 (Race), that several scholars found an association between citizen satisfaction with government services and race. These scholars found that the most dissatisfied citizens were Blacks. In South Africa, Masiya *et al.* (2019:33) attributed this to the historical disparities caused by the apartheid system that favoured the Whites. Moreover, many Blacks belong to the low-income groups, with limited access to goods and services as stated in section 2.5.4 (Income), with a low rate of homeownership and community attachment in Gauteng as mentioned in section 2.5.6 (Homeownership Status) and section 2.5.7 (Community Attachment), respectively. This low-income group in South Africa, comprised mainly of Blacks, is expected to be less satisfied with government effectiveness.

Nonetheless, the picture presented in Figure 6.8 for the 2019 perception survey, narrates a different story, showing that for Gauteng, Blacks were the most satisfied at 32% and Whites the most unsatisfied at 38%. Although not the most satisfied race, the 2023 perception survey results depicted in Table 6.13 revealed that Blacks were the least dissatisfied race at 51%. This finding supports scholars such as Brown and Coulter (1983:54) and Beck *et al.* (1990:75), who argue that income does not affect

citizen satisfaction with public institutions. The most dissatisfied were Asians at 80%, followed by Whites at 74%, and then Mixed-race at 60%.

**Table 6.13: Gauteng Citizens 2023 perceptions on the quality of life by race**

Perception	Whites	Blacks	Indians / Asians	Mixed-race
Living conditions improved in the past years (since 2020).	26%	10%	0%	20%
Living conditions stayed the same in the past years (since 2020).	0	24%	0%	0%
Living conditions became worse over the past years (since 2020).	74%	51%	80%	60%
Don't know.	0	15%	20%	20%
<b>Totals</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Source: Citofield (2023:98)

The contradiction to what is currently documented in literature about Blacks being the most dissatisfied race could be explained using what was outlined in section 2.4.1 (The Performance Model) about political party affiliation being one of the major determinants of satisfaction with government services. In Gauteng, during the 2019 survey, more Blacks were associated with the governing party (the African National Congress). This could be why they rated government performance more favourably compared to other races (Mutyambizi, Mokhele, Ndinda & Hongoro, 2020:18; Beck, Rainey & Traut, 1990:75).

Consequently, it can be concluded that in Gauteng, race, income, homeownership status, and community attachment do not seem to have a strong effect on how the people of Gauteng perceive the GPL. Looking at all the determinants discussed in section 6.4.2.4, a common trend that is emerging is that there is not enough evidence to conclusively pronounce or dispute a relationship between the determinants of satisfaction and happiness with the GPL. So, it became necessary to pose the following question to the participants:

**Question: In your view, what are the determinants of satisfaction with services offered by the GPL? (Probe determinants such as: age, race, gender, income, quality and quantity of services, homeownership status, community attachment, general and local political efficacies, and jurisdictional structure).**



The 2019 perception survey results that were discussed in section 6.4.6.1 did not conclusively show a relationship between quality and quantity of services and citizen satisfaction with government services. Concerning the seven study participants, although not explicitly, five out of seven participants (1, 2, 5, 6, and 7) mentioned that the quality and quantity of services discussed in section 2.5.5 (Quality and Quantity of Services), is one of the main determinants of citizens' satisfaction with a public institution. Participant 1 also spoke about age directly:

*“... whether it is a young person, they've got things to complain about. It is all the people – they have got things to complain about. ..., you move across the genders, there is things or services to complain about. You go across the political parties. It doesn't matter where....”* (Participant 1)

Participant 2, went further to explain that corruption was the main causes of poor quality and quantity of services resulting in citizens in all age groups dissatisfied with the government:

*“Everyone is just not happy. People are not happy because they feel betrayed by the people whom they trusted. Look in South Africa, during the apartheid regime we thought it was because white people were running the country. ..., now white people have given us the country, but we are still suffering from our own people. ... People even believe that the old regime was better because when they were given a particular budget, they will eat maybe 5% through corruption and spend 95% on service delivery. The current government that we are in today, they spend 5% patching a pothole and then eat 95% on their own.”* (Participant 2)

Participants 5, 6, and 7 mentioned inflexible internal government processes and legal frameworks, such as supply chain guidelines, as the main causes for delays in the provision of enough and quality services. In addition to quality and quantity of services, Participant 6 raised local political efficacy issues, which include citizens' perceptions about the degree to which a legislature serves them, as discussed in section 2.5.9 (General and Local Political Efficacies), as another determinant of satisfaction with government services:

*“The key factors that affect satisfaction with services offered by the GPL are language barriers; public outreach to poor / vulnerable communities; public access to the Legislature and Members of the Legislature; volatile political environment; there is no clear and comprehensive programme for MPLs to engage with communities and account back to the Legislature; and restrictive supply chain measures which have a bearing on the quantity and quality of services.” (Participant 6)*

Participant 5 explained that dissatisfaction with a public institution due to the lack of quality and quantity of services, or their limitations, is likely to be more pronounced among females compared to males. Although the GPL 2019 perception survey results were inconclusive regarding gender as a determinant of citizens’ satisfaction with the government (see 6.4.6.3), Participant 5 suggested that gender, is a determinant of citizen satisfaction with a public institution. In addition, the participant emphasised the crucial role of citizens’ expectations in determining satisfaction with services:

*“Let’s take for example the petitions process of the legislature ...and streetlights. ...I may come to the legislature out of desperation with the expectation that the Legislature will respond promptly, which you know doesn’t always happen because of our internal processes and generally the government bureaucracy. If you don’t communicate to them the reality of your situation, they leave after having presented their petition with an expectation of a speedy response. If the expectation is not met, this will lead to negative perceptions. To expand on that example of a streetlight, it would be even more relevant for a female member of the public than a male member of the public because of safety issues.” (Participant 5)*

In addition to quality and quantity of services, Participant 7 indicated that knowledge about an institution likewise affects how people rate it. The participant also mentioned political party affiliation discussed in section 2.4.1 (The Performance Model) as a determinant of satisfaction with a public institution. The 2019 GPL perception survey likewise revealed that political party affiliation affects satisfaction with government services. Participant 7 also mentioned that what happens in one sphere and arm of

the state usually has a bearing on what happens in the other spheres and arms. Below is what Participant 7 said:

*“Somehow it can be rated by the knowledge that the people have about GPL. Some people don’t know the GPL well. They think you work for the Premier’s office. Also, political party affiliation comes in. For example, White people, could be having knowledge of the GPL, but rate otherwise depending on the political party they are affiliated to. ... Another area is for example failure to address a petition that deals with a storm water not because the GPL would have failed but because of some delays in terms of resolving the issue caused by the executive.” (Participant 7)*

Age, which was discussed in section 2.5.2 (Age), was stated by Participants 3 and 4 to be a determinant of satisfaction, with young people more likely to rate a public institution negatively compared to the older generation. The views of these participants are aligned to the findings of the GPL 2023 perception survey discussed in section 6.4.6.3. In addition to age, Participant 4 agreed with Participant 7 that knowledge about an institution also determines how people rate it. Below is what Participants 3 and 4 had to say:

*“Theoretically, the issues like age and gender, etcetera that you just referred to, should not matter. But in practice, we do find that the younger generation look more cynically at the government ... and when I say at government this includes the legislature ... than the older generation.” (Participant 3)*

*“If you look at the national groups that we work with, you will find that it is mainly African. Go to other national groups that would not necessarily have had any engagement with the legislature, you may get a different view ... in terms of their satisfaction with the legislature because they may not even know it. But if you go to those people that may have interacted with the legislature, you may find that you will get a positive response. And then if you look at the age as well, you may find that ... young people may not necessarily ... give us a favourable rating, maybe the older generation can do that.” (Participant 4)*

As with information from studies that were commissioned by the GPL, information from the participants is likewise not conclusive regarding the relationship between satisfaction with the GPL and determinants of satisfaction with an institution. This cements the point made earlier about an inconclusive correlation between these variables.

The performance of the GPL and reasons thereof was investigated under four sub-themes; namely, effectiveness as understood in the GPL, performance of the GPL from internal and external perspectives, and other reasons behind GPL performance or determinants of satisfaction. Put differently, section 6.4.2 focussed on what has been outlined in the foregoing sentence. In the following section, a summary of findings of results that were presented in section 6.4.2 is outlined.

#### **6.4.2.5 Overview of findings on the performance of the GPL and reasons thereof**

1. Within the GPL, effectiveness is not understood in the same way by everyone. While there are pockets that understand effectiveness as the achievement of results at strategic level, effectiveness is also understood in the GPL at a mainly operational level. The former understanding is the one that is aligned to the definition of effectiveness adopted by the study, as outlined in the available literature (see section 1.5.2 Effectiveness).
2. From an internal perspective, the GPL performed well, achieving not less than two thirds of the targets in any given financial year. This performance is based on how effectiveness is understood in the GPL, which is chiefly at an operational level.
3. From an internal perspective, sub-optimal performance, for example in complying with fiduciary requirements and principles of good governance, as well as modernised business practises, was attributed to inadequate capacity and skills, as well as unethical behaviour in the GPL. This finding is aligned to the conceptual framework of the study, which recognises skills, capacity, and ethical behaviour as prerequisites for good performance (see section 2.2). The record low performance of the execution of constitutional mandates witnessed in the 2020/21 Financial Year was attributed to the COVID-19 pandemic, which

led to a temporary suspension of some activities of the GPL, such as oversight visits during stages 4 and 5 of lockdown.

4. From an external perspective, or in the view of Gauteng citizens, the performance of the GPL has been on a downward trajectory. This finding is aligned to available literature, which states that in both developed and developing nations, citizens have not been satisfied with the performance of public institutions (see sections 1.6 Preliminary Literature Review and 4.3.5.1 Corruption and its effects).
5. Lack of political will, corruption, and inadequate capacity, and skills were mentioned by the people of Gauteng as some of the main reasons behind sub-optimal performance by the GPL. Lack of political will, corruption, and inadequate capacity, and skills, derail the achievements of outputs and outcomes. Hence, these negatively affect the perceptions of citizens towards a public institution.
6. The citizens view the three spheres (national, provincial, and local), and three arms of the state (Executive, Judiciary, and Legislature) as one government. Consequently, the performance of one sphere, or arm of the state, affects how each component of the state is perceived by the citizens. For example, poor service delivery by the Executive, high interest rates, and loadshedding, which are national level challenges, affect how the people of Gauteng perceive the GPL.
7. Regarding the determinants of citizens satisfaction with public institutions, there is not enough evidence to conclusively state that determinants such as gender, race, age, region, homeownership status, quality and quantity of services, community attachment, and income, affect or do not affect citizens' perceptions of the GPL. This finding is aligned to what the available literature says regarding different views among scholars concerning the relationship between determinants of satisfaction and happiness with the government (see sections 2.5.1- 2.5.8). This suggests that for Gauteng, these determinants cannot be ignored because they affect individual rights to a certain degree.
8. A close analysis of the responses from the seven participants shows that the expectations of citizens have a role to play in determining how they rate government services. The point about the citizens' expectations is linked to

local political efficacy, one of the determinants of satisfaction. Local political efficacy is concerned with citizens' perceptions of the degree to which a legislature serves them (section 2.5.9). When citizens' expectations exceed what a legislature can offer, their ratings are likely to be negative, and vice versa (see section 2.4.2 Expectation Disconfirmation Model).

In this section, the performance of the GPL and reasons thereof were presented and discussed. From here, the reader's attention is directed to the question about the appropriateness of GPL performance indicators to measure the achievement of the constitutional mandate.

### **6.4.3 Appropriateness of GPL performance indicators for measuring the achievement of the constitutional mandate**

This section responds to the objective: 'To investigate the appropriateness of GPL performance indicators to measure the achievement of the constitutional mandate'. As discussed in section 2.6, indicators are one of the last steps towards the development of a Theory of Change (ToC). In fact, indicators cannot be developed before mapping out the inputs, activities, outputs, outcomes, and impacts to be measured. Put differently, what needs to be measured must be understood first, before the measurement criteria are developed. Consequently, this section, based on information from reviewed GPL documents and study participants, is divided into three segments. The first section explores the components of the GPL ToC, namely inputs, activities, outputs, outcomes, and impacts. The following two sections analyse and classify GPL objectives / outcomes, and performance indicators into strategic and operational. This classification is important because it is strategic indicators that measure the achievement of the constitutional mandate.

#### **6.4.3.1 GPL inputs, activities, outputs, outcomes, and impacts**

The planned impact(s) of the GPL expressed as a goal, impact statement and vision as explained in Section 3.2 (The Link between Objectives, Indicators, and Targets) are documented in the 2015-19 and 2020-25 strategic plans. In the 5th legislature (2015-19), the vision of the GPL that was put forward by the political leadership of the

GPL was “A modern and transformative legislature that fosters public pride and confidence in democracy and enhances service delivery to the people of Gauteng” and the goal was “To be a responsive legislature that fosters public confidence” (GPL, 2015:14). In the 6th legislature (2020-25), the political leadership of the GPL pronounced the vision of the institution almost like that of the 5th legislature: “A progressive legislature that fosters confidence in democracy and improves the quality of life of the people of Gauteng” (GPL, 2020:22). However, compared to the 5th legislature, where the institution had a goal, in the 6th legislature, the institution opted to have an equivalent of a goal, but in the form of an impact statement: “Improved standard of living for the people of Gauteng” (GPL 2020:34). Although the visions of the two legislative terms are almost similar, it is vital to note that the goals, or impact statements, of the 5th and 6th legislatures are different. Whereas the one for the former is about attaining public confidence, the one for the latter focuses on an improved quality of life. Thus, the GPL political leadership pronounced that improved public confidence in the GPL, and improved quality of life, were the impacts for the 5th and 6th legislatures, respectively. However, the constitutional mandates of the GPL are law-making, oversight and scrutiny, public participation, and cooperative governance. Put differently, the role of the GPL, or elected public representatives in the GPL, is to effectively represent the citizens and to formulate and ensure implementation of decisions for the benefit of the citizens (see section 4.4.2.2 Public Participation).

In section 2.6 (Theory of Change), the ToC was described as focusing on linking the inputs and activities of an initiative through to its impact, but by first identifying the desired impact and then work backwards to identify the outcomes, outputs, activities, and inputs required for that impact to be realised (Center for ToC, 2021:Online).

Before presenting and analysing the current GPL ToCs, it is vital to again explain some of the concepts that were explained in Chapter 3 (section 3.4.4 Timing in the intervention logic) for easy of reference for the reader. The first concept is inputs, which basically refers to resources, for example, human capital, infrastructure, and funds required for an institution such as the GPL to carry out its work, including oversight visits. Activities refer to the actual work conducted by the GPL. For example, conducting oversight visits, which involves travelling to service delivery sites, such as

hospitals and schools, and sitting in meetings to deliberate on departmental reports, are activities that are necessary to evaluate the work of the Executive in serving the people of Gauteng. As stated in section 3.4.4, activities result in outputs, which are actual products that are touchable in most cases. For example, after the activities, a report with resolutions / recommendations would be the product or output. Almost every initiative aspires to achieve results. Thus, outputs are crucial, because they are the first results to be realised that influence subsequent results. In other words, an inappropriate output is likely to result in an unfitting subsequent result. The first subsequent result after the outputs is called an immediate outcome, which is associated with change in, for example, skills, and knowledge about something. For the GPL, resolutions passed will impart a particular type of knowledge to the Executive. Thus, it is vital for the GPL to communicate the right messages that assist the institution to achieve its constitutional mandate of serving the citizens.

The application of gained skills and knowledge by the Executive, for example, is a display of change in behaviour, which is an intermediate outcome. So, for the GPL, seeing the Executive change its behaviour, by for example implementing the resolutions of the GPL, is what constitutes an intermediate change. Implementation of resolutions, such as fast-tracking the construction of a school or training centre, is likely to result in long-term effects called impacts, which include improved service delivery, reduced poverty, and improved quality of life for citizens. These results are crucial for the GPL because they also determine how citizens perceive the effectiveness of the GPL, as explained in section 6.4.2.5.

Making use of the definitions of inputs to impacts, as provided in the preceding paragraphs, the subsequent paragraphs present and explain the GPL ToCs that were found after perusing 31 documents stated in Table 6.1. From the 31 documents that were examined, only two documents were found to have explicit GPL ToCs. These documents are the GPL perception survey of 2015, and the GPL 2020-25 Strategic plan. The ToC found in the GPL perception survey of 2015 is presented in Table 6.14, and the one found in the GPL 2020-25 Strategic plan, is shown in Table 6.15.



**Table 6.14: GPL 2015/16 – 2019/20 Theory of Change**

Inputs	Activities	Outputs	Outcomes	Impacts
<p>Such as:</p> <p>Human capital.</p> <p>Budgets.</p> <p>Policies and legislation; and</p> <p>Infrastructure.</p>	<p>Such as</p> <p>Committee meetings and public hearings.</p>	<p>Such as Reports and House resolutions.</p>	<p>Improved accountability by the executive to the legislature in respect of service delivery.</p>	<p>Improved public confidence in the Legislature.</p>
			<p>Improved meaningful involvement of the public in Legislature business.</p>	
			<p>Increased responsiveness of laws to meet the needs of the people of Gauteng.</p>	
			<p>Fostered coherent and co-ordinated legislative sector.</p>	
			<p>Improved good governance and leadership practices in the legislature.</p>	
			<p>Modernised business practices towards supporting the functions of the Legislature.</p>	

Source: HSRC (2015:17-22)

**Table 6.15: GPL 2020/21 – 2024/25 Theory of Change**

Inputs	Activities	Outputs	Immediate outcomes	Intermediate outcomes	Long-term outcomes / impact
Such as meetings research and procedural advice.	Such as conducting Committee meetings and public hearings.	Such as questions and House resolutions / reports, passed laws.	<ul style="list-style-type: none"> <li>•Enhanced oversight and accountability towards service delivery.</li> <li>•Increased responsiveness of laws to meet the needs of people of Gauteng.</li> <li>•Enhanced meaningful public participation.</li> <li>•Improved alignment and collaboration between organs of state.</li> <li>•Enhanced compliance with relevant fiduciary requirements and principles of good governance.</li> </ul>	Improved public confidence in the GPL.	Improved quality of life.  (Expressed in the form of reduced poverty, unemployment, and inequality).

Source: Adapted from the GPL (2020a:39)

The forthcoming paragraphs discuss Tables 6.14 and 6.15 in their entirety, or the entire results chain, not just the impacts, and several observations that can be made. Linking Tables 6.14 and 6.15 to the GPL operating model (see Figure 6.1), the first observation that can be made is that the GPL operating model that focuses on the House is at output as opposed to outcomes and impact level. This is since activities of the House, such as reports and House resolutions, are usually at output level, as illustrated in section 3.4.4 (Timing in the intervention logic) and Tables 6.14 and 6.15. Outputs are usually measured in terms of the quantity, and sometimes the quality, of

products or services produced. For example, number (quantity) of resolutions adopted by the House that meet the SMART criteria (quality).

The second observation is that the inputs, activities, and outputs, as presented in Table 6.5 and 6.6, are aligned to the respective definitions provided in section 3.4.4 (Timing in the intervention logic). According to the Joint United Nations Programme on HIV/AIDS (UNAIDS) (2010:29) and Llosse and Sontheimer (1996:11), inputs are gauged in terms of the quantity, and sometimes the quality of resources, such as financial and human resources required for activities of an initiative. Activities involve what was done or needs doing (Parsons *et al.*, 2013:8), for example, conducting public hearings. Outputs were discussed in the foregoing paragraph. The inputs, activities, and outputs presented in Tables 6.14 and 6.15 are all within the direct control of the GPL, as expressed by Kinyuira (2019:32) in section 2.6 (Theory of Change).

The third observation is that the outcomes presented in Table 6.14 are not differentiated into immediate and intermediate, which is aligned to how the Multi Annual National Control Plan (MANCP) Network (2015:2), Parsons *et al.* (2013:9), UNAIDS (2010:30), Hubli (2001:5), and the Parliamentary Centre and WBI (n.d.:8) view outcomes. Thus, with what is presented in Table 6.14, it is difficult to tell what the GPL claim to have direct and indirect influence over (see section 2.6 Theory of Change). However, Kinyuira (2019:32) groups outcomes into three categories (immediate, intermediate, and long-term), as shown in Table 6.15. The three forms of outcomes are all related to change in a situation / behaviour knowledge / beliefs / attitudes brought about by outputs (MANCP Network, 2015:7, Kinyuira, 2019:32). However, an organisation can have a direct influence on immediate outcomes but will have an indirect influence on intermediate and long-term outcomes. As stated in section 2.6 (Theory of Change), direct influence occurs when an organisation takes specific actions to get something to be realised (Dupree, 2010: Online), while indirect influence is about taking steps that do not directly deal with a condition to be influenced (Barnes, 2015: Online).

It is imperative for the GPL to know what it has / does not have direct control over. Thus, the next section is dedicated to analysing GPL objectives with a view to determining into which category between operational and strategic they belong. This

differentiation is important because it is the latter, and not the former that is associated with the achievement of the constitutional mandate or outcomes.

### 6.4.3.2 Classification of GPL objectives / outcomes

The exercise of determining which of the GPL objectives are operational, and strategic was done making use of the criteria of direct control versus indirect control, as provided in section 2.6 (Theory of Change). As a reminder, an institution has direct control over operational objectives, but indirect control over strategic (outcomes) and high-level objectives (impacts). The classification of GPL objectives is depicted in Table 6.16.

**Table 6.16: Classification of GPL objectives / outcomes**

GPL Goals and Objectives	Direct control (operational objectives)	Indirect control (Strategic and high-level objectives)
<b>2015-19 Strategic plan (GPL, 2015b:15)</b>		
Improved public confidence in the Legislature.		x
Improved accountability by the executive to the legislature in respect of service delivery.		x
Improved meaningful involvement of the public in Legislature business.	x	
Increased responsiveness of laws to meet the needs of the people of Gauteng.		x
Fostered coherent and co-ordinated legislative sector.	x	
Improved good governance and leadership practices in the legislature.	x (Improved leadership practices.	x (Improved good governance).
Modernised business practices towards supporting the functions of the Legislature.	x	
<b>2020-25 Strategic Plan (GPL 2020a:26)</b>		
Improved quality of life.		x
Improved public confidence in the GPL.		x
Enhanced oversight and accountability towards service delivery.	x (enhanced oversight).	x (enhanced accountability).
Increased responsiveness of laws to meet the needs of people of Gauteng.		x

GPL Goals and Objectives	Direct control (operational objectives)	Indirect control (Strategic and high-level objectives)
Enhanced meaningful public participation.	x	
Improved alignment and collaboration between organs of state.	x	
Enhanced compliance with relevant fiduciary requirements and principles of good governance.	x	

Source: Own compilation

As demonstrated in section 4.4.2.2 (Public Participation), a legislature has direct control in terms of either meaningfully involving people or not in its business. Moreover, it was stated in the same section (4.4.2.2) that public participation is not an end in itself but is done to support the law-making and oversight mandates. This already puts public participation in the operational space. In terms of coordinating with the other organs of state, such as the National Council of Provinces (NCOP) (see section 1.5.4 *Legislature*), and institutions supporting democracy, a legislature has direct control over this by choosing to collaborate or not. Similarly, it is within the powers of a legislature to comply or not with legal prescripts such as the SA Constitution and FMPPLA, as discussed in section 4.2.2 (The Compliance Criterion). Regarding enhancing oversight, a legislature has all the powers to directly control the mechanism to use to enhance oversight. The other point is that it does not make sense to say the GPL influences itself in oversight, whether directly or indirectly. This suggests that enhanced oversight is neither an immediate nor intermediate outcome nor an impact. Finally, a legislature has direct control over modernising its business practices through the adoption of technology. This suggests that all objectives in the direct control of a legislature, as shown in Table 6.16, are operational objectives because they are about inputs, activities, and outputs.

Now that operational objectives to do with inputs, activities, and outputs have been identified, the next step is to identify strategic and high-level objectives. As provided in section 3.2 (The Link between Objectives, Indicators, and Targets), the former is comprised of immediate and intermediate outcomes, and the latter is about impacts.

“Increased responsiveness of laws to meet the needs of the people of Gauteng” meets the criteria of an immediate outcome; hence, it is a strategic objective, as shown in

Table 6.16. This is based on the reasoning that most of the laws are initiated by the Executive, as stated in section 4.4.2.3 (Law-making), thus the legislature does not have direct control over laws that meet the needs of the people of Gauteng. However, through implementing the law-making mandate, the GPL could directly influence the laws through specific actions, such as meaningfully involving the public, working effectively with the other organs of the state, and complying with relevant fiduciary requirements and principles of good governance when processing laws that would have been referred to the GPL by the Executive.

In section 3.5.5 (Parliamentary impact indicators), it was stated that improved quality of life and good governance are examples of long-term outcomes or impacts and that organisations indirectly influence these (Kinyuira, 2019:32; Parliamentary Centre and WBI, n.d.:9). This means impacts are multisectoral. Thus, “Improved good governance and leadership practices in the legislature” currently categorised as an outcome in Table 6.14 is not in agreement with the classification of Kinyuira (2019:32) and the Parliamentary Centre and WBI (n.d.:9), because good governance is an impact. However, improved leadership practices in the legislature is within the direct control of the GPL. This suggests that there are two objectives in one, which should be separated, as shown in Table 6.16. Regarding improved quality of life, presented as an impact in Table 6.15, it should be noted that this is in line with the classification of Kinyuira (2019:32) and the Parliamentary Centre and WBI (n.d.:9). Therefore, improved quality of life is correctly categorised as an impact, or a high-level objective as reflected in Table 6.16.

As mentioned in section 3.4.4 (Timing in the intervention logic) intermediate outcomes / objectives as a subset of strategic outcomes, are about change in the level of accountability, transparency, and participation (Parliamentary Centre and the WBI, n.d.:9). This means “Improved accountability by the executive to the legislature in respect of service delivery” is an intermediate outcome as shown in Table 6.16, because the outcome is about change in the level of accountability.

In Table 6.15, improved public confidence in the GPL was presented as an intermediate outcome that directly results in improved quality of life or reduces poverty, inequality, and unemployment. However, it is not clear / difficult to imagine how this happens. Put differently, it is difficult to imagine how improved confidence in an

institution will result in improved citizens' quality of life. This dilemma motivated a deeper understanding of the thinking behind this connection.

The researcher reviewed various documents and found that leadership, role and function, law-making, governance, and oversight, in that order, were the major influencers of public confidence / trust in public institutions such as the GPL, according to a study conducted by Ipsos Global Reputation Centre (2019:92). Leadership encompasses aspects such as high personal integrity, meeting the constitutional responsibilities, and improving citizens' quality of life. Role and function primarily focus on meaningful public participation, while law-making pertains to passing laws that meet the needs of the people. Governance involves ethical behaviour, transparency, and credibility. Finally, oversight is about overseeing the implementation of the budget by the Executive and holding the Executive accountable (Ipsos Global Reputation Centre, 2019:92). This suggests that public confidence or trust is realised after the successful execution of the constitutional mandates, which are outcomes. Consequently, this makes improved public confidence in the GPL an impact. This observation aligns with the institutional theory, which is based on endogenous motivations and rational choice. It argues that public confidence or trust is a result of institutional performance, as discussed in section 2.4.1 (The Performance Model). For example, institutional performance in law-making and oversight and scrutiny eventually result in improved quality of life, and people with an improved quality of life are likely to have confidence / trust in public institutions, such as the GPL.

However, as stated in section 2.4.1 (The Performance Model), the OECD (2017, cited in Suriyanrattakorn & Chang, 2021:1) and Perry (2021:1) do not view trust or citizen satisfaction as a product of performance, as has been outlined in the foregoing paragraph. These scholars argue that public confidence or trust in government, which causes citizens to do the right things willingly, results in effectiveness and efficiency of government institution. The cultural theory posits that cultural and historical roots of society, and not the political system and performance of an institution, are usually the source of the public confidence, as discussed in section 2.4.3 (The Individual and Jurisdictional Models).

The foregoing paragraph suggests that public confidence is an enabler of effectiveness and efficiency of an institution. Making use of the GPL, this suggests

that public confidence in the GPL will cause the people of Gauteng to want to participate willingly in GPL law-making and oversight processes. This takes public confidence out of Table 6.16 as either an operational or strategic objective because the GPL does not have both direct and indirect control over it. It therefore suggests that public confidence is an external factor that affects public participation.

Thus, “Improved public confidence in the GPL” can be either an enabler of effectiveness and efficiency, or an impact of an institution, depending on the lens that would have been utilised to assess the situation. To gain a better understanding of the lens most applicable to the GPL, between an enabler and an impact (see section 2.4.1), the following question was posed to the participants:

**Question: What is the intended impact(s) of the GPL? and please explain how improved confidence in the GPL results in improved quality of life for the citizens as per the ToC presented in the 2020-25 strategic plan.**

All participants either directly or indirectly mentioned that the ultimate impact, which is multisectoral, of the GPL was to improve the quality of lives of the people of Gauteng. This impact is associated with reduced poverty, inequality, and unemployment, as discussed in section 4.3.3 (Poverty and Inequality). The following participants were clear that improved quality of life of the citizens, rather than public confidence was the impact of the GPL. Some of the participants were very clear that public confidence is an enabler of public participation, which results in better oversight and law-making outcomes:

*“I think the ultimate impact should be on the improvement of quality of life of the people. ... Because for me, if we were to focus on the public confidence, if somebody is confident in you, does it really mean you are changing the quality of life?” (Participant 1)*

*“Yes, we mentioned the quality of life. ..., the one of confidence when you come up with such strategy; it looks like you were not trustworthy ..., then now you want to restore confidence to the people. ..., people do not care about confidence. ... All they want is quality of life. ..., I can live without trusting you, but I cannot live without my sugar diabetic medication.” (Participant 2)*



*“I would think a more suiting impact would be improving the quality of lives. ... So improved confidence could be a feeder to improved quality of life. ...but people are petitioning the GPL out of desperation and not to say that they have confidence in the GPL.” (Participant 3)*

*“The intended impacts of the GPL by 2030 are improved quality of life of the people of Gauteng; reduced poverty; increased employment opportunities; and reduced inequality. Improved confidence in the GPL means that the people of Gauteng trust and believe that the GPL can deliver on its constitutional mandate. This would enable greater or easier mobilisation of the people of Gauteng for better oversight and law-making.” (Participant 6)*

*“I would suggest the combination of the two. ... Remember, we are not service delivery institution. I think you must start by aiming for the public confidence. The public need to have trust in us in whatever we do to make sure that the departments that we oversee ... perform better, which at the end of the day will result in quality of lives of people being improved.” (Participant 7)*

The following participant also agreed that improved quality of life was the ultimate impact. Although they used an inappropriate term ‘intermediate outcome’, they suggested that public confidence was an indirect enabler of improved quality of life of the citizens. The participant also spoke about deepening democracy, which is linked to public confidence and public participation. The participant suggested that in addition to improved quality of life of the citizens, another impact of the GPL should be ‘deepened democracy’:

*“Public confidence is an intermediate outcome towards the impact because that is not necessarily the ultimate impact. Overall, impact that we want to see is that South Africans should have a better life than they had previously. ... I also think there is probably a gap in some way because if you look at the work ... of the legislature ... it’s also about deepening democracy. That is one of the works that we are supposed to be promoting as an institution. But if you look at our documents, that part of deepening democracy is very silent.” (Participant 4)*

Although the following participant indicated that neither public confidence nor improved quality of life of citizens were suitable enough to be GPL impacts, the points

they raised directly pointed to improved quality of life as the ultimate impact. This is since citizens view the three arms of the state as one government, and as stated in section 4.3.1 (Provision of Goods and Services), expect to receive services that ultimately improve their quality of lives. The participant had this to say:

*“I concluded that either of the two is accurate. ... The 5th Legislature impact [public confidence] is inward looking and the one for the 6<sup>th</sup> Legislature [improved quality of life] stretches itself beyond what the Constitution requires the Legislature to do. So, in answering your question around impact, we should simply go to what the Constitution says. Let’s take an example of the oversight mandate of the legislature and then ask ourselves: if performed properly how should a beneficiary that is a member of the public react, or what would be their response if we could be said to be executing that accurately. ... Because we don’t deliver the services directly, but we are some kind of a go between to make sure that what the people expect gets done. ... The impact is only impactful if it coincides with the expectations of your client.” (Participant 5)*

In this section, a classification of the objectives used by the GPL was done. The classification revealed that not all objectives that the GPL supposedly call strategic are indeed strategic. This has implications for GPL performance in the sense that effectiveness would be measured at operational, instead of strategic level. In other words, operational objectives are not at the level of the outcomes, meaning the achievement of the former does not necessarily mean the achievement of the latter. To further understand and confirm the level at which the GPL operates, an assessment of the indicators the GPL uses to measure the achievement of objectives was done and presented in the ensuing section.

#### **6.4.3.3 Classification of GPL performance indicators**

As stated in sections 2.6 (Theory of Change) and section 3.2 (The Link between Objectives, Indicators and Targets), an organisation has direct control over its operational space comprised of inputs, activities, and outputs. Making use of this reasoning to classify objectives in section 6.4.3.2, GPL performance indicators in Table 6.17 are analysed to determine whether they are strategic or operational.

**Table 6.17: Classification of GPL performance indicators**

Financial / Planning Year(s)	Type of GPL performance indicators	Direct Control of the GPL	Indirect Control of the GPL
2015-2019 Strategic plan	Level of public involvement / implementation of sector norms / fostering a coordinated legislative sector = 3 (GPL, 2015a: 28,29).	x	
	% of motions / Bills / questions processed by the GPL =3 (GPL, 2015a: 28,29).	x	
	Level of satisfaction of the people of Gauteng with the GPL= 1 (GPL, 2015a: 28).		x
	Level of public confidence in the GPL = 1 (GPL, 2015a: 28).		x
	% Of open versus closed resolutions = 1 (GPL, 2015a: 28).		x
	Audit Outcome = 1 (GPL, 2015a:30).	x	
	% Increase on the GEYODI-R Index = 1(GPL, 2015a:30).	x	
	Level of administrative support to the House and its Committees = 1(GPL, 2015a:30).	x	
	Extent of productivity of the GPL= 1 (GPL, 2015a:30).	x	
	Efficiency of the GPL business processes = 1 (GPL, 2015a:30).	x	
	<b>Total number of indicators = 14.</b>	<b>11</b>	<b>3</b>
2015/16 APP	Functionality of.../ presence of .../ development of = 3 (GPL, 2015c:22, 47, 62).	x	
	No of e.g., reports/ assessments = 32 (GPL, 2015c: 3 - 70).	x	
	Percentage of e.g., monitoring / integration / implementation = 31 (GPL, 2015c: 14 - 75).	x	
	Quality of e.g., the Act / Governance Framework = 4 (GPL, 2015c: 14 - 23).	x	
	Extent of / Level of e.g., integration / monitoring / awareness / leadership) = 170 (GPL, 2015c:12 - 75).	x	
	Internal control environment assessment = 1 (GPL, 2015c:73).	x	
	<b>Total number of indicators= 241.</b>	<b>241</b>	<b>0</b>
	Level of e.g., functionality / promoting / compliance / ethical conduct) = 28 (GPL, 2017c:33, 34, 38, 39, 42, 43, 48, 53).	x	

Financial / Planning Year(s)	Type of GPL performance indicators	Direct Control of the GPL	Indirect Control of the GPL
2016/17 Annual Report	Quality of e.g., oversight/ public involvement) = 7 (GPL, 2017c:33, 34, 46, 47).	x	
	No of reports... = 3 (GPL, 2017c: 38, 46, 53).	x	
	% of admin support... = 5 (GPL, 2017c: 46, 47, 53).	x	
	Proportion of members trained.../ budget) = 4 (GPL, 2017c: 42,53).	x	
	Frequency of reporting = 1 (GPL, 2017c:53).	x	
	Oversight to ensure.../ compliance with norms) = 2 (GPL, 2017c: 34,42).	x	
	Audit opinion = 1 (GPL, 2017c:53).	x	
	Increase in satisfaction of MPLs = 1 (GPL, 2017c:48).	x	
	Total number of indicators = <b>52</b> .	<b>52</b>	<b>0</b>
2017/18 APP	Number of e.g., reports = 6 (GPL, 2017b:18, 20, 25).	x	
	% of e.g., resolutions/ questions/ Bills processed = 5 (GPL, 2017b:25).	x	
	Audit outcome results =1 (GPL, 2017b:28).	x	
	% increase in MPLs satisfaction = 1 (GPL, 2017b:22,25).	x	
	% increase in people of Gauteng who participate in GPL business = 1 (GPL, 2017b:22,25).	x	
	Efficiency of GPL = 1 (GPL, 2017b:22).	x	
	Total number of indicators = <b>15</b> .	<b>15</b>	<b>0</b>
2018/19 APP	No of e.g., reports/ initiatives = 8 (GPL, 2018c: 14, 17,21).	x	
	% of resolutions/ questions/ bills processed by the GPL = 8 (GPL, 2018c:21).	x	
	Audit outcome results =1 (GPL, 2018c:24).	x	
	Efficiency of GPL = 1 (GPL, 2018c:19).	x	
	% Increase in people of Gauteng who participate = 1 (GPL, 2018c:21).	x	
	Total number of indicators = <b>19</b> .	<b>19</b>	<b>0</b>
2019/20 APP	Number of e.g., reports / studies conducted = 8 (GPL, 2019b: 16,19, 24,25).	x	
	% of resolutions/ questions / bills processed =10 (GPL, 2019b:24,25).	x	

Financial / Planning Year(s)	Type of GPL performance indicators	Direct Control of the GPL	Indirect Control of the GPL
	Audit outcome results =1 (GPL, 2019b:28).	x	
	% implementation / availability of... = 2 (GPL, 2019b:21).	x	
	Develop and approve the strategic plan of the 6 <sup>th</sup> Legislature = 1 (GPL, 2019b:19).	x	
	% Increase in the people of Gauteng who participate in the GPL business / social media presence = 2 (GPL, 2019b:25).	x	
	Total number of indicators = <b>24</b> .	<b>24</b>	<b>0</b>
2020-2025 Strategic plan	Perceptions of the people of Gauteng regarding the GPL's execution of the oversight mandate (GPL, 2020a:26).		x
	Percentage timely submission by the executive (reports, resolutions, questions) (GPL, 2020a:26).		x
	Perceptions of the people of Gauteng regarding the GPL's execution of the law-making mandate (GPL, 2020a:26).		x
	Percentage laws that meet constitutional muster (GPL, 2020a:26).		x
	Perceptions of the people of Gauteng regarding the GPL involving them in its business and execution of its mandates (GPL, 2020a:26).		x
	Percentage increase in the number of people reached through GPL business (GPL, 2020a:26).	x	
	Perceptions of the key stakeholders regarding improved alignment and collaboration with other organs of the state (GPL, 2020a:26).		x
	Percentage alignment with sectoral norms and standards (GPL, 2020a:26).	x	
	Audit opinion of the AGSA (GPL, 2020a:26).	x	
	Percentage compliance with FMPPLA and principles of good governance (GPL, 2020a:26).	x	
Total number of indicators = <b>10</b> .	<b>4</b>	<b>6</b>	
2020/21 APP	Number of reports / initiatives ... = 9 (GPL, 2021b:37, 41,50).	x	
	Percentage achievement /implementation ... = 10 (GPL, 2021b:37, 41, 50).	x	
	% Increase in the people reached through GPL Business = 1 (GPL, 2021b:50).	x	
	Audit opinion = 1 (GPL, 2021b: 55).	x	
	Total number of indicators = <b>21</b> .	<b>21</b>	<b>0</b>

Financial / Planning Year(s)	Type of GPL performance indicators	Direct Control of the GPL	Indirect Control of the GPL
2021/22 APP.	No of reports/ initiatives... = 13 (GPL, 2021b:33, 36, 43,44).	x	
	% Achievement / implementation of.... / bills / laws passed) = 9 (GPL, 2021b:33, 36, 40, 43 44, 48).	x	
	Audit opinion = 1 (GPL, 2021b:48).	x	
	Approved HR strategy and implementation plan = 1(GPL, 2021b: 59).	x	
	Total number of indicators = <b>24.</b>	<b>24</b>	<b>0</b>
2022/23 APP.	Number of reports / initiatives MTEF budgets) = 12 (GPL, 2022b:35, 42, 53, 54, 61).	x	
	% Of motions / bill processed =11 (GPL, 2021b:35, 48, 53,54).	x	
	Audit outcome = 1 (GPL, 2021b: 61).	x	
	Total number of indicators = <b>24.</b>	<b>24</b>	<b>0</b>
	Grand Total = <b>444.</b>	<b>435</b>	<b>9</b>

Source: Own compilation

Looking at Table 17, for the 2015-19 Strategic Plan, the GPL had direct control over 11 out of 14 indicators. The only three indicators that the GPL did not have direct control over are the level of satisfaction of the people of Gauteng with the GPL, the level of public confidence in the GPL, and the percentage of open versus closed resolutions. The first two depend on the citizens of Gauteng, and the third depends on the level of responsiveness and accountability of the Executive to the GPL. This means that only 21% (3/14) of indicators in the 2015-19 strategic plan were on a strategic level, and 79% (11/14) were operational.

For the 2015-19 strategic plan to be realised, five (5) APPs were put in place and implemented. The five APPs; namely, 2015/16, 2016/17, 2017/18, 2018/19 and 2019/20 had 241, 52, 15, 19 and 24 performance indicators respectively, and none of them were strategic in nature because they were all in the direct control of the GPL. In other words, none of the performance indicators sought to measure change in behaviour / knowledge / beliefs / attitudes of the recipients as discussed in section 3.4.4 (Timing in the Intervention Logic).

As mentioned in section 3.4.4 (Timing in the intervention logic), because of the very long time between programme execution and ultimate result, impact is very difficult to measure (Llosse & Sontheimer, 1996:19; Cloete, 2007a:7). Thus, immediate, and intermediate outcomes indicators can be used as indirect indicators called proxies to measure impact. According to Cloete (2007a:7), impact should also be measured by assessing the level of satisfaction of stakeholders with the services, irrespective of the quantity or the quality. Thus, four (4) performance indicators on the public's perceptions regarding how the GPL executes the four mandates contained in the 2020/21-2024/25 Strategic Plan can be regarded as immediate outcome indicators or proxy indicators for intermediate outcomes and impact. For example, "perceptions of the people of Gauteng regarding the GPL's execution of the law-making and oversight mandates" can serve as proxies to measure the levels of satisfaction of the citizens with laws that are passed and affect order, peace and justice, and service delivery respectively, which result in improved quality of life. As stated in section 4.4.2.3 (Law-making), most of the laws are initiated by the Executive compared to legislatures because the former has more capacity than the latter. This means Legislatures do not have full control of the contents of laws they pass. Put differently, legislatures partly depend on the Executive for passage of laws that are responsive to the needs of the citizens. This makes the indicator: 'percentage of laws that meet the constitutional muster or not challenged in court' a strategic indicator because the GPL does not have full control over it. Furthermore, this indicator also assesses citizens' satisfaction levels with the passed laws. Laws that fail to satisfy the citizens are likely to be challenged in court.

The percentage of timely submissions by the Executive serves to measure the extent to which the Executive is responsive to the GPL. This is beyond the control of the GPL, making the foregoing six performance indicators strategic.

As stated in Section 4.4.2.2 (Public participation) the main functions of legislatures are oversight and law-making. Thus, public participation and collaboration with the other organs of the state are done to support oversight and law-making functions. Put differently, when conducting oversight and law-making activities, the GPL is required by the SA Constitution to involve the public and work harmoniously with the other organs of the state. This suggests that the two performance indicators in the 2020/21 – 2024/25 strategic plan, dealing with public participation and cooperative governance,

namely “percentage increase in the number of people reached through GPL business and percentage alignment with sectoral norms and standards”, fall into the operational space. Moreover, these indicators are in the direct control of the GPL.

Finally, it is imperative that the GPL complies with FMPPLA and principles of good governance to obtain a clean audit, as discussed in Section 4.2.1 (The Financial Criterion) and 4.4.1 (SALS Financial Performance and Compliance with the Law). The GPL has full control over the two performance indicators (AGSA audit opinions, and compliance with FMPPLA and principles of good governance) contained in the 2020/21-2024/25 strategic plan, making them operational. As with the APPs of the 2015-19 strategy, there are no strategic indicators in the APPs of the 2020/21-2024/25 strategy, as shown in Table 6.17.

The foregoing account shows that of the 444 performance indicators contained in Table 6.17, only 2% (9 out of 444) are strategic, and 98% operational, comprising both input and output indicators. Nonetheless, the constitutional mandates or outcomes are at strategic level, as stated in section 1.1 (Introduction). The other observation from Table 6.17 is that some of the indicators, such as ‘GPL efficiency ...’ are statements that do not meet the SMART or RACER criteria discussed in section 3.3 (Functions and Characteristics of Indicators). The predominantly operational nature and failure to meet the SMART or RACER criteria by some performance indicators prompted the urge to pose the following question to the participants:

**Question: How appropriate are the GPL performance indicators for measuring the achievement of the constitutional mandate?**

Two of the seven participants indicated that the GPL performance indicators were appropriate to measure the achievement of the constitutional mandate. Participant 2 bemoaned the lack of the right skills in the GPL to implement the performance indicators, and Participant 7 indicated that the problem was the Institutional Operational Plan (IOP):

*“Our indicators are implementable. They’re quite right... I don’t have any problem with our indicators so far because they were reviewed accordingly. But the challenge remains the same. ..., do we have the right people to implement them? You have a meeting with the executive directors and chief directors and*



*the high-level people - you hear the language and the level of expertise that does not qualify that person to be a leader.” (Participant 2)*

*“I think our indicators and targets are aligned to the mandate. What needs to be looked into is our IOP.” (Participant 7)*

The remaining five participants opined that the indicators were not fully appropriate for measuring the achievement of the constitutional mandate. Participants 1, 3, and 4 were very clear that the current indicators were at the operational, rather than the strategic level:

*“I think our APP speak to our own internal processes.” When we start off on the 7th legislature, I think our strategic objectives and indicators should change. We need to make sure that we are able to measure impact that we are making to the people of Gauteng not just measuring our own internal processes.” (Participant 1)*

*“Just to alert you that this has also been ... raised by the auditor with respect to our institution and the quality of our Key Performance Indicators (KPIs) in enabling us to achieve our institutional mandates. So yes, we have taken a bit of a roller coaster ride and it seems that the quality of our KPIs has somehow gone to a more operational level. Rather we should reduce the ... KPIs to just those that are absolutely necessary in terms of determining, what defines us as a legislature ... and stick to those and... then develop targets and indicators accordingly.” (Participant 3)*

*“It is sort of a steppingstone towards getting to a point where we can then be able to say we can measure our constitutional mandate without having any challenges or trying to explain why we have those types of indicators. We are still more at the output level in terms of our indicators... because we are constrained, and we need to report in a particular way, and we need to align to particular frameworks ...you cannot measure something that is not very tangible in the short term.” (Participant 4)*

Participant 5 agreed that the GPL performance indicators were not appropriate but did not elaborate further. However, Participant 6 elaborated that the indicators were not appropriate in the sense that the multiple-indicator approach for triangulation purposes

discussed in section 3.4.2 (Data Gathering Approach) was not evident in the performance indicators of the GPL:

*“I don't think now they are 100% aligned or reflective of our constitutional mandate.” (Participant 5)*

*“The GPL performance indicators are in some instances not appropriate in assisting with measuring the planned outcomes which should respond to the institutional constitutional mandates. For example, the externally focused indicator on the outcome for ‘enhanced oversight and accountability towards service delivery’ is to a certain extent misaligned and is purely dependent on the perception survey outcome indicator: ‘Perceptions of the people of Gauteng regarding the GPL’s execution of the oversight mandate’. Since this is the institutional strategy, should there be no other indicators to triangulate the findings of the perception survey?” (Participant 6)*

An analysis of the participants’ responses on the appropriateness of GPL performance indicators to measure the achievement of the constitutional mandate shows that participants’ views were split. Nonetheless, most participants mentioned that the GPL performance indicators were not appropriate, which agrees with the analysis of the GPL APPs that revealed that most of the GPL objectives and performance indicators were at an operational and not strategic level. The following section summarises and puts everything that was discussed in sections 6.4.3.1 to 6.4.3.3 under one heading.

#### **6.4.3.4 Overview of findings on the appropriateness of GPL performance indicators for measuring the achievement of the constitutional mandate**

1. It was found that how the GPL defines inputs, activities, and outputs corresponds with definitions available in literature. Put differently, the GPL has been correctly identifying and categorising the inputs, activities, and outputs for the institution, as per the explanations provided in section 3.4.4 (Timing in the intervention logic).
2. The GPL has a mixture of operational and strategic objectives, which are all currently classified as strategic. For example, the GPL has direct control over objectives in the 2020/21- 2024/25 strategic plan, such as: “Enhanced

meaningful public participation; Improved alignment and collaboration between organs of state; and Enhanced compliance with relevant fiduciary requirements and principles of good governance”. This makes these objectives non-strategic, but operational, and indirectly linked to the achievement of the constitutional mandate. However, objectives such as improved citizens’ quality of life; improved Executive accountability to the GPL, and responsive laws that meet the needs of the citizens, are not in the direct control of the GPL, making them strategic and directly linked to the achievement of the constitutional mandate or outcomes.

This finding is aligned to what is mentioned in literature that legislatures have two main mandates, namely oversight and law-making (see section 4.4.2.2: Public Participation), because public participation and cooperative governance are supporting mandates.

3. It was found that the GPL does not have a single, but multiple inputs (such as human resources and infrastructure), activities (such as oversight visits and holding meetings), outputs (such as resolutions and questions), and outcomes (such as responsive laws and improved executive accountability).
4. Making use of the institutional theory, which is based on endogenous motivations and rational choice that reasons that public confidence is a result of institutional performance (outputs and outcomes), then public confidence is an impact. However, the OECD (2017, cited in Suriyanrattakorn & Chang, 2021:1) and Perry (2021:1) and the cultural theory posit that public confidence is not a result of institutional performance, but rather an enabler of institutional effectiveness and efficiency (see section 2.4.1 The Performance Model). This is in line with what most of the participants said that public confidence is an enabler of institutional performance and not an end result.
5. Deepened democracy was mentioned by the participants as one of the important components of the GPL’s work. However, as stated in section 4.3.6 (Voice and Accountability), people’s satisfaction with democracy is mainly influenced by their perceptions about the degree to which they are represented rather than how the government is accountable to them. It was mentioned in section 4.3.6 that whereas the accountability function is directly aligned to service delivery and quality of life, the representation function is indirectly linked. As with public confidence, this suggests that for the GPL, deepened democracy is an enabler of institutional performance.

6. Most of the GPL indicators are performance indicators (see section 3.4.6 Purpose of indicators) at operational level (outputs mostly and some inputs and process), hence in the direct control of the GPL (see section 3.4.4 Timing in the intervention logic). Most of these performance indicators are direct indicators, as opposed to being proxy indicators (see section 3.4.1 Direct Versus Indirect Indicators), and objective as opposed to being subjective, supporting the point that they are more output-orientated as opposed to being outcome or impact orientated (see section 3.4.2 Data Gathering Approach). The performance indicators are mostly quantitative as opposed to being qualitative (see sections 3.4.7 Measurability of indicators and 3.5.3 Parliamentary output statements and indicators). Likewise, most of the GPL performance indicators are internal as opposed to being external. The former pertains to conditions inside an organisation and the latter pertains to conditions outside the organisation (see section 3.4.3 Source of Information). The GPL indicators are not composite but single. Composite indicators are normally used for impact, which is difficult to measure directly (see section 3.4.5 Composition of indicators).
7. Participants were divided regarding the appropriateness of indicators to measure the achievement of the constitutional mandate. The participants that mentioned that the indicators were not appropriate to measure the achievement of the constitutional mandate argued that the performance indicators were at operational level and did not adopt a multiple-indicator approach. This finding supports what available literature says regarding the level and the need for multiple performance indicators (see section 3.4.2: Data Gathering Approach). This further confirms what was stated in sections 1.2 (Background information and rationale for the study), and 3.5 (Performance indicators for the legislative sector) that standardised indicators for the legislative sector that measure the achievement of outcomes are not yet available. However, there were some participants who contradicted what the available literature says and mentioned that the performance indicators of the GPL were appropriate to measure the achievement of the constitutional mandate or outcomes.

## **6.5 Chapter summary**

In this chapter, the nature, scope of operations, and performance of the GPL, as well as the appropriateness of GPL performance indicators were explored. The information presented, analysed, and interpreted in this chapter was obtained from GPL documents and participants (GPL staff members). Findings were made for each enquiry area. Utilising these findings, study conclusions and recommendations are provided in the following and final chapter.

## **CHAPTER 7: STUDY CONCLUSIONS AND RECOMMENDATIONS**

### **7.1 Introduction**

Data that was gathered using the methods outlined in Chapter 5 was presented, analysed, and interpreted in Chapter 6. Chapter 7 opens and closes phase three of the study, which integrates the research findings presented in Chapter 6 to establish conclusions and recommendations regarding the appropriateness of the GPL performance measurement framework. Thus, Chapter 7 responds to the main research question, as stated in section 1.3.1: ‘In what ways is the GPL performance measurement framework inapt to determine the effectiveness of the GPL? Chapter 7 equally responds to the last research question, namely: ‘What enhancements can be made to the GPL performance measurement framework?’

Chapter 7 is divided into four sections. The ensuing section presents the study conclusions based on findings that were presented in Chapter 6. The following section pertains to the study recommendations, and then the chapter closes with a section on the summary of the contents of Chapter 7, as well as the entire study.

### **7.2 Conclusions of the study**

In Chapter 6, three objectives were investigated. The three objectives are:

- To discover the nature and scope of operations of the GPL.
- To investigate the performance of the GPL over the years, and the reasons thereof.
- To investigate the appropriateness of GPL performance indicators to measure the achievement of the constitutional mandate.

In this section, a conclusion is provided for each of the aforementioned objectives. In addition, a conclusion regarding the applicability of the theories to the GPL, as explained in Chapter 2 is also presented. Finally, based on these conclusions, section 7.2 closes with a conclusion about the ways in which the GPL performance measurement framework is inapt in determining the effectiveness of the GPL.

### **7.2.1 The nature and scope of operations of the GPL**

Two conclusions can be drawn regarding the nature and scope of the GPL operations. The first conclusion pertains to the GPL operating model. Regarding the appropriateness of the GPL operating model, it was found that the participants' views were varied (see section 6.4.1.4 point 2). In other words, the stakeholders of the GPL did not share a common understanding regarding how the GPL is intended to operate. However, most (six out of seven) of the participants opined that the current GPL operating model needs to be reviewed, even though they lacked a common view of the specific aspects requiring reconsideration. Considering that most of the participants called for a review of the model, it can be concluded that the current model might not be fully appropriate to guide the operations of the GPL. However, if it does, it can be concluded that various stakeholders meant to be implementing the GPL operating model share different views on how the GPL is intended to operate. This presents a problem as the divergent views could potentially result in stakeholders pulling in different directions, which could be detrimental to GPL performance.

The second conclusion relates to planning and reporting within the GPL. It was found that the GPL seldom includes the people of Gauteng in the planning and reporting processes of the institution (see section 6.4.1.4 point 3). Limited knowledge of the GPL by the people of Gauteng was cited as one of the reasons for not involving the citizens as their involvement would add minimal value. The conclusion that can be drawn from the foregoing statements is that the GPL's lack of recognition among the people of Gauteng, coupled with its (GPL) minimal involvement of the public in the planning and reporting processes, shows that the GPL is weak in executing the public participation function. Information from sections 6.4.2.2 confirmed that from an internal perspective, public participation is one of the mandates where achievement of results is relatively low. From an external perspective, the people of Gauteng expressed their dissatisfaction with the implementation of the public participation mandate in the GPL (see section 6.4.2.3.1).

### **7.2.2 The performance of the GPL over the years and reasons thereof**

In this section, a few observations and conclusions pertaining to the performance of the GPL are provided. Firstly, as stated in section 6.4.2.5, points 1 and 2, effectiveness

in the GPL is mainly understood at operational level in terms of the provision of inputs, activities, and outputs. Based on this finding, it can be concluded that the GPL currently subscribes to the Performance Model discussed in section 2.5.1. The Performance Model defines effectiveness as having the required inputs and achieving the required outputs; and does not include the achievement of outcomes and impacts.

Regarding the performance of pre-determined objectives, it was specified in section 6.4.2.5, point 2 that from an internal perspective, the GPL has been performing well, and achieving not less than two thirds of the targets in any given financial year for the period of the study. However, sub optimal performance has been recorded from an external perspective (see section 6.4.2.5, point 4). It can thus be concluded that two effectiveness theories are currently in use in the GPL. On the one hand, as explained in the foregoing paragraph, from an internal perspective, captured in the Annual reports, the GPL assesses its effectiveness using the Performance Model. On the other hand, the people of Gauteng, or beneficiaries, use the Expectation Disconfirmation Model (outcomes) in assessing the performance of the GPL. Hence, there is a disjuncture between performance reported from an internal and external perspective. This is an undesirable situation because if the status quo remained, there would continue to be a disconnection between what the GPL offers and does, and the needs of the citizens. Thus, the lives of ordinary citizens would remain unimproved. This therefore suggests that the GPL should take the views of the citizens seriously in policy formulation.

### **7.2.3 The appropriateness of GPL performance indicators to measure achievement of the constitutional mandate**

As discussed in section 2.6 (Theory of Change), performance indicators are a component of a Theory of Change (ToC). Thus, before exploring the indicators, it makes sense to first unpack their origins, or what they are supposed to be measuring, in particular the outcomes and impacts as suggested in section 2.6. Therefore, the first two paragraphs contain conclusions about the GPL ToC and then the subsequent paragraphs have conclusions about the GPL performance indicators.

It was stated in section 6.4.3.4, point 4, that public confidence is necessary for people to participate in the law-making and oversight and scrutiny functions of the GPL. This



participation is crucial in creating relevant policies that improve service delivery and ultimately enhance the citizens' quality of life. In other words, public confidence was found to be an enabler rather than a direct result (outcome or impact) of the GPL, fostering outcomes such as improved quality of life for citizens. As with public confidence, deepened democracy was also found to be an enabler of results in the GPL (see section 6.4.3.4 point 5). However, both the fifth and sixth Legislatures have ToCs with public confidence as an impact and intermediate outcome respectively, as presented in section 6.4.3.2. Based on the finding that public confidence and deepened democracy are enablers of results, which is not what the GPL ToCs reflect, it can be concluded that the GPL ToC needs to be reviewed and enhanced. The enhanced GPL ToC should reflect the most appropriate positions of components, such as deepened democracy and public confidence. Furthermore, the enhanced GPL ToC must correctly place operational and strategic objectives / outcomes, which are currently incorrectly placed or categorised, as stated in section 6.4.3.4, point 2. Based on the finding stated in section 6.4.3.4, point 2, it can further be concluded that the GPL has two outcomes related to the constitutional mandates of law-making and oversight and scrutiny and an overall impact associated with improving the quality of life of the citizens. It is imperative to have a clear ToC in order to have focused interventions geared towards achieving the outcomes and impact which are associated with changing the lives of the citizens.

The second conclusion concerning the GPL ToC has to do with its representation. Available literature argues that a simple results chain (see section 2.6), is meant for a causal chain that is not complex. Put differently, a simple results chain is best suited to represent a simple ToC without multiple outputs and outcomes, enablers, and other external factors. However, as stated in section 6.4.3.4, point 3, the GPL has multiple inputs, activities, outputs, and outcomes. As mentioned in the foregoing paragraph, public confidence and deepened democracy were found to be enablers of GPL performance. Moreover, it was mentioned in section 6.4.2.5, point 6 that the effectiveness of the GPL, as perceived by the citizens is dependent on external factors outside the GPL and the province, such as the cost of living / interest rates, and loadshedding. These factors are managed at national level by the Executive, yet the GPL is at the provincial level and belongs to the legislative arm of the State, suggesting that the GPL has very limited control of these factors. So, it can be concluded that

because the GPL has multiple outputs and outcomes, enablers of performance, and external factors that influence effectiveness, a simple results chain is not the best way to represent the GPL ToC. In other words, the GPL ToC should be represented differently, in such a way that it takes into consideration the multiple inputs, activities, outputs, and outcomes of the GPL, along with external factors like loadshedding and enablers of performance such as public confidence and deepened democracy. Representing the GPL ToC correctly would expose all the important components required for effectiveness.

Moving on to performance indicators, it was stated in section 6.4.3.4, point 6 that most of the GPL performance indicators are at an operational level. Most of the indicators were found to be mostly direct with very few indirect; objective and very few subjective; internal as opposed to being external; and input and output rather than being outcomes orientated. Some of the performance indicators were found to be non-compliant with the SMART or RACER criteria. Whereas SMART stands for **S**pecific, **M**easurable, **A**chievable, **R**ealistic and **T**ime-bound; RACER means **R**elevant, **A**ccepted, **C**redible, **E**asy and **R**obust. For example, GPL indicators contained in Table 6.17 that were found not to be SMART include 'Efficiency of the GPL', and 'Internal control environment assessment'. These indicators are, for example, not specific or easily measurable.

It was also stated in section 6.4.3.4, point 7 by most of the participants that GPL performance indicators were at an operational level and did not adopt a multiple-indicator approach, which considers both internal and external information. For example, an indicator about the perception of the citizens (external) should be supported by an indicator with information that would be sourced internally from reports and institutional databases. Thus, it can be concluded that the GPL does not have a full suite of performance indicators to enable the correct measurement of the achievement of the constitutional mandate. It is important to correctly measure the effectiveness of the GPL in order to identify areas for improvement, especially concerning the lives of the citizens. Enhancements to GPL performance indicators are contained in section 7.3.1.4 below.

## **7.2.4 Applicability of theories to the study**

Documents reviewed as well as participants revealed that the main reasons for poor performance are inadequate capacity, skills, lack of political will, and corruption. The latter two are associated with unethical behaviour (see section 6.4.2.5, points 3 and 5). The fact that capacity, skills, lack of political will, and corruption were found to be prerequisites of effectiveness suggests the applicability to the study of the Normative ethics theories. The following sections demonstrate how the Normative ethics theories, comprised of the Kantian, Utilitarianism, and Virtue ethics theories are lenses to understanding how capacity, skills and ethical behaviour are GPL prerequisites for performance. Moreover, it is important to understand what influences GPL performance or effectiveness. This understanding can be gained using three lenses: namely, the Performance Model, the Expectation Disconfirmation Model and the Individual and Jurisdictional Models. Thus, in discussing the normative ethics theories, the applicability of the citizens' satisfaction theories to the GPL is likewise discoursed.

### **7.2.4.1 Applicability of Kantian theory to the GPL**

The Kantian categorical imperative ethics argues that ethical behaviour pertains to the promotion of fairness, individual rights, justice, and consistency (see section 2.3.1). Therefore, in this case, ethical behaviour is about promoting elements in the foregoing sentence, such as fairness and individual rights. Failure to promote these elements would likely result in goals and objectives that are, for example, justice and individual rights blind. For a group where justice would have not been applied, or individuals where individual rights would have not been taken into consideration, results achieved by the GPL would be deemed unsatisfactory. The issue of individual rights, which is linked to the Individual and Jurisdictional models explained in section 2.4.3 in relation to the GPL was raised and encouraged in section 6.4.2.5, point 7. Consequently, this makes the Kantian theory relevant to a public institution such as the GPL, which is meant to serve all types of citizens as compelled by Chapter 2 of the Constitution of South Africa Act 108 of 1996 to uphold the Bill of rights which include access to justice and fairness.

#### **7.2.4.2 Applicability of utilitarianism theory to the GPL**

For utilitarians, ethical behaviour focuses on the goodness of an outcome or consequences of one's action (see section 2.3.2). According to utilitarianism theory, unethical behaviour is most likely to lead to bad outcomes, but the opposite will result in total preference satisfaction of citizens. Thus, according to utilitarians, who are aligned to the Expectation Disconfirmation Model, every action should focus on satisfying citizens. This is because, as stated in section 6.4.2.5, point 8, expectations affect citizens' satisfaction with services. This is very important for the GPL, which was found to be performing sub-optimally from an external, or citizens' perspective.

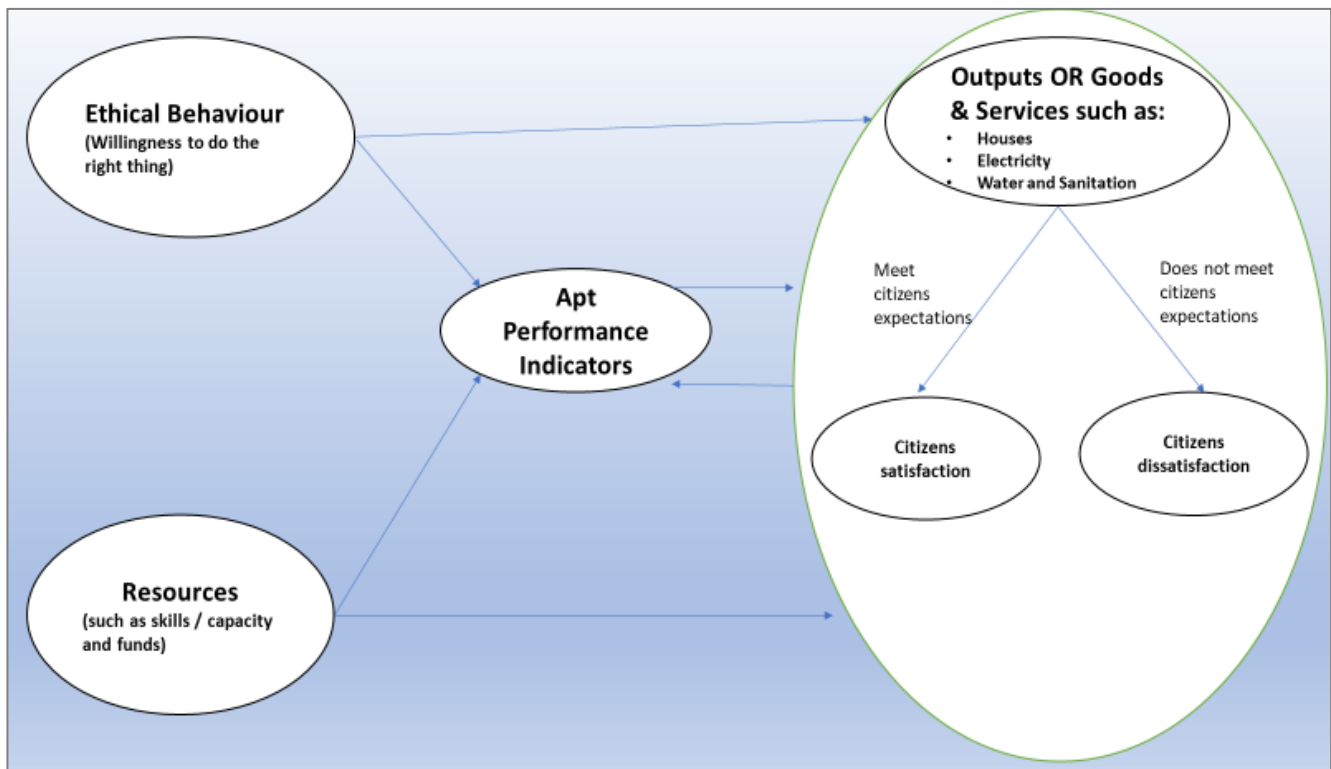
It was also revealed in section 6.4.2.5, point 7, that determinants of satisfaction, such as gender, race, age, region, income, and quality and quantity of services, cannot be ignored in a province such as Gauteng and by the GPL that serve a variety of stakeholders. Study participants connected citizens' expectations and determinants of satisfaction but indicated that the latter affects the former. For example, the needs and expectations of the upper class, working-class, and lower class are usually different, as was demonstrated in section 2.4.3. In this case, income will affect expectations, and ultimately satisfaction. Likewise, the safety needs and expectations of males and females are likely to be different as expressed by some participants. Pertaining to the foregoing sentence, gender would affect expectations, and ultimately satisfaction. For the GPL that serves the public or citizens with different preferences, taking cognisance of utilitarianism theory, the Expectation Disconfirmation model and the Individual Jurisdictional models is of utmost importance.

#### **7.2.4.3 Applicability of virtue ethics theory to the GPL**

Virtue ethics theory pertains to capacity, skill, and ethical behaviour. The virtues of thought (such as understanding, prudence, and deliberation) are related to capacity and skills, while the virtues of character (such as truthfulness, temperance, and generosity) are related to ethical behaviour (see section 2.3.3). The virtues of thought or skills are required for individuals to do their job and produce products of an acceptable quality. However, an individual could have the right skills to produce a good product, but if they do not possess virtues of character, such as truthfulness, they can decide to do otherwise. For example, an untruthful person would know how to do the

right things, but because of their untruthfulness, they would do something completely different and out of sync, resulting in the poor performance of an institution. This shows that for good products, such as reports, to be in place (see section, 6.4.1.4, point 1); skills, capacity, and character are crucial. This makes the virtue ethics theory extremely important for the GPL, which was found to have inadequate virtues of thought and character, as mentioned in section 6.4.2.5, points 3 and 5. Regarding the performance model, although it is debatable whether products of an acceptable quality and quantity affect citizens' satisfaction (see section 2.4.1), it is clear that they (products of an acceptable quality and quantity) are a necessary building block to realising outcomes.

From the foregoing three sections, it can be concluded that normative ethics theories, the performance model, expectation disconfirmation model, and the individual and jurisdictional models are all applicable to the GPL. Thus, the study's conceptual framework presented in Chapter 2 can be updated to show the general relationship between the theories that were concluded to be applicable to the GPL (see Figure 7.1 below).



**Figure 7.1: Revised study conceptual framework**

Source: Own compilation

Figure 7.1 shows that ethical behaviour and resources, especially capacity and skills (Normative Ethics Theories), are required for the development of appropriate performance indicators. In addition to capacity, skills, and ethical behaviour; apt performance indicators are likewise required for the realisation of institutional results (outputs, outcomes, and impacts). It is equally true that to develop apt indicators, institutional results should be considered. In other words, citizens' preferences should be taken into consideration when developing performance indicators.

Figure 7.1 goes further to show that the way normative ethics are applied, determine the results. For example, the availability of appropriate resources and ethical behaviour would result in fitting outputs (performance model), which would satisfy the citizens if they met or exceeded their (citizens) expectations (expectation disconfirmation model). However, citizens' expectations are likely to be affected by issues such as age, gender, and political affiliation (individual and jurisdictional models), because the needs and expectations of these different demographics are usually different. It is important to note that even though outputs would have been produced; if they do not meet the expectations of the citizens then the citizens would be displeased.

It is important to repeat the point that the conceptual framework in Figure 7.1 is there to show how the theories that are applicable to the GPL interact. A detailed illustration of this interaction, specific to the GPL, is provided in section 7.3.1.1 below.

### **7.2.5 Ways in which the GPL performance measurement framework is inapt to determine the effectiveness of the GPL?**

Performance measurement was defined in section 1.5.7 as the process of developing indicators and reviewing performance using the same indicators. To draw conclusions about the ways in which the GPL performance measurement framework is inapt to determine the effectiveness of the GPL, conclusions about the nature and scope of operations of the GPL in section 7.2.1; performance of the GPL in section 7.2.3; and performance indicators of the GPL in section 7.2.4, were reviewed. In sections 7.2.1, it was revealed and concluded that the GPL seldom involves the citizens in its planning and reporting or performance determination processes. In section 7.2.4, it was

mentioned and concluded that the GPL performance indicators were mainly at an operational level and not fully appropriate to measure the achievement of the constitutional mandate. The poor GPL performance results from the citizens perspective that were outlined in section 7.2.3, which contradicted performance of the GPL from an internal perspective, confirmed the inaptness of the GPL performance indicators to fully measure outcomes of the institution. Based on the foregoing account, it can be concluded that the performance measurement framework of the GPL is inapt in the sense that it functions mainly at an operational level and excludes the intended beneficiaries, which are the citizens, in shaping their destinies. Based on these conclusions, the following section puts forward the study's recommendations.

### **7.3 Study recommendations**

In section 7.2, it was concluded that the GPL performance measurement framework, which comprises the procedure for indicators development and appraising performance, is mainly at operational level and does not involve citizens; thus, it needs to be enhanced. Consequently, section 7.3 is dedicated to outlining recommendations for enhancements to the GPL performance measurement framework. This section responds to the objective, namely: 'To propose enhancements to the GPL performance measurement framework'.

Section 7.3 is divided into four segments. The first segment outlines the study recommendations on how to enhance the performance indicators of the GPL, followed by recommendations for GPL operations. The third and fourth segments comprise recommendations on improving GPL effectiveness and future investigations, respectively.

#### **7.3.1 GPL performance indicators recommendations**

In section 7.2.3, it was concluded that the GPL performance indicators are not appropriate to measure the achievement of the constitutional mandate; hence they need to be overhauled. Nonetheless, indicators are one component of a ToC and their (indicators) development depends on other steps of the ToC (see section 2.6). For example, before the development of indicators, inputs through to impacts should be mapped out first. In other words, there is a need to define what needs to be measured before outlining how it will be measured (see section 3.2). This suggests that reviewing

and enhancing the indicators, only at the exclusion of other components of the ToC such as inputs to impacts and assumptions, would likely not add much value to the GPL performance measurement framework. So, it makes sense to deal with the ToC in its entirety for value to be realised.

Accordingly, this section is divided into four segments. The first and second sections are about enhancements to the GPL ToC representation and components that form the results chain, including their causal relationship explanation, respectively. The third section deals with assumptions behind the ToC, and the fourth section covers enhancements to the GPL performance indicators.

### **7.3.1.1 Enhancements to the representation of the GPL ToC**

The first aspect of the GPL ToC that needs to be enhanced is how it is represented. It was concluded that the GPL has a complex causal chain and that the current linear results chain used to represent the GPL ToC is not suitable and needs to be enhanced (see section 7.2.3). It is thus recommended that the enhancement to representing the GPL ToC should be in the form of incorporating elements of the outcomes hierarchy and the triple row approaches into the simple results chain discussed in section 2.6. The outcomes hierarchy shows the immediate and intermediate outcomes required to bring about the ultimate impact. The approach is suitable when the causal chain is complex with manifold components, and when the activities do not just happen at the start of the outcomes chain, but at different points along it. The activities of the outcomes hierarchy approach are not included in the chain, but in a separate table. It was also explained in section 2.6 that unlike the outcomes hierarchy approach that includes both immediate and intermediate outcomes, the triple column approach considers the latter only, and excludes the former. The triple column approach goes further to include contextual or other factors which are not considered by the linear chain and the outcomes hierarchy approach (see section 2.6).

Elements of the outcomes hierarchy approach that have been added to the simple linear results chain are activities, outlined in a separate table, that happen beyond the outputs level, as presented in Appendix A. Manifold components, or more than one chain, as well as short-term outcomes (immediate) to long-term outcomes (impacts) as shown in Figure 7.2, are likewise elements of the outcomes hierarchy that have



been added to the simple linear results chain. The notion of incorporating 'other factors', was adopted from the triple row approach. From Figure 7.2, examples of 'other factors' / enablers that have been added, are public confidence and improved representative democracy. Although not shown in Figure 7.2, examples of 'other factors' include loadshedding and increased cost of living or interest rates that make it difficult for the economy to grow, resulting in less revenue for the government to deliver services that improve the lives of the citizens. As mentioned in section 7.2.3, these factors are managed by the Executive at national level, meaning that the GPL can do very little, if not nothing at all, about them. So, although very important, such factors have not been included in Figure 7.2.

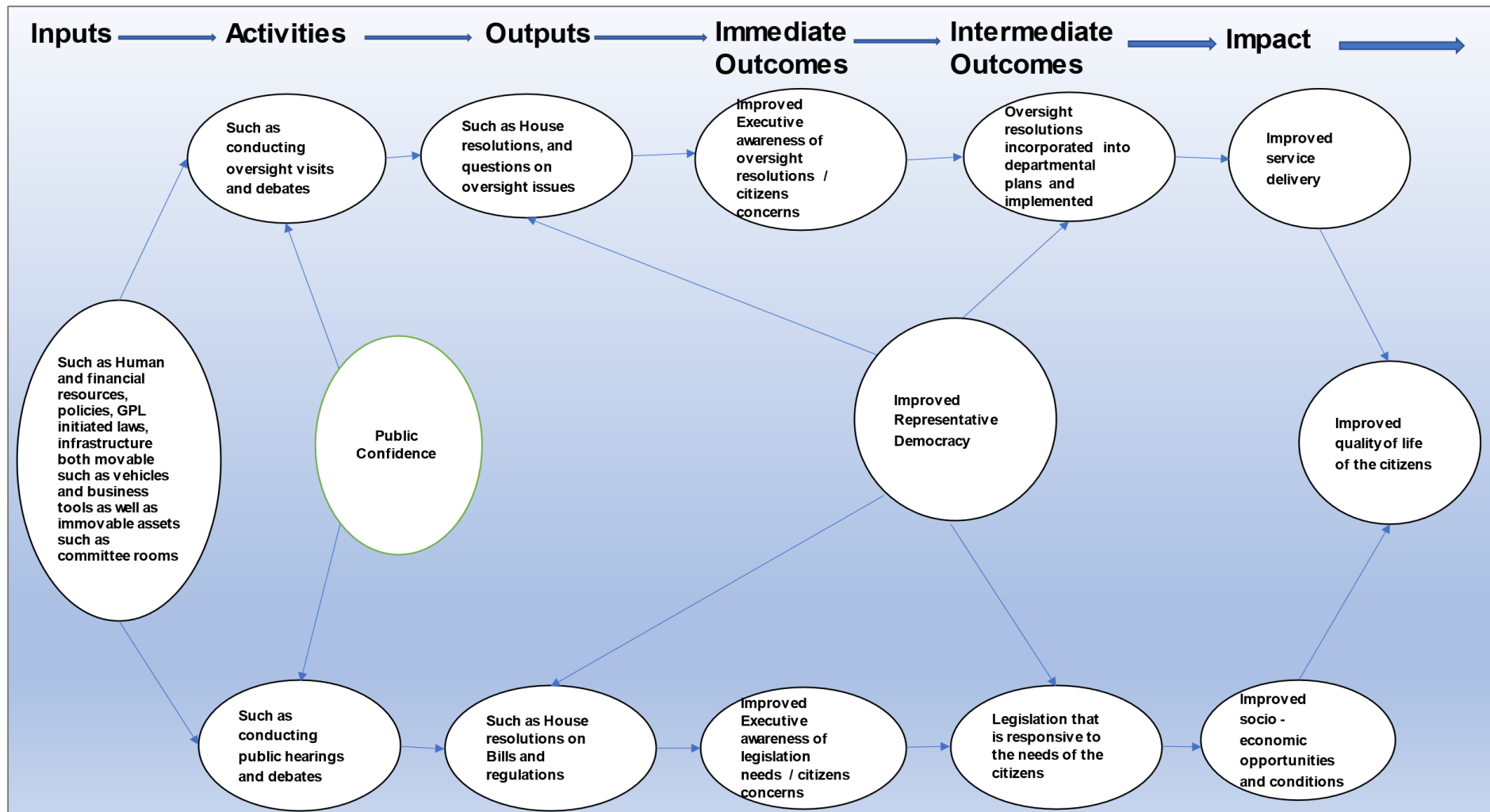


Figure 7.2: Enhanced representation of the GPL Theory of Change

Source: Own compilation

### **7.3.1.2 Enhancements to the components that form the results chains and their causal relationship explanation**

It was found that the GPL has been able to correctly define and categorise inputs, activities, and outputs (see section 6.4.3.4, point 1). So, the three components, as depicted in Figure 7.2, are very similar to those the GPL currently has (see section 6.4.3.1). In the GPL, the provision of inputs, such as financial and human resources, as well as infrastructure, enable the execution of the constitutional mandate activities, such as conducting oversight visits and public hearings, resulting in outputs such as reports and resolutions. It is imperative to indicate that how inputs are procured, and activities executed, determine the audit outcome of an institution. For example, procuring inputs and executing activities in accordance with relevant legislative prescripts contribute to an unqualified audit outcome or better (see section 4.2.1).

Moving back to Figure 7.2, as mentioned in section 7.3.1.1, the GPL ToC is complicated in the sense that it has multiple results chains and enablers. For the GPL, as concluded in section 7.2.3, the institution has two results chains and two main enablers. Thus, the following sections are dedicated to discussing the results chain of the two mandates (law-making and oversight and scrutiny) and the two enablers (public confidence and improved representative democracy) and how they converge towards the desired impact that the GPL contributes to.

#### **7.3.1.2.1 The oversight and scrutiny results chain**

Regarding the oversight and scrutiny mandate, the correct execution of activities, such as conducting site visits, would result in outputs such as House resolutions that carry the ideas and desires of the public (see Figure 7.2). At this juncture, it is important to mention that for House resolutions, which carry the ideas and desires of the public, to be realised, it is assumed that public confidence to be discussed in section 7.3.1.2.3 would have played a crucial role in encouraging citizens to willingly participate in the business of the GPL. Otherwise, without the involvement and inputs of the citizens, House resolutions would not carry the desires and ideas of the citizens.

The oversight and scrutiny results chain in Figure 7.2 goes on to show that the House resolutions that carry the ideas and desires of the public should be communicated or shared with the Executive; thus, the latter are made aware of the desires of the

citizens. Consequently, the communication of House resolutions (outputs) to the Executive results in improved Executive awareness of critical oversight and scrutiny resolutions / concerns / needs of the citizens. Improved Executive awareness, in this case, is an immediate outcome. Improved Executive awareness of oversight and scrutiny concerns would cause the Executive to change its attitude towards the same concerns. This change in Executive attitude is witnessed by the implementation of House resolutions (intermediate outcome). In line with what is stated in section 4.4.2.1, the oversight results chain finally shows that implementation of House resolutions by the Executive will result in improved service delivery, which ultimately result in an impact, namely: 'improved quality of life of the citizens' (See section 3.5.5).

#### **7.3.1.2.2 The law-making results chain**

As shown in Figure 7.2, law-making activities, such as public hearings, would result in outputs like House resolutions on bills and regulations that reflect the needs and concerns of the citizens. The same assumption about public confidence made for oversight and scrutiny is similarly applicable here. As with oversight and scrutiny, the resolutions would improve the Executive awareness of legislation needs / concerns of the citizens. For Law-making, a resolution could be either to approve or disapprove a legislation. An approval resolution would not require a response from the Executive but would endorse the Executive's views about the Law-making concerns of citizens. This confirmation in a way enhances the Executive's awareness of the matter(s) that would be under consideration. However, a disapproval resolution would require the Executive to respond.

Again, as with oversight and scrutiny, for law-making, improved awareness of legislation needs / concerns of the citizens would result in the Executive initiating, and the GPL passing, better laws. This is because, as discussed in sections 4.4.2.3(a) and 6.4.2.3(b), the initiation of laws is mainly done by the Executive, but all the passing is done by legislatures. Moreover, it is important to mention that in most cases, laws initiated by legislatures are seldom policy legislations, but legislation to guide the operations of a specific business of the GPL, such as petitions. The processes of initiating and passing non-policy legislation are within the control of the GPL, making the processes operational. Put differently, as shown in Figure 7.2, laws that would have been initiated by the GPL are an input to support the operations of the institution.

Coming back to the law-making results chain, increased Executive awareness of citizens' concerns regarding laws, results in legislation that is responsive to the needs of the citizens (intermediate outcome). In this instance, responsiveness is both in terms of relevant laws and their implementation (see section 4.4.2.3 b). The law-making results chain finally shows that responsive legislation leads to improved socio-economic conditions, which ultimately result in improved quality of life for citizens, as is the case with oversight and scrutiny. The argument here is that both economic (such as infrastructure, investment, and business) and social (such as education and health) related legislations would open-up opportunities for citizens to improve their socio-economic conditions (see sections 4.3.7 and 4.3.7.1).

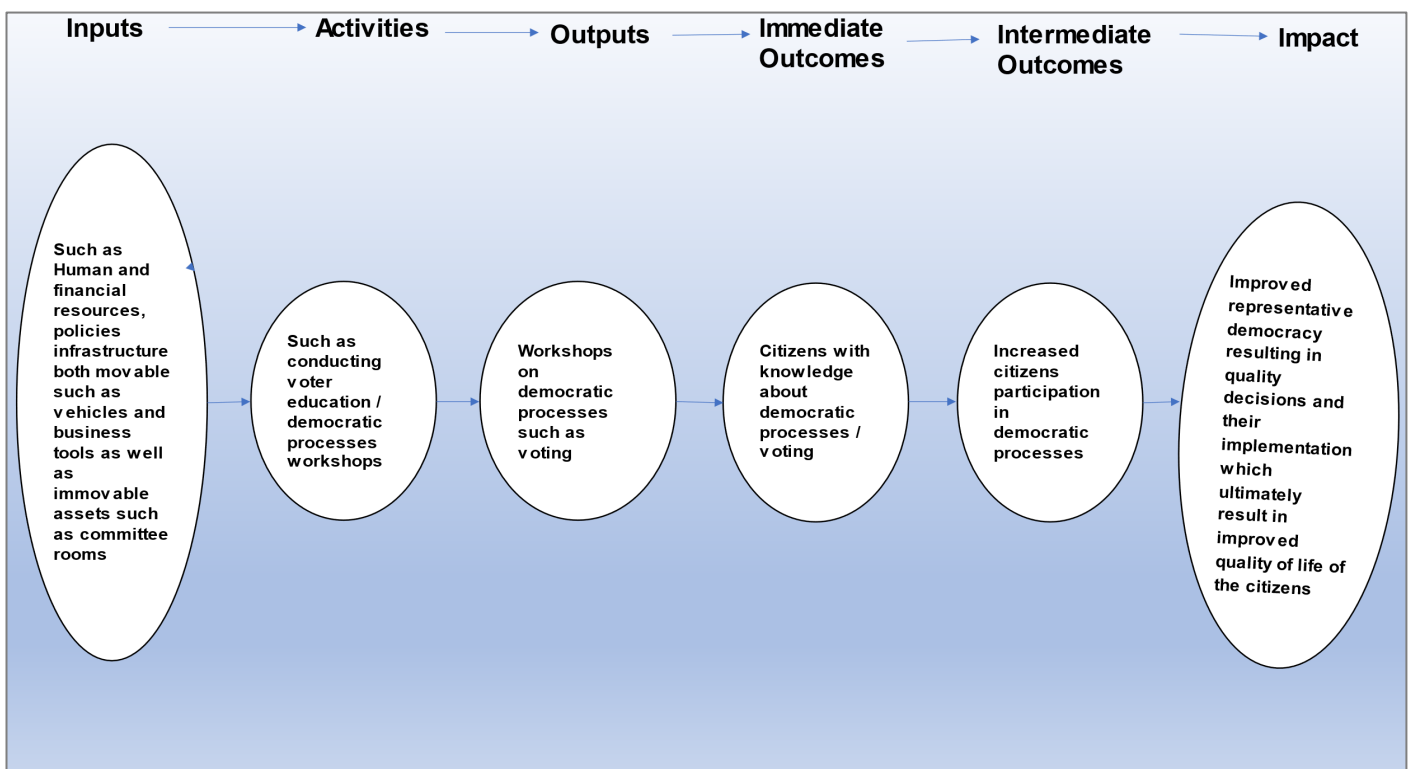
#### **7.3.1.2.3 Public Confidence as an enabler of law-making and oversight and scrutiny results chains**

Figure 7.2 shows that public confidence mainly affects the activities component of the ToC or results chains. As stated in section 2.4.1, it is public confidence in an institution that causes citizens to willingly participate in the business of an institution like the GPL. This supports the point that public confidence is an enabler of the law-making and oversight and scrutiny mandates. Therefore, the GPL should take public confidence seriously. One source of public confidence would be cultural and historical roots of society, according to cultural theory (see section 2.4.3). However, making use of institutional theory (see section 2.4.1), public confidence could also emanate from the performance of an institution. Therefore, making use of institutional theory, public confidence in the GPL would likely be achieved after the attainment of intermediate outcomes and impact outlined in Figure 7.2. However, it is important to point out that arrows from the intermediate outcomes and impact to public confidence were not added in Figure 7.2 because this is according to the institutional theory only, which the cultural theory does not agree with. Nonetheless, despite the source of public confidence, this factor remains an enabler of public participation in the business of the GPL.

#### **7.3.1.2.4 Improved representative democracy as an enabler of law-making and oversight and scrutiny results chains**

As shown in Figure 7.2, improved representative democracy is the second main factor in the ToC. Fully functioning democracy in an institution or country enables the

attainment of improved quality decisions through the involvement of many people and extensive discussions (see section 4.3.6.1). In a legislature, because of improved representative democracy, quality decisions (resolutions or outputs) would be reached through extensive debates by legislators who would represent various typologies of citizens. In the Executive branch, improved representative democracy influences the government to act in the best interest of citizens by adopting the House resolutions and making them part of the departmental policies. Put succinctly, improved representative democracy would influence elected officials, both in the legislature and Executive, to put the interests of the citizens first, so that they (citizens) would re-elect them back into office (see section 4.2.5). This demonstrates the importance of improved representative democracy as an enabler of quality decision-making, which results in the constitutional mandates being achieved, and ultimately the improved quality of life of the citizens. Considering the key role played by improved representative democracy in the main ToC presented in Figure 7.2, as with public confidence, it is vital to also outline its proposed ToC. Thus, the proposed ToC for improved representative democracy is depicted in Figure 7.3.



**Figure 7. 3: Theory of Change for improved representative democracy**

Source: Own compilation

Figure 7.3 shows that inputs such as a budget are required for activities such as the development of public education materials and voter education sessions to be carried out. The activities would result in outputs such as workshops on democratic processes like voting. Workshops for citizens about voting would result in citizens who are knowledgeable about democratic processes (immediate outcome). The voting knowledge would in turn change the attitude of citizens towards voting, leading to increased participation in democratic processes (intermediate outcome). For example, citizens would have the knowledge that by not voting, they might be increasing the chances of parties they do not favour, to win governance. Finally, improved citizen participation in democratic processes would lead to improved representative democracy, which is an enabler of relevant outputs, such as applicable resolutions and policies made by legislators and elected government officials, respectively.

The foregoing sections about the GPL ToC and its enablers are aligned to what available literature says in terms of improving the quality of lives of the citizens. As stated in section 4.3.3.3, inputs, such as an efficient administration, and intermediate outcomes, such as responsive laws, result in reduced poverty, inequality, and unemployment, which ultimately result in improved quality of life for citizens. Likewise, properly functioning institutions and political stability, partly because of democracy, were also found to be associated with improved quality of life for citizens (see sections 4.3.3.3; 4.3.6.1; 4.3.7.2; 4.3.4, and 4.3.5.1).

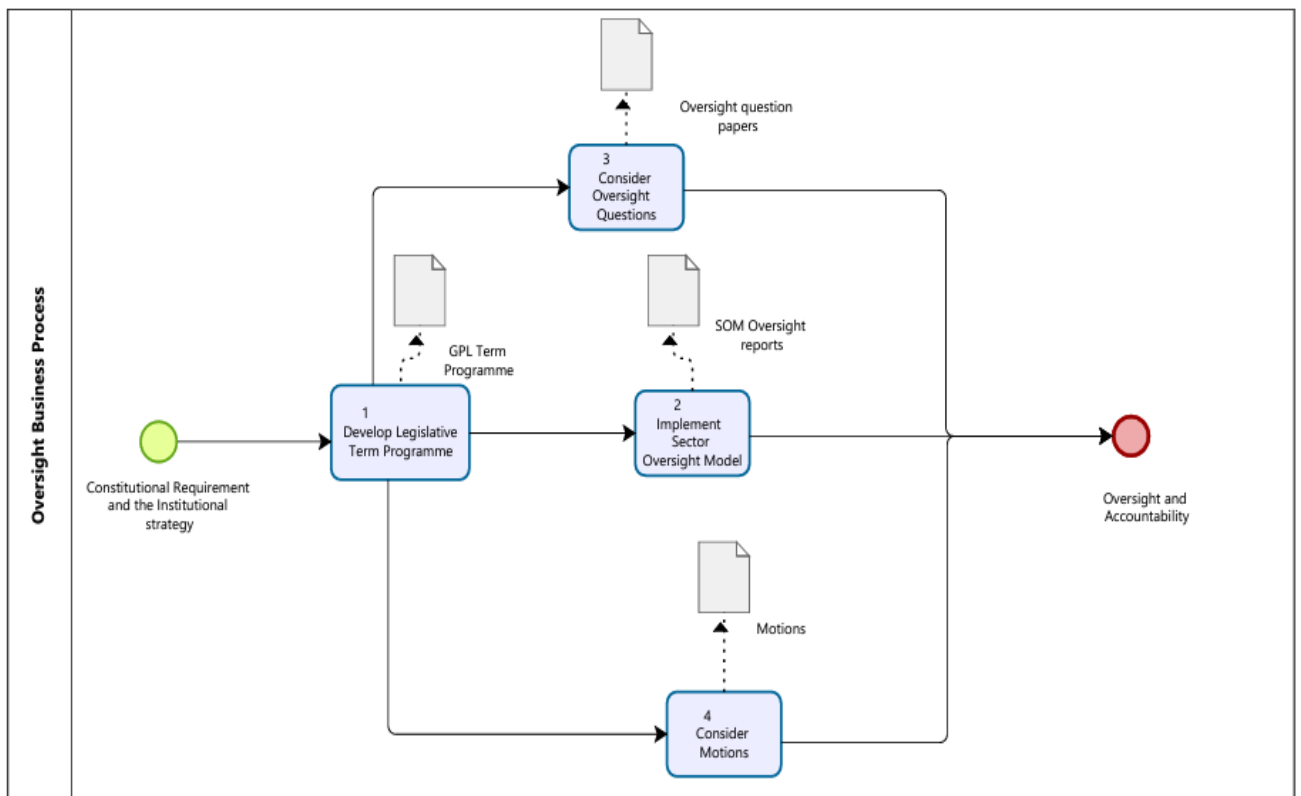
Thus far, under section 7.3.1, which comprises four segments, enhancements to the GPL ToC representation, and components that form the chain, including their causal relationship, has been covered in sections 7.3.1.1 and 7.3.1.2, respectively. The third and ensuing section covers the ToC assumptions.

### **7.3.1.3 Proposed GPL ToC assumptions**

The following are assumptions behind the GPL ToC depicted in Figure 7.2:

- To be able to execute oversight and scrutiny and law-making activities, it is assumed that inputs such as human resources that are relevant and adequate would be in place (see figure 7.1). Other examples of inputs would be complete business processes and procedures that guide how activities should be executed. GPL oversight and scrutiny and law-making business processes are depicted in Figures 7.4 and 7.5, respectively. The GPL likewise has a procedure

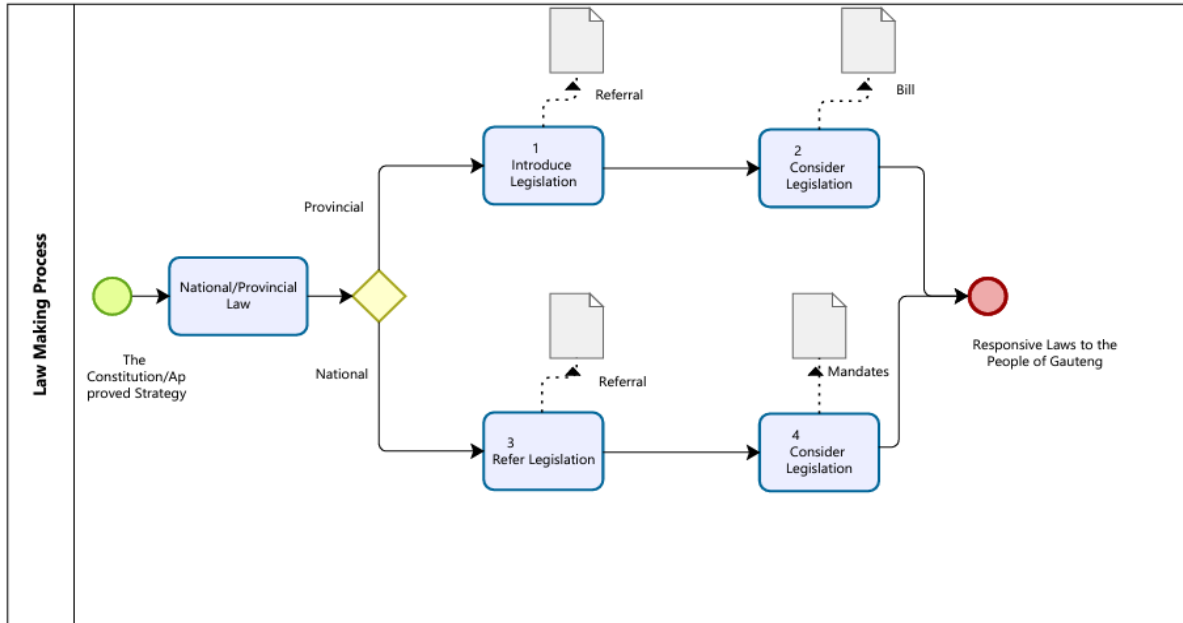
manual that was last updated in 2018 with detailed steps or activities for each sub-process of the main process. Whereas ‘oversight and scrutiny’ is a main process, as depicted in Figure 7.4, sub-processes of this main process include questions, motions, and the Sector Oversight Model (SOM) imperatives, such as the annual report. Therefore, steps of how to deal with, for example, motions, questions, and the annual report, from start to finish as was done in Appendix A, would be detailed in the procedure manual.



**Figure 7.4: GPL oversight and scrutiny process**

Source: GPL SharePoint (n.d)





**Figure 7.5: GPL law-making process**

Source: GPL SharePoint (n.d)

Based on the above, the assumption is that inputs such as up-to-date processes and procedures are in place.

- Another non-negotiable is correctly executing the activities as discussed in section 3.5.2. For example, the SA Constitution compels legislatures to conduct public participation and to cooperate with the other organs of the state in executing the law-making and oversight and scrutiny functions. In this case, enhanced collaboration with the other organs of the state, such as municipalities, as well as implementing public participation mechanisms, such as sector parliaments and petitions, would for example assist in revealing areas that need new laws, or existing laws that require revision, as well as areas of inadequate service delivery (see Appendix A). In short, cooperative governance and public participation enhance the law-making and oversight and scrutiny functions of legislatures. Thus, it is assumed that law-making and oversight and scrutiny activities would be executed correctly, including incorporating public participation and cooperative governance elements wherever possible to inform better decisions. For example, public participation must be meaningful / meet

the expectations of citizens and not merely be a box-ticking exercise as discussed in section 4.4.2.2.

- It is assumed that the GPL is or will be aware of the importance of public trust or confidence in influencing meaningful public participation in the business of the institution (see section 7.3.1.2.3). It is further assumed that reasonable efforts would be made to improve public trust in the GPL as explained in section 7.3.1.2.3.
- For better decisions because of improved representative democracy, it is assumed that the correct candidates would be in office. An important step in choosing the correct candidates is voter education. Therefore, it is assumed that voter education workshops would cover the why, how, where, when, etcetera aspects of voting. For example, the workshops should objectively educate citizens about their powers in choosing a government (see section 4.2.5), as well as the attributes of a good or bad candidate, to help guide their choices. It is also assumed that the elected representatives would not be more loyal to their political parties at the expense of the electorate or citizens as discussed in section 4.4.2.1.
- It is assumed that other factors, such as socio-economic conditions, would not deter citizens from participating in the business of the GPL and registering to vote and voting. The socio-economic factors include water and electricity rationing and increased cost of living / interest rates.
- In the event of the Executive failing to implement House resolutions, it is assumed that the GPL would use its oversight powers without fear or favour, outlined in the standing rules and other regulatory frameworks, to hold the Executive accountable.

Thus far, except one, all the components of section 7.3.1 have been discussed. This remaining and last component is indicators deliberated in the following section.

#### **7.3.1.4 Proposed enhanced GPL performance indicators**

As stated in section 7.3.1.1, detailed activities of a ToC represented by using the outcomes hierarchy approach should be in a separate table. Consequently, Appendix A contains activities that result in outputs, immediate, and intermediate outcomes discussed in the ensuing sections. These results are measured using objective and

subjective, as well as qualitative and quantitative performance indicators, similarly provided in Appendix A. To clearly present proposed GPL outputs, immediate and intermediate outcomes as well as their associated indicators, information was extracted from Appendix A and presented in the following three sections.

#### 7.3.1.4.1 Proposed GPL outputs and associated indicators

Outputs serve as proof that activities took place, as shown in Appendix A. However, it is imperative to note the different levels and types of outputs. As presented in Appendix A, while some outputs are produced by the House, some are produced by Administration and some by Committees of the House. In the GPL, decisions regarding the execution of the constitutional mandate are made in the House in the form of House resolutions. This explains why only outputs of the House form part of the ToC depicted in Figure 7.2.

Using operational outcome one (1) from Appendix A as an example, House resolutions produced by activities one to 13 are the ultimate outputs of sub-process, such as the annual report. Activity 13 involves House Committees tabling oversight reports with remedial and explanation seeking recommendations for adoption by the House. This activity occurs within the House and results in outputs such as House oversight resolutions. Two indicators, incorporating both qualitative and quantitative elements, namely percentage of oversight resolutions that are remedial and explanation seeking (pressing for action) in nature, passed by the House, and the percentage of SMART oversight and scrutiny resolutions passed by the GPL, can be used to measure achievement of the output: House resolutions. Together with House resolutions, other examples of outputs and their associated performance indicators extracted from Appendix A are presented in Table 7.1. These examples pertain to the oversight and scrutiny and law-making processes.

**Table 7.1: Examples of GPL House outputs and associated indicators**

Number	Outputs	Indicators
<b>Oversight Mandate</b>		
1.	Committee reports adopted by the House.	• % of Committee reports adopted by the House.

Number	Outputs	Indicators
2.	House resolutions.	<ul style="list-style-type: none"> <li>• % of SMART resolutions passed by the House.</li> <li>• % of resolutions that are remedial and explanation seeking (press for action) passed by the House.</li> </ul>
3.	Compliant questions adopted by the House.	<ul style="list-style-type: none"> <li>• % of compliant questions adopted by the House.</li> <li>• % of compliant questions that are remedial and explanation seeking (press for action).</li> </ul>
4.	Motions debated by the House	<ul style="list-style-type: none"> <li>• % of motions debated by the House.</li> </ul>
<b>Law-making Mandate</b>		
1.	House resolution(s) on Bills.	<ul style="list-style-type: none"> <li>• % of Bills on which a House resolution(s) is taken.</li> <li>• % of House resolutions on National Bills not returned to the GPL for further consideration.</li> <li>• % of House resolutions on provincial Bills not returned to the GPL for further consideration.</li> </ul>
2.	House resolution(s) on regulations.	<ul style="list-style-type: none"> <li>• % of regulations on which a House resolution(s) is taken.</li> <li>• % of House resolutions on regulations not returned to the GPL for further consideration.</li> </ul>

Source: Own compilation

Regarding the two main enablers of law-making and oversight and scrutiny depicted in Figure 7.2, outputs for public confidence are like those presented in Table 7.1, assuming the institutional theory explained in section 7.3.1.2.3 is applied. Immediate and intermediate outcomes to be discussed in sections 7.3.1.3.2 and 7.3.1.3.3 would also be like those in tables 7.2 and 7.3 below. However, for improved representative democracy, output indicator examples for workshops on democratic processes (see Figure 7.3) could be the number of workshops conducted, and the number of Gauteng citizens who attended workshops on democratic processes. Although very important, it is imperative to note that workshops, and citizens who attend workshops on democratic processes, are not outputs of the House, and hence are not included in Table 7.1. However, the GPL may opt to include in the APP other non-House outputs and even inputs deemed crucial for the achievement of the ultimate result. Otherwise, all the other outputs, activities, and inputs would be recommended to go to the operational plan.

#### **7.3.1.4.2 Proposed GPL immediate outcomes and associated indicators**

Immediate outcomes that are presented in Table 7.2 were extracted from Appendix A and modified using information presented in sections 3.5.4.1; 3.5.4.2; and 3.5.4.3. From Appendix A, activity 14 is used to illustrate examples of immediate outcomes and their associated indicators. Activity 14, which pertains to House resolutions communicated to the Executive by the office of the GPL Speaker results in outputs such as communicated House resolutions. It is important to note that this is not an output of the House, but of the office of the Speaker, hence it is not included in Table 7.1. The indicator to measure the achievement of this output is the percentage of House resolutions communicated to the Executive.

Activities 14 mentioned in the foregoing paragraph, and 17 (see section 7.3.1.4.3) are examples of activities that do not happen at the beginning of the results chain but are carried out in the middle of the results chain to realise immediate and intermediate outcomes respectively, as discussed in section 7.3.1.1. Activity 14 is carried out by the GPL to directly influence what happens within the Executive arm of the state. In this case, the intention of the GPL communicating House resolutions to the Executive would be to increase Executive awareness about citizens' concerns on various service delivery issues and other matters. In section 2.6, it was stated that whereas an organisation does not have direct control over an immediate outcome, it has direct influence. Immediate outcomes about immediate changes experienced after an intervention were discussed in section 3.4.4. Thus, increased Executive awareness is an immediate outcome, which the GPL does not have direct control over but can directly influence through communication. This is based on the reasoning that the Executive's reviewing or reading of communication from the GPL about oversight and scrutiny House resolutions would immediately raise awareness levels of the former regarding service delivery issues. Examples of immediate outcomes and their associated indicators extracted from Appendix A are provided in Table 7.2.

The reasoning behind the immediate indicators in Table 7.2 is the fact that the Executive would have adequately responded to resolutions suggesting that the Executive received the information and studied it to be able to respond correctly. Thus, if the Executive did not know about the oversight and scrutiny and law-making concerns of citizens, it is reasonable to conclude that by the time they respond to the GPL, their level of awareness would have been increased. If they knew about the

concerns, then their level of awareness of the seriousness of the matter would have been enhanced. So, the improved level of awareness of a matter is measured by the extent to which the Executive correctly responds to the queries. An inadequate response might signal that the Executive did not understand the query; hence the levels of awareness would remain the same. It is also important to mention that responding to a matter on time is crucial. This is because being aware of a matter at an inappropriate time might render the information less useful for further action. Moreover, this might signal that the Executive does not take the matter seriously and is unlikely to act.

**Table 7.2: Examples of immediate outcomes and associated indicators**

Number	Immediate Outcomes	Indicators
<b>Oversight Mandate</b>		
1.	Improved Executive awareness of critical Oversight and scrutiny resolutions / concerns / needs of the citizens.	<ul style="list-style-type: none"> <li>• % of House resolutions correctly responded to on time by the Executive.</li> <li>• % of GPL House questions correctly responded to on time by the Executive.</li> </ul>
<b>Law-making Mandate</b>		
1.	Improved Executive awareness of legislation needs of the citizens.	<ul style="list-style-type: none"> <li>• % of Bills on which Executive responses to resolutions / queries are adequate and on time.</li> <li>• % of regulations on which Executive responses to resolutions / queries are adequate and on time.</li> </ul>

Source: Own compilation

Regarding the enabler / factor, ‘improved representative democracy’; having citizens who attended workshops or who are trained on democratic processes (outputs) would result in citizens with knowledge on democratic processes / voting (immediate outcome). To measure the immediate outcome, it is proposed that post workshop surveys be conducted immediately, wherein participants report the voting knowledge effect of the workshop(s). So, the proposed indicator for the immediate outcome would be: Percentage of citizens with increased knowledge on voting / democratic processes as a result of the workshop(s).

#### **7.3.1.4.3 Proposed GPL intermediate outcomes and associated indicators**

The intermediate outcomes presented in Table 7.3 have a combination of objective and subjective (see sections 3.4.2), as well as internal and external (see sections 3.4.3) indicators as suggested by literature and the study participants (see sections 6.4.3.3, & 7.2.3). The intermediate outcomes were extracted from Appendix A and modified, using information presented in sections 3.5.4.1; 3.5.4.2; and 3.5.4.3.

Activity 17 from Appendix A is used to illustrate examples of intermediate outcomes and associated indicators. Activity 17 involves House Committees holding engagements to consider House resolutions responses from the Executive. In section 2.6, it was stated that indirect influence, which is associated with intermediate outcomes occur when it is possible only to take actions that inspire required results, but it is almost impossible to control the results or push for a decision. Intermediate outcomes are about changes in behaviour, which include change in accountability after an intervention (see section 3.4.4). In this case, consideration by House Committees of the Executive responses to House resolutions is an action meant to measure the degree to which the Executive changed its behaviour, or the degree of accountability to the GPL witnessed by incorporation into departmental plans and implementation of House resolutions. After scrutinising departmental submissions, House Committees are supposed to use their findings to motivate departments to do more. However, a department could mention budgetary constraints, which would make it difficult for House Committees to force the Executive to implement a House resolution. Thus, activity 17 is done to assess the level of the Executive accountability to the GPL and to motivate the Executive to continue changing its behaviour for the better. Examples of intermediate outcomes and their associated indicators are provided in Table 7.3.

The reasoning behind intermediate outcomes indicators outlined in Table 7.3 is provided in the ensuing paragraphs. The indicator: Percentage of executive APPs that incorporate GPL resolutions and concerns serves to demonstrate behaviour change in the sense that information gained from the GPL would have been actioned to inform departmental plans. This change in behaviour is further demonstrated by implementation of oversight and scrutiny concerns / resolutions contained in the plans,

as well as actioning petitions that would have come from the citizens. Implementation of the resolutions and petitions is likely to result in their closure or conclusion. Put differently, closure of resolutions and petitions serves as proof that the Executive would have acted upon citizens' concerns, demonstrating Executive behaviour change.

**Table 7.3: Examples of intermediate outcomes and indicators**

Number	Intermediate Outcomes	Indicators
<b>Oversight Mandate</b>		
1.	GPL oversight resolutions / concerns that are incorporated into Executive plans and implemented.	<ul style="list-style-type: none"> <li>• % of executive APPs with incorporated GPL resolutions and concerns.</li> <li>• % of closed resolutions.</li> <li>• % of closed petitions.</li> <li>• % of Gauteng citizens satisfied with how the GPL executes the oversight mandate.</li> </ul>
<b>Law-making Mandate</b>		
1.	Legislation that responds to the needs of the citizens.	<ul style="list-style-type: none"> <li>• % of legislation passed by GPL not challenged in court.</li> <li>• % of Gauteng citizens satisfied with provincial legislation.</li> <li>• % of Gauteng citizens satisfied with the implementation of provincial legislation.</li> </ul>

Source: Own compilation

The reasoning behind the indicator: percentage of legislation passed not challenged in court, is that laws that are not responsive to citizens, are likely to be challenged in court. Regarding the three satisfaction indicators, surveys could be conducted to gauge citizens' satisfaction levels with how the GPL executes the oversight and scrutiny mandate, the laws, and their implementation. Citizens' satisfaction levels are likely to be low in cases where laws were irrelevant and or poorly implemented. Thus, being non-responsive to the needs of citizens signals poor execution of the oversight and scrutiny mandate by the GPL. This basically represents the performance of the GPL, which according to the institutional theory (see section 2.4.1), influences citizens' confidence or trust levels in an institution.



As stated in section 3.4.4, the three satisfaction indicators could also be regarded proxy or indirect indicators for the intermediate outcome(s). The proxy indicators in this case would be measuring issues that are not very easy and straightforward to measure, such as the responsiveness of laws to the needs of citizens and the degree to which citizens' concerns are being addressed (see section 3.4.1).

Pertaining to the enabler: 'improved representative democracy', voting knowledge (immediate outcome) would in turn change the attitudes of citizens towards voting, leading to increased participation in democratic processes (intermediate outcome). Indicators for this intermediate outcome would be: Percentage of citizens who register to participate in local / provincial / national elections (vote); and percentage of citizens who participate in local / provincial / national elections (vote).

Section 7.3.1 focused on the comprehensive process of enhancing performance indicators of the GPL. This process included reviewing and enhancing the entire GPL ToC and performance indicators. The following section tackles recommendations on GPL operations.

### **7.3.2 GPL Operations Recommendations**

Regarding the operations of the GPL, two recommendations can be made. The first recommendation is about the GPL operating model. It was concluded in section 7.2.1 that the fact that there are differing views pertaining to the operating model of the GPL, suggests two issues. The first conclusion that was arrived at was that the current GPL operating model might not be fully appropriate to guide the operations of the GPL. The second conclusion was that there are different levels of understanding among various stakeholders meant to be implementing the GPL operating model on how the GPL is supposed to be operating. Based on these conclusions, it is thus recommended that the GPL create platforms wherein GPL stakeholders engage and share a common understanding on issues such as how the institution operates or should operate. Examples of platforms to be created include workshops, question and answer sessions, and round tables, and these can be both face-to-face and online. These platforms should likewise be used to engage stakeholders on other institutional models and frameworks, such as the one presented in Figure 7.1 and the proposed GPL ToC in Figure 7.2.

The second recommendation is around planning and reporting in the GPL. It was concluded in section 7.2.1 that the GPL is weak in involving the public in its business, due to limited public knowledge about the institution, among other reasons. Thus, it is recommended that the GPL strengthens its public participation mechanisms, such as the public education workshops, with a view to increasing awareness of the role and functions of the institution among the public. This would assist the GPL in two ways. Firstly, informed citizens would provide meaningful inputs during engagements with House Committees to inform House resolutions and policies. Secondly, informed citizens would effectively evaluate the performance of the GPL in achieving the constitutional mandate, and this information would inform planning. Put succinctly, public participation in the GPL should not be a box-ticking exercise but should be meaningful as discussed in section 4.4.2.2.

### **7.3.3 GPL effectiveness recommendations**

In section 7.2.2, it was concluded that the GPL measures its performance or effectiveness using the Performance Model. The Performance model, which was explained in section 2.4.1, concentrates on the achievement of outputs and not outcomes. However, from an external perspective, citizens assess effectiveness in terms of the outcomes, which are aligned to the Expectation Disconfirmation Model. Considering that the GPL is a public institution that is constitutionally mandated to serve the citizens, it is recommended that the GPL should shift from a predominantly Performance Model and strongly embrace the Expectation Disconfirmation Model and the Individual Jurisdictional Models. However, this does not mean that the GPL should ignore the operational space comprised of inputs, activities, and outputs, with objective and tangible results. In short, it is recommended that the GPL should embrace, and correctly balance the usage of the Performance, and the Expectation Disconfirmation Models discussed in section 7.2.4. The recommended approach would likely see almost similar results pertaining to the effectiveness of the GPL from both internal and external perspectives.

The second recommendation regarding GPL performance is related to capacity and skills and ethical behaviour in the institution. In section 7.2.4 it was concluded that most of the problems associated with the performance of the GPL are associated with root causes such as a lack of resources like capacity, skills, and ethical behaviour. For

example, the GPL was found to be lacking capacity and skills in a few areas, which include institutional planning and reporting, hence some GPL documents were found wanting in terms of quality (see section 6.4.1.1). Varying levels of capacity were also witnessed among the study participants that were in the occupational category responsible for planning and reporting. For example, these participants defined effectiveness and viewed the appropriateness of GPL indicators and operating model differently (see sections 6.4.1.2; 6.4.2.1; and 6.4.3.2). Thus, to improve the effectiveness of the GPL in the development of indicators and the achievement of outcomes, it is recommended that the GPL considers adopting the conceptual framework that was presented in section 7.2.4. According to the conceptual framework, political will or ethical behaviour and resources, which include capacity and skills, are the prerequisites for effectiveness. Thus, the GPL needs to put measures in place to ensure ethical behaviour and resources in the institution. The first step would be for the GPL to conduct a systematic audit of its skills and values requirements and then invest in building such across the entire institution. Coupled with ethical behaviour, the right skills would result in the production of good quality planning and reporting documents, apt indicators, correct measurement of results, and improved GPL performance.

#### **7.3.4 Future investigations recommendations**

For the Gauteng province, it was not categorically concluded which among the determinants of satisfaction such as age; general and local political efficacies; race; gender; income; quality and quantity of services; and jurisdictional structure affect citizens' perceptions of the GPL. Therefore, it is recommended that future studies intentionally examine these determinants of satisfaction to determine the ones that are most applicable to the GPL. This can be achieved using quantitative methodologies to assess the correlation between the determinants of satisfaction such as race, gender and age, and the level of satisfaction with the GPL. This will assist the GPL to match determinants versus services provided. For example, if the working people indicated that they would prefer to be engaged online or after working hours, then the GPL would know when to slot public participation sessions for this group and others that would have indicated their preferences. Not taking this information into consideration would render the GPL ineffective in so far as public participation is concerned in the eyes of

these stakeholders. So, knowing the determinant and what it affects would assist the GPL to be focused and get the best results. For example, knowing and executing the preferences of the various demographics in so far as public engagements are concerned, would assist the GPL to get inputs from various stakeholders, resulting in policies that resonate with the needs of the citizens. Once this happens, the GPL would most likely be perceived as effective by citizens in public participation. In short, it is imperative for the GPL to be aware of the determinants that affect satisfaction with the GPL.

In section 7.3.2, it was recommended that the GPL review the conceptual framework, the ToC, and its assumptions as well as indicators that were proposed by the study. Likewise, it is recommended that the entire legislative sector review the proposed recommendations and ascertain their transferability to their contexts. It is further recommended that future studies or scholars in the field of Public Administration equally review the models and frameworks that were proposed by the current study. For example, future research could test the tentative theory presented in Figure 7.1. Using quantitative methodologies, future research could conduct hypotheses testing of various components, such as skills, and performance indicators of the tentative theory. One of the hypotheses could be: There is a relationship between the type of performance indicators used by an institution and the performance of that institution. Findings of future studies would add knowledge to the existing body of information in the discipline of Public Administration by, for example, confirming or dismissing or improving the tentative theory shown in Figure 7.1.

#### **7.4 Chapter summary**

Chapter 7 sought to expose ways in which the GPL performance measurement framework is inapt to determine the effectiveness of the GPL. Accordingly, it was concluded that there are two main ways in which the GPL performance measurement framework is inapt to establish the effectiveness of the GPL. The first one is that the GPL seldom involves citizens in its planning and reporting or performance determination processes. Thus, results obtained from a process that excludes the intended beneficiaries or the most important stakeholders cannot be trusted. The second one is that the GPL performance indicators were mainly at an operational, instead of a strategic, or outcomes level. Thus, put succinctly, the ways in which the

GPL performance measurement framework was deemed inapt to determine the effectiveness of the GPL were its exclusion of citizens and its excessive leaning toward an operational as opposed to a strategic nature.

By exposing the two main ways in which the GPL performance measurement framework is inapt to determine the effectiveness of the GPL, the study problem was resolved. In section 1.3, it was stated that the GPL performance measurement framework is problematic, but the nature of the weaknesses of the framework was not explicitly known. This was regarded a problem because the GPL would continue to remain unaware of the exact areas of the performance measurement framework that need to be enhanced and how, as well as its (GPL) true contribution towards changing the lives of the people of Gauteng. It can, therefore, be concluded that the study successfully resolved the problem of GPL unawareness of the weaknesses of its performance measurement framework and its (GPL) true contribution to changing the lives of the citizens, or the people, of Gauteng.

Based on the study findings and conclusions mentioned in the foregoing paragraphs, the study went further to propose enhancements to the GPL performance measurement framework. This was done to respond to the research question, namely: 'What enhancements can be made to the GPL performance measurement framework?' Study recommendations presented in Chapter 7 include enhancements (SMART as well as outcome-based indicators) of the GPL performance indicators. Recommendations pertaining to involving the citizens in the business of the GPL were likewise put forward. Future investigations using quantitative methodologies in order, to for example, test the relationship between performance indicators of an institution and its effectiveness were also suggested.

To get to this stage of providing study conclusions and recommendations (phase three), phases one and two of the study played a crucial role by setting a strong foundation. In phase one of the study, literature, including theories applicable to the study were explored. Phase one guided phase two, which involved data gathering, analysis, interpretation, and presentation of findings.

The three phases made it possible for the study to make reasonable contributions to public administration by assisting in solving practical public sector problems and

contributing to Public Administration as a discipline by meeting academic knowledge development needs. See section 1.5.7 for the difference between 'public administration' and 'Public Administration'. For public administration, this study managed to put forward practical recommendations, for example in the form of enhanced outcome-based performance indicators. Accordingly, planning and performance reporting practitioners in the GPL and the legislative sector at large would now know what to focus on when concerned about outcomes that contribute to changing the lives of the citizens. In terms of Public Administration, the study managed to propose a tentative theory or conceptual framework that, after being reviewed by various scholars, researchers, and practitioners, could enhance academic knowledge in the field of Public Administration. The study also closed a knowledge gap in the field of Public Administration by exposing the ways in which the performance measurement of the GPL is inapt to establish the effectiveness of the GPL.

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## APPENDIXES

### APPENDIX A: Proposed examples of GPL activities, outputs, outcomes, and their associated performance indicators

<b>Impact Statement: Improved quality of life of the citizens</b>	
<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<i>who conducted the activity, what they did, and where were they working</i>” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
<b>Immediate Outcome:</b>  Improved Executive awareness of critical oversight resolutions / concerns/ needs of the citizens.	<b>Operational Outcome 1:</b> Enhanced oversight through processing SOM imperatives in line with relevant policies, laws and principles of good governance
<b>Indicator(s):</b>  •% of GPL SOM imperatives House resolutions correctly responded to on time by the Executive.  •% of GPL House questions correctly responded to on time by the Executive.	<b>Activity 1.</b> House Proceedings Unit (HPU) ( <i>who</i> ) to assess if reports submitted by the Executive e.g., Budget or Annual comply with the standing rules and reporting templates issued out by the Legislature ( <i>what</i> ).  <b>Output:</b> Assessed reports  <b>Indicator(s):</b> • % of SOM imperative reports submitted by the Executive assessed for compliance with the standing rules and reporting templates issued out by the Legislature.  <b>Activity 2(a):</b> If not compliant – sending of communiques about the non-compliance ( <i>what</i> ) by the Office of the Speaker to the Executive ( <i>who</i> ) within the stipulated time.  <b>Output:</b> Communicated non-compliant reports.  <b>Indicator(s):</b> % of non-compliant oversight reports communicated to the Executive.  <b>Activity 2(b):</b> If compliant – sending of referrals ( <i>what</i> ) by HPU to relevant House Committees including staff ( <i>who</i> ) within the stipulated time.
<b>Intermediate outcome:</b>  GPL oversight resolutions / concerns	<b>Output(s):</b> Referred compliant reports.  <b>Indicator(s):</b> % of compliant reports referred to relevant House Committees and staff.

<b>Impact Statement: Improved quality of life of the citizens</b>	
<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL)
<p>that are incorporated into Executive plans and implemented.</p> <p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• % of executive APPs with incorporated GPL resolutions and concerns.</li> <li>• % of closed resolutions.</li> <li>• % of closed service delivery petitions.</li> </ul>	<ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<u>who</u> conducted the activity, <u>what</u> they did, and <u>where</u> were they working” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul> <p><b>Activity 3:</b> Development by the Communications team and approval by the respective House Committee (<u>who</u>) of SOM imperatives media plan(s) (<u>what</u>).</p> <p><b>Output(s):</b> Approved SOM imperatives media plan(s).</p> <p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• Number of approved SOM imperatives media plans.</li> <li>• % of SOM imperatives with approved media plan(s).</li> </ul> <p><b>Activity 4:</b> Provision of relevant information (<u>what</u>) by the Information Centre to the Committee and its researcher(s) (<u>who</u>) within the stipulated time.</p> <p><b>Activity Output(s):</b> Articles / information alerts.</p> <p><b>Indicator(s):</b> % of SOM imperatives for which information is provided in the form of articles / information alerts.</p> <p><b>Activity 5:</b> Departmental submissions on SOM imperatives independently analysed and verified (<u>what</u>) by GPL researchers (<u>who</u>).</p> <p><b>Output(s):</b> Research analyses / documents.</p> <p><b>Indicator(s):</b> % of SOM imperatives research documents produced.</p> <p><b>Activity 6:</b> Public education officers (<u>who</u>) to prepare public education materials related to the oversight mandate in general and processing of SOM imperatives (<u>what</u>).</p> <p><b>Output(s):</b> Education materials.</p> <p><b>Indicator(s):</b> Number of public education materials produced.</p> <p><b>Activity 7:</b> Public participation officers (<u>who</u>) to conduct public education sessions in support of the oversight mandate in general and processing of SOM imperatives (<u>what</u>) at the GPL premises and in communities (<u>where</u>).</p>

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<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<i>who conducted the activity, what they did, and where were they working</i>” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
	<p><b>Output(s):</b> Public education sessions.</p> <p><b>Indicator(s):</b> Number of public education sessions.</p> <p><b>Activity 8:</b> House Committees (<i>who</i>) hold engagements to deliberate SOM imperatives (<i>what</i>) in the presence of various stakeholders such as the media, the public, civil society (<i>who</i>) in various locations such as communities (<i>where</i>). (<i>One of the aims is to assess the degree of incorporation into plans and implementation of House decisions</i>).</p> <p><b>Output(s):</b> Minuted engagements, and Hansard recorded engagements.</p> <p><b>Indicators:</b></p> <ul style="list-style-type: none"> <li>• % of engagements Hansard recorded.</li> <li>• % of engagements with recorded minutes.</li> </ul> <p><b>Activity 9:</b> House Committee support staff (<i>who</i>) to assess stakeholder submissions and incorporate inputs into the Committee report (<i>what</i>).</p> <p><b>Output(s):</b> draft SOM oversight reports with stakeholders’ inputs.</p> <p><b>Indicator(s):</b> % of draft SOM oversight reports with stakeholders’ submissions incorporated.</p> <p><b>Activity 10:</b> House Committees (<i>who</i>) hold meetings to debate and adopt the oversight reports (<i>what</i>).</p> <p><b>Output(s):</b> adopted reports.</p> <p><b>Indicator(s):</b> Number of Committee Oversight reports adopted at Committee level.</p> <p><b>Activity 11:</b> HPU (<i>who</i>) to assess the adopted House Committee oversight reports against a set criterion such as compliance with the standing rules (<i>what</i>).</p> <p><b>Output(s):</b> Assessed Oversight reports.</p>

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<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<i>who conducted the activity, what they did, and where were they working</i>” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
	<p><b>Indicator(s):</b> % of assessed reports.</p> <p><b>Activity 12(a):</b> If not compliant – HPU (<i>who</i>) sends a communique about the non-compliance (<i>what</i>) to the House Committee (<i>who</i>) within the stipulated time.</p> <p><b>Output(s):</b> Communicated non-compliant reports.</p> <p><b>Indicator(s):</b> % of non-compliant SOM Oversight reports communicated to House Committees.</p> <p><b>Activity 12(b):</b> If compliant - report is placed on the Announcements Tabling and Committees (ATC) and order paper (<i>what</i>) by the HPU (<i>who</i>) within the stipulated time.</p> <p><b>Output(s):</b> Compliant reports on order paper and ATC.</p> <p><b>Indicator(s):</b> % of compliant SOM imperative reports placed on the ATC and order paper.</p> <p><b>Activity 13:</b> House Committees (<i>who</i>) present Oversight reports with recommendations that are remedial and explanation seeking in nature for adoption by the House (<i>what</i>).</p> <p><b>Output(s):</b> Committee reports adopted by the House, House oversight resolutions.</p> <p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• % of SOM imperative Oversight reports adopted by the House.</li> <li>• % of oversight resolutions that are remedial and explanation seeking (press for action) in nature passed by the House.</li> <li>• % of SMART oversight resolutions passed by the GPL.</li> </ul> <p><b>Activity 14:</b> House resolutions (<i>what</i>) communicated to the Executive by the office of the Speaker (<i>who</i>).</p> <p><b>Output(s):</b> Communicated resolutions.</p> <p><b>Indicator(s):</b> % of House resolutions communicated to the Executive.</p>

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<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<i>who conducted the activity, what they did, and where were they working</i>” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
	<p><b>Activity 15:</b> HPU refers responses to resolutions (<i>what</i>) to relevant House Committees including staff (<i>who</i>) within the stipulated time.</p> <p><b>Output(s):</b> referred resolutions responses.</p> <p><b>Indicator(s):</b> % of House resolutions responses referred to relevant House Committees and staff.</p> <p><b>Activity 16:</b> Departmental submissions on responses to resolutions independently analysed and verified (<i>what</i>) by researchers (<i>who</i>).</p> <p><b>Output(s):</b> Analysed resolutions.</p> <p><b>Indicator:</b> % of responses to resolutions analysed.</p> <p><b>Activity 17:</b> House Committees (<i>who</i>) hold engagements to consider analysed House resolutions responses (<i>what</i>).</p> <p><b>Output(s):</b> considered responses to House resolutions.</p> <p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• % of responses to House resolutions considered.</li> </ul> <p><b>Activity 18:</b> House Committees (<i>who</i>) provide feedback (<i>what</i>) to the public in their communities (<i>where</i>).</p> <p><b>Outputs:</b> feedback sessions.</p> <p><b>Indicator(s):</b> Number of feedback sessions.</p>
	<p><b>Operational Outcomes 2:</b> Enhanced oversight through processing questions submitted by MPLs in line with relevant policies, laws and principles of good governance</p>
	<p><b>Activity 1:</b> HPU receives, and registers questions received from MPLs.</p>

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<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<i>who conducted the activity, what they did, and where were they working</i>” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
	<p><b>Output:</b> registered questions.</p> <p><b>Indicator(s):</b> % of registered questions.</p> <p><b>Activity 2:</b> HPU assesses question(s) for compliance with the Standing rules and whether they are remedial and explanation seeking in nature or not.</p> <p><b>Output:</b> Assessed questions.</p> <p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• % of assessed questions.</li> <li>• % of questions that are remedial and explanation seeking in nature.</li> </ul> <p><b>Activity 3(a):</b> If not compliant, communicate about the non-compliance (<i>what</i>) sent to the MPL(s).</p> <p><b>Output:</b> communicated non-compliant questions.</p> <p><b>Indicator(s):</b> % of non-compliant questions communicated to MPLs.</p> <p><b>Activity 3(b):</b> If compliant - question placed on order paper and question paper (<i>what</i>) by HPU (<i>who</i>).</p> <p><b>Output:</b> Question papers.</p> <p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• Number of question papers produced.</li> <li>• % of compliant questions placed in the question paper.</li> </ul> <p><b>Activity 4:</b> The House adopts compliant questions in the question paper.</p> <p><b>Output(s):</b> Complaint questions adopted by the House.</p>

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<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution's business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely "<u>who</u> conducted the activity, <u>what</u> they did, and <u>where</u> were they working" (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
	<p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• % of compliant questions adopted by the House</li> <li>• % of questions that are remedial and explanation seeking.</li> </ul> <p><b>Activity 5:</b> House questions (<u>what</u>) communicated to the Executive by the Office of the Speaker (<u>who</u>).</p> <p><b>Output:</b> Communicated house questions.</p> <p><b>Indicator(s):</b> % of House questions communicated to the Executive.</p> <p><b>Activity 6:</b> HPU (<u>who</u>) captures responses to questions in a register(s)</p> <p><b>Outputs:</b> Responses to House questions captured in a register.</p> <p><b>Indicator(s):</b> % of House question responses captured in a tracking register.</p> <p><b>Activity 7:</b> HPU (<u>who</u>) refers responses to questions (<u>what</u>) to relevant MPL(s) and staff (<u>who</u>).</p> <p><b>Outputs:</b> referred responses to questions.</p> <p><b>Indicator(s):</b> % of House question responses referred to relevant MPL(s) and staff.</p> <p><b>Activity 8:</b> Departmental submissions on responses to questions independently analysed and verified (<u>what</u>) by researchers (<u>who</u>).</p> <p><b>Output(s):</b> Analysed responses to questions.</p> <p><b>Indicator(s):</b> % of responses to questions analysed.</p> <p><b>Activity 9:</b> The HPU (<u>who</u>) captures questions, their responses and analyses in a register and place the register on a central repository such as the Announcements, Tabling and Committees (ATC) (<u>what</u>).</p>

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<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<i>who conducted the activity, what they did, and where were they working</i>” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
	<p><b>Output:</b> House questions, their responses, and analyses captured in a register.</p> <p><b>Indicator(s):</b> % of House questions, their responses and analyses captured in a register.</p>
	<b>Operational Outcome 3:</b> Enhance oversight through processing motions submitted by MPLs in line with relevant policies, laws and principles of good governance.
	<p><b>Activity 1:</b> HPU receives and registers motions from MPLs.</p> <p><b>Output:</b> Registered motions.</p> <p><b>Indicator(s):</b> % of motions registered.</p> <p><b>Activity 2:</b> HPU assesses motions for compliance with the Standing Rules / parliamentary practices and other relevant documentation.</p> <p><b>Output:</b> Assessed motions.</p> <p><b>Indicator(s):</b> % of assessed motions assessed.</p> <p><b>Activity 3(a):</b> If non-compliant, motion(s) sent back to the relevant MPL(s).</p> <p><b>Output:</b> Communicated non-compliant motion(s).</p> <p><b>Indicator(s):</b> % of non-compliant motions communicated to MPLs.</p> <p><b>Activity 3(b):</b> If compliant - Motions placed on the agenda for deliberation at the Programming committee (<i>what</i>) by HPU (<i>who</i>).</p> <p><b>Output:</b> compliant motions on the agenda.</p> <p><b>Indicator(s):</b> % of complaint motions placed on the agenda(s).</p>



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	<p><b>Activity 4:</b> Programming Committee (<i>who</i>) deliberates and selects motions for debate in the House (<i>what</i>).</p> <p><b>Output(s):</b> minutes.</p> <p><b>Indicator(s):</b> % of minutes showing total number of motions, those selected and rejected.</p> <p><b>Activity 5:</b> HPU (<i>who</i>) places selected motions on the ATC and order paper for tabling in the House (<i>what</i>).</p> <p><b>Outputs:</b> selected motions on ATC and order papers</p> <p><b>Indicator(s):</b> % of selected motions placed on ATC and order paper.</p> <p><b>Activity 6:</b> The House (<i>who</i>) debates motions placed on the order paper (<i>what</i>).</p> <p><b>Output(s):</b> Motions debated in the House.</p> <p><b>Indicator(s):</b> % of motions debated in the House.</p> <p><i>(NB: Debating of motions results in increased Executive awareness of issues that affect the citizens – an immediate outcome).</i></p>
	<p><b>Operational Outcome 4:</b> Enhanced oversight through executing Committee Enquires processes in line with relevant policies, laws and principles of good governance</p>
	<p><b>Activity 1:</b> Research discussion document and legal opinion (<i>what</i>) produced by researchers and legal staff respectively (<i>who</i>).</p> <p><b>Output(s):</b> Research documents; legal opinion.</p> <p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• Number of research discussion documents per Committee enquiry.</li> <li>• Number of legal opinions per Committee enquiry.</li> </ul> <p><b>Activity 2:</b> Committees deliberate discussion document(s) and legal opinion(s).</p>

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<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<i>who conducted the activity, what they did, and where were they working</i>” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
	<p><b>Output(s):</b> approved discussion document(s).</p> <p><b>Indicator(s):</b> Number of approved discussion documents per Committee enquiry.</p> <p><b>Activity 3:</b> House Committees (<i>who</i>) hold engagements about an enquiry (<i>what</i>) in the presence of the media and the general public (<i>who</i>) where feasible.</p> <p><b>Output(s):</b> Minuted engagements, and Hansard recorded engagements.</p> <p><b>Indicators:</b></p> <ul style="list-style-type: none"> <li>• % of engagements Hansard recorded.</li> <li>• % of engagements with recorded minutes.</li> </ul> <p><i>Then tailor-make activities nine (9) to 17 from the first operational objective about SOM imperatives to suit the Committee enquiries processes.</i></p>
<b>Immediate Outcome:</b>  Improved Executive awareness of legislation needs of the citizens.	<b>Operational Outcome 5:</b> Enhanced Law-making function of the Legislature through processing Bills and regulations in line with relevant policies, laws and principles of good governance.
<b>Indicator</b>  % of Bills on which Executive responses to resolutions / queries are adequate and on time.  % of regulations on which Executive responses to resolutions	<p><b>Activity 1:</b> Speaker’s office (<i>who</i>) informally and formally refers Bills (section 76 or Provincial) and regulations (<i>what</i>) to relevant House Committees (<i>who</i>).</p> <p><b>Output(s):</b> Referred Bills and regulations.</p> <p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• % of Bills referred to House Committees.</li> <li>• % of regulations referred to the Committee on Scrutiny of Subordinate Legislation (CSSL).</li> </ul> <p><i>Tailor-make activities three (3) to 12(b) from Operational Objective 1 to suit the law-making mandate.</i></p> <p><b>Activity 13:</b> The House (<i>who</i>) considers a committee report on a Bill / regulations and come out with a resolution (<i>what</i>).</p> <p><b>Output(s):</b> House resolution(s) on Bills, and House resolution(s) on regulations.</p>

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<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<i>who conducted the activity, what they did, and where were they working</i>” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
<p>/ queries are adequate and on time.</p> <p><b>Intermediate Outcome:</b></p> <p>Legislation that responds to the needs of the citizens</p> <p><b>Indicators:</b></p> <ul style="list-style-type: none"> <li>• % of legislation passed not challenged in court.</li> </ul> <p>% of Gauteng citizens satisfied with provincial legislation.</p> <p>% of Gauteng citizens satisfied with the implementation of provincial legislation.</p>	<p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• % of Bills on which a House resolution(s) is taken.</li> <li>• % of regulations on which a House resolution(s) is taken.</li> <li>• % of House resolutions on National Bills not returned to the GPL for further consideration.</li> <li>• % of House resolutions on provincial Bills not returned to the GPL for further consideration.</li> <li>• % of House resolutions on regulations not returned to the GPL for further consideration.</li> </ul> <p><b>Activity 14:</b> Office of the Speaker (<i>who</i>) communicates the resolution(s) to the NCOP for tabling at plenary (for national Bills) and to the Premier for assenting or indexing (for provincial Bills or regulations) (<i>what</i>).</p> <p><b>Output(s):</b> Communicated House resolution(s) on Bills, and regulations.</p> <p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• % of House resolutions on Bills that get communicated to the Premier / NCOP.</li> <li>• % of House resolutions on regulations that get communicated to the Premier.</li> </ul> <p><b>Activity 15:</b> House Committees (<i>who</i>) provide feedback on Bills and regulations processed (<i>what</i>) to the public in their communities (<i>where</i>).</p> <p><b>Outputs:</b> feedback sessions.</p> <p><b>Indicator(s):</b> Number of feedback sessions on Bills and regulations considered by the GPL.</p>
See Oversight and law-making outcomes and indicators	<p><b>Operational Outcome 6:</b> Enhanced meaningful public participation in support of the Legislature’s oversight and law-making functions through executing sector parliament processes in line with relevant policies, laws and principles of good governance.</p> <p><b>Activity 1:</b> Research discussion document (<i>what</i>) produced by researchers (<i>who</i>)</p> <p><b>Output(s):</b> Research documents</p>

<b>Impact Statement: Improved quality of life of the citizens</b>	
<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<u>who</u> conducted the activity, <u>what</u> they did, and <u>where</u> were they working” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
	<p><b>Indicator(s):</b> Number of research discussion documents per sector parliament</p> <p><b>Activity 2:</b> Committees debate and approve the discussion document(s)</p> <p><b>Output(s):</b> approved discussion documents</p> <p><b>Indicator(s):</b> Number of approved discussion documents per sector parliament</p> <p><b>Activity 3:</b> Development by the Communications team and approval by the respective House Committee (<u>who</u>) of a media plan(s) (<u>what</u>).</p> <p><b>Activity 4:</b> Prepare public education materials and conduct sessions to support the oversight and law-making mandates in general and a sector parliament / House Committee enquiry (<u>what</u>) at the GPL premises and in communities (<u>where</u>).</p> <p><b>Activity 5:</b> House Committees (<u>who</u>) hold engagements about an enquiry / sector parliament (<u>what</u>) in the presence of the media and the general public (<u>who</u>) where possible feasible.</p> <p><i>For activities 3, 4 and 5 see examples of outputs and indicators under operational objective 1</i></p> <p><i>Then tailor-make activities nine (9) to 17 from the first operational objective about SOM imperatives to suit the sector parliaments processes</i></p> <p><i>This also applies to Bua Le Sechaba and Taking the Legislature to the people.</i></p> <p><i>Main Outputs are resolutions that support or feed into the law-making and oversight processes.</i></p> <p><b>Operational Outcome 7:</b> Enhance meaningful PP in support of the legislature’s oversight, and law-making functions through implementing the petitions process in line with the Petitions Act and other applicable legislations and frameworks</p>

<b>Impact Statement: Improved quality of life of the citizens</b>	
<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<i>who conducted the activity, what they did, and where were they working</i>” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
	<p><b>Activity 1:</b> GPL Public Participation practitioner (<i>who</i>) receives complaints/enquiries and fills in all fields on the prescribed petitions form (<i>what</i>).</p> <p><b>Output(s):</b> completed form(s)</p> <p><b>Indicator(s):</b> % of complaints/enquiries captured on the prescribed petitions form.</p> <p><b>Activity 2:</b> GPL Public Participation practitioner (<i>who</i>) writes letter of acknowledgement of enquiry to the petitioner (<i>what</i>).</p> <p><b>Output(s):</b> communicated acknowledgements of petitions.</p> <p><b>Indicator(s):</b> % of complaints/enquiries receipt acknowledgements communicated to petitioners.</p> <p><b>Activity 3:</b> Chairperson of the Petitions Standing Committee (PSC) and the practitioner (<i>who</i>) assess compliance of the complaints/enquiries with the Petitions Act (<i>what</i>)</p> <p><b>Output(s):</b> Assessed complaints/enquiries.</p> <p><b>Indicator(s):</b> % of complaints/enquiries assessed against the Petitions Act.</p> <p><b>Activity 4:</b> The PSC (<i>who</i>) debates and take a decision.</p> <p><b>Output(s):</b> debated and decided petitions.</p> <p><b>Indicator(s):</b> % of petitions debated, and a decision taken by the PSC.</p> <p><b>Activity 5:</b> The PSC (<i>who</i>) refers the matter to the relevant authority (<i>what</i>).</p> <p><b>Output(s):</b> Referred petitions.</p> <p><b>Indicator(s):</b> % of petitions referred to relevant authorities.</p>

<b>Impact Statement: Improved quality of life of the citizens</b>	
<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<i>who conducted the activity, what they did, and where were they working</i>” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
	<p><b>Activity 6:</b> The PSC (<i>who</i>) deliberates on the responses to petitions from the relevant authority (<i>what</i>)</p> <p><b>Output(s):</b> deliberated responses</p> <p><b>Indicator(s):</b> % of considered petitions responses.</p> <p><b>Activity 8:</b> GPL Public Participation practitioner (<i>who</i>) provides feedback to the petitioner (<i>what</i>)</p> <p><b>Output(s):</b> communicated feedback.</p> <p><b>Indicator(s):</b> % of PSC considerations on petitions and their responses communicated to petitioners.</p> <p><b>Activity 9:</b> hearing / closure of a petition (<i>what</i>) if both the PSC and the petitioner (<i>who</i>) are not satisfied / satisfied respectively with the response.</p> <p><b>Output(s):</b> hearing report / closure form.</p> <p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• % of petitions with non-satisfactory responses for which hearings are conducted.</li> <li>• % of closed petitions captured on a closure form.</li> </ul> <p><b>Activity 10:</b> Presentation of the Committee reports in the House.</p> <p><b>Output(s):</b> Committee reports adopted in the House.</p> <p><b>Indicator(s):</b> % of Committee reports adopted in the House.</p>
	<b>Operational Outcome 8:</b> Enhanced collaboration with the other organs of the state including the legislative sector in support of the oversight and law-making functions of the Legislature

<b>Impact Statement: Improved quality of life of the citizens</b>	
<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<i>who conducted the activity, what they did, and where were they working</i>” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
See Oversight and law-making outcomes and indicators	<p><b>Activity 1:</b> GPL administration/ House Committees/ Presiding officers (<i>who</i>) identify a need / receives a request or invite to collaborate (<i>what</i>).</p> <p><b>Output(s):</b> Invitation(s) / request(s).</p> <p><b>Indicator(s):</b> % of collaborations with invitation(s) / request(s).</p> <p><b>Activity 2:</b> Collaboration Research discussion document(s) (<i>what</i>) produced by researchers (<i>who</i>)</p> <p><b>Output(s):</b> Research discussion document.</p> <p><b>Indicator(s):</b> Number of research discussion documents per collaborative initiative.</p> <p><b>Activity 3:</b> House Committee/ relevant authority (<i>who</i>) approves the research discussion document.</p> <p><b>Output(s):</b> Approved discussion document(s)</p> <p><b>Indicator(s):</b> Number of approved discussion documents per collaborative initiative.</p> <p><b>Activity 4:</b> Support staff (<i>who</i>) draft report(s) about the collaborative initiative engagements (<i>what</i>).</p> <p><b>Output(s):</b> draft report(s).</p> <p><b>Indicator(s):</b> Number of draft reports per collaborative initiative.</p> <p><b>Activity 5:</b> House Committee/ relevant authorities (<i>who</i>) approve the engagement report with clearly articulated lessons learnt and an action plan (<i>what</i>).</p> <p><b>Output(s):</b> Approved engagement report(s)</p>

<b>Impact Statement: Improved quality of life of the citizens</b>	
<b>Examples of Outcomes and Associated Indicators</b> (Indirect control of a Legislature)	<b>Examples of Operational Outcomes, Outputs, Activities, Inputs and Associated Indicators</b> (Direct control of the GPL) <ul style="list-style-type: none"> <li>• Activities emanate from an institution’s business processes and procedures. Which are not yet fully in place in the GPL.</li> <li>• Activity / process indicators contain some or all the three crucial elements, namely “<i>who conducted the activity, what they did, and where were they working</i>” (see section 3.4.4).</li> <li>• Inputs and outputs indicators measure the quantity and or quality of goods and services (see section 3.4.4).</li> </ul>
	<p><b>Indicator(s):</b></p> <ul style="list-style-type: none"> <li>• Number of approved engagement report(s) per collaborative initiative.</li> <li>• % of report(s) with clearly articulated lessons learnt and an action plan.</li> </ul> <p>Activity 6: Committee reports tabled in the House for adoption.</p> <p><b>Output(s):</b> Committee reports adopted in the House.</p> <p><b>Indicator(s):</b> % of Committee reports adopted in the House.</p>

Source: Adapted from the GPL Procedure Manual 2018



## APPENDIX B: Ethics clearance approval



**DEPARTMENT: PUBLIC ADMINISTRATION AND MANAGEMENT  
RESEARCH ETHICS REVIEW COMMITTEE**

Date: 01 November 2022

PAM/2022/026 (Muzenda)  
Name of applicant: E Muzenda  
Student#: 68509308

Dear Ms Muzenda

**Decision: Ethics Clearance Approval**

**Details of researcher:**

Ms E Muzenda, student#: 68509308, email: [68509308@mylife.unisa.ac.za](mailto:68509308@mylife.unisa.ac.za), tel: 0725609062

**Supervisor:** Dr C Alers, email: [alersc@unisa.ac.za](mailto:alersc@unisa.ac.za)

**Research project:** 'Critical analysis of performance indicators of the Gauteng Provincial Legislature (GPL)'

**Qualification:** PhD – Public Administration

Thank you for the application for **research ethics clearance** submitted to the Department: Public Administration and Management: Research Ethics Review Committee, for the above mentioned study. Ethics approval is granted. The decision will be tabled at the next College RERC meeting for notification/ratification.

**Full approval:** The application was **reviewed** in compliance with the *Unisa Policy on Research Ethics* and the *Standard Operating Procedure on Research Ethics Risk Assessment*.

The proposed research may now commence with the proviso that:

- 1) The researcher will ensure that the research project adheres to the values and principles expressed in the Unisa Policy on Research Ethics.



University of South Africa  
Preller Street, Muckleneuk Ridge, City of Tshwane  
PO Box 392 UNISA 0003 South Africa  
Telephone: +27 12 429 3111 Facsimile: +27 12 429 4150  
[www.unisa.ac.za](http://www.unisa.ac.za)

- 2) Any adverse circumstance arising in the undertaking of the research project that is relevant to the ethicality of the study, as well as changes in the methodology, should be communicated in writing to this Ethics Review Committee.
- 3) The researcher will conduct the study according to the methods and procedures set out in the approved application.
- 4) Any changes that can affect the study-related risks for the research participants, particularly in terms of assurances made with regards to the protection of participants' privacy and the confidentiality of the data, should be reported to the Committee in writing, accompanied by a progress report.
- 5) The researcher will ensure that the research project adheres to any applicable national legislation, professional codes of conduct, institutional guidelines and scientific standards relevant to the specific field of study, among others, the **Protection of Personal Information Act** 4/2013; **Children's Act** 38/2005 and **National Health Act** 61/2003.
- 6) Only de-identified research data may be used for secondary research purposes in future on condition that the research objectives are similar to those of the original research. Secondary use of identifiable human research data requires additional ethics clearance.
- 7) Field work activities **may not** continue after the expiry date of this ethics clearance, which is 01 November 2025. Submission of a completed research ethics progress report will constitute an application for renewal of the ethics clearance certificate for approval by the Research Ethics Committee.

Kind regards



**Mr ND Baloyi**

Deputy Chairperson: Research Ethics  
Review Committee  
Department of Public Administration and  
Management  
Research Ethics Review Committee  
Office tel. : 012 429-6181;  
Email : ebaloynd@unisa.ac.za



**Prof MT Mogale**

Executive Dean:  
College of Economic and Management  
Sciences  
Office tel. : 012 429-4805;  
Email : [mogal@unisa.ac.za](mailto:mogal@unisa.ac.za)

## APPENDIX C: Permission letter from the GPL



**GAUTENG**  
LEGISLATURE  
Your View Our Vision

**OFFICE OF THE SECRETARY**

Enquiries: Ms Tseleng Seakamela  
Email: [tseakamela@gpl.gov.za](mailto:tseakamela@gpl.gov.za)  
Cellphone: 0798821716

**TO WHOM IT MAY CONCERN**

**PERMISSION TO UTILISE GPL INFORMATION AND STUDIES CONDUCTED BY GAUTENG PROVINCIAL LEGISLATURE IN PRUSUANCE OF DOCTORAL STUDIES**

This note serves to confirm that Gauteng Provincial Legislature (GPL) has granted permission to Ms Eugenia Muzenda permission to utilise available documents and the studies that GPL conducted as part of her data collection and in furtherance of her studies.

The topic of Ms Muzenda is **A critical analysis of the relationship between the aptness of the GPL indicators and the performance of the GPL.**

The following are the research objectives:

- i. To discover what constitutes good performance indicators for a legislature
- ii. To critically analyse the suitability of the GPL performance indicators to measure it's performance
- iii. To find out why the GPL developed the kind of performance indicators it has
- iv. To explore the performance of the GPL during the period under investigation
- v. To investigate whether it's necessary to enhance the performance indicators of the GPL to enable the achievement of the constitutional mandates.

GPL believes that it will derive invaluable information from Ms Muzenda's studies to improve the aptness of the indicators and performance of the Institution.

Your sincerely  
  
Peter Skosana  
Secretary to the Legislature

**#GetToKnowGPL** Follow us on     [www.gpl.gov.za](http://www.gpl.gov.za)

## APPENDIX D: Participant information sheet



### PARTICIPANT INFORMATION SHEET

**Ethics clearance reference number: PAM/2022/026 (Muzenda)**

**Research permission reference number (if applicable):**

**23 May 2023**

**Title:** Critical Analysis of performance indicators of the Gauteng Provincial Legislature (GPL)

#### **Dear Prospective Participant**

My name is Eugenia Muzenda, and I am doing research with Dr C Alers a senior lecturer in the Department of Public Administration towards a PHD in Public Admin at the University of South Africa.

Critical analysis of performance indicators of the Gauteng Provincial Legislature (GPL)

#### **WHAT IS THE PURPOSE OF THE STUDY?**

This study is expected to collect important information that could enhance the performance indicators of the GPL and the legislative sector at large.

#### **WHY AM I BEING INVITED TO PARTICIPATE?**

You were selected to participate in this study because you are one of the seven people at the coalface of programme planning and reporting in the GPL.

#### **WHAT IS THE NATURE OF MY PARTICIPATION IN THIS STUDY?**

Data will be collected using a semi-structured interview guide that will take approximately one (1) hour. The discussion will mainly about the GPL planning process and its indicators as well as the performance of the institution. Considering

that the researcher will not be able to write all notes of the discussion, the interview will be audio taped.

**CAN I WITHDRAW FROM THIS STUDY EVEN AFTER HAVING AGREED TO PARTICIPATE?**

Participating in this study is voluntary and you are under no obligation to consent to participation. If you do decide to take part, you will be given this information sheet to keep and be asked to sign a written consent form. You are free to withdraw at any time and without giving a reason.

**WHAT ARE THE POTENTIAL BENEFITS OF TAKING PART IN THIS STUDY?**

It is envisioned that the findings of this study will benefit the GPL and the legislative sector through enhanced results-based performance indicators. Put differently, considering that planning and performance reporting is one of your major Key Performance Areas, you will probably only need to tailor make the improved indicators to suit your area/ programme making it possible to correctly assess the achievement of the constitutional mandate by the GPL. The legislative sector can benefit through the concept of transferability, which is assessing the possibility of transferring the findings to their contexts.

**ARE THERE ANY NEGATIVE CONSEQUENCES FOR ME IF I PARTICIPATE IN THE RESEARCH PROJECT?**

Other than your time participating in this study, we do not foresee that you will experience any negative consequences by participating in the study.

**WILL THE INFORMATION THAT I CONVEY TO THE RESEARCHER AND MY IDENTITY BE KEPT CONFIDENTIAL?**

Yes, to protect the participants, as soon as the transcripts are received from the transcriber, who would have signed the confidentiality form, real names of participants will immediately be replaced with a code (pseudonymisation). Information such as the position they occupy and nature of work they do in the organisation that reveal their identities will likewise be deleted from the transcripts. The researcher's supervisors and co-analyst will have access to this data that would have been cleaned-up by the researcher.

The researcher will analyse and interpret the data and compare it with data from other sources and publish findings of the study allowing other scholars to use the information but ensuring the anonymity of the participants through the use of a code.

**HOW WILL THE RESEARCHER(S) PROTECT THE SECURITY OF DATA?**

All research documentation such as transcripts, recordings, consent, and information forms will be kept for five years on the researcher's personal computer that requires a password to open it. Upon lapsing of the 5-year period, all electronic records will be permanently deleted from the researcher's personal laptop.

Regarding hard copies, they will be scanned into soft copies as soon as they are received, and they (hard copies) will be destroyed (shredded) immediately.

**WILL I RECEIVE PAYMENT OR ANY INCENTIVES FOR PARTICIPATING IN THIS STUDY?**

You will not be reimbursed or receive any incentives for your participation in the survey.

**HAS THE STUDY RECEIVED ETHICS APPROVAL?**

This study has received written approval from the Research Ethics Review Committee of the Department of Public Administration and Management, Unisa. A copy of the approval letter can be obtained from the researcher if you so wish.

**HOW WILL I BE INFORMED OF THE FINDINGS/RESULTS OF THE RESEARCH?**

If you would like to be informed of the final research findings or require further information, please contact Eugenia Muzenda on 072 560 9062 or [68509308@mylife.unisa.ac.za](mailto:68509308@mylife.unisa.ac.za).

Should you have concerns about the way in which the research has been conducted, you may contact Dr C Alers on 012 429 6286 or [alersc@unisa.ac.za](mailto:alersc@unisa.ac.za).

Alternatively, you can contact the CEMS Research Ethics and Integrity Advisor if you have any concerns: Dr Marianne Engelbrecht, [engelm1@unisa.ac.za](mailto:engelm1@unisa.ac.za).

Thank you for taking time to read this information sheet and for participating in this study.

Thank you.

Eugenia Muzenda (072 560 9062 [68509308@mylife.unisa.ac.za](mailto:68509308@mylife.unisa.ac.za) )

## APPENDIX E: Consent to participate in the study

### CONSENT TO PARTICIPATE IN THIS STUDY

Research title: Critical analysis of the performance indicators of the Gauteng Provincial Legislature (GPL)

---

I, ..... (participant name & surname), confirm that the person asking my consent to take part in this research has told me about the nature, procedure, potential benefits and anticipated inconvenience of participation.

- I have read and understood the study as explained in the information sheet.
- I have had sufficient opportunity to ask questions and prepared to participate in the study.
- I understand that my participation is voluntary and that I am free to withdraw at any time without penalty.
- I am aware that the findings of this study will be anonymously processed into a thesis.
- I agree to be interviewed, and that the interview be recorded.

---

<b>Participant's name and surname</b>	<b>Date</b>	<b>Signature</b>
---------------------------------------	-------------	------------------

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<b>Researcher's name and surname</b>	<b>Date</b>	<b>Signature</b>
--------------------------------------	-------------	------------------



## APPENDIX F: Interview guide

# INTERVIEW GUIDE

## INTRODUCTION

### GENERAL RULES

1. This interview is based on research about the aptness of Gauteng Provincial Legislature (GPL) performance indicators and how to enhance them to correctly measure the achievement of the constitutional mandate.
2. You have been invited to participate in this study because of your extensive experience and knowledge of planning and reporting within the GPL.
3. You are kindly requested to answer the interview questions as honestly and completely as possible.
4. The interview will take a maximum of 60 minutes to complete.
5. Your privacy will be respected.
6. No one will be able to connect you to the answers you give.
7. The information collected from you will be treated with strict confidentiality and used for research purposes only.
8. You have the right to withdraw your participation at any time. Hence, your participation is regarded as voluntary.
9. You will not receive any payment or reward, financial or otherwise, and the study will not incur undue costs to you.
10. All hard copies will be scanned into soft copies as soon as they are received and then destroyed (shredded) immediately. Soft data stored in a computer will be protected by the use of a password.
11. The data will be destroyed when it is no longer of functional value (after five years).
12. An electronic copy of the dissertation will be available in the library of the University of South Africa (Unisa).




## TOPICS TO BE COVERED

1. Why do the legal frameworks that govern the operations of the GPL change from time to time? (PROBE: why are the key legislations for the 5th and 6th legislature not the same and also different in some instances for the same financial year APPs and Annual Reports).
2. What is the rationale behind placing the House at the centre of GPL operations and how appropriate is the model considering that public institutions are there to serve citizens?
3. To what extent does the GPL involve the people of Gauteng during the planning processes? Please explain your answer.
4. To what extent does the GPL involve the people of Gauteng during the reporting processes?
5. How is effectiveness understood in the GPL?
6. What have been the main reasons behind the GPL incurring Unauthorised; Fruitless and Wasteful; and Irregular expenditures over the years?
7. In your view, what are the determinants of satisfaction with services offered by the GPL? (Probe determinants such as: age, race, gender, income, quality and quantity of services, homeownership status, community attachment, general and local political efficacies, and jurisdictional structure).
8. What is the intended impact(s) of the GPL? and please explain how improved confidence in the GPL results in improved quality of life for the citizens as per the ToC presented in the 2020-25 strategic plan.
9. How appropriate are the GPL performance indicators for measuring the achievement of the Constitutional Mandate?

**Thank you for taking time to participate in this study.**

## APPENDIX G: Third party confidentiality agreement

1



**UNISA** | university of south africa

**UNISA RESEARCH ETHICS 3<sup>rd</sup> Party Confidentiality Agreement**  
**(Transcriber, Co-coder, Statistician and/or Fieldworkers)**

---

**A. INSTRUCTIONS**

**Please read through the entirety of this form carefully before signing.**

After completing the required fields, please sign the form. After this form has been signed by the transcriber, co-coder, statistician or fieldworker, it should be given to the principal researcher for submission to the relevant UNISA Research Ethics Committee.

The transcriber, co-coder, statistician and/or fieldworker should keep a copy of the *Confidentiality Agreement* for their records.

---

**B. CONFIDENTIALITY OF A RESEARCH STUDY**

Confidentiality is the treatment and maintenance of information that an individual has disclosed in a relationship of trust and with the expectation that it will not be divulged to others in ways that are inconsistent with the understanding of the original disclosure (the informed consent documentation) without permission. Confidential information relating to human participants in a research study may include, but is not limited to the personal information listed below:

- a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, color, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- b) information relating to the education or the medical, financial, criminal or employment history of the person;
- c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other assignment to the person;
- d) the biometric information of the person;
- e) the personal opinions, views or preferences of the person;
- f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- g) the views or opinions of another individual about the person; and
- h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

Form adapted from the confidentiality agreement developed by the University of St Thomas IRB, retrieved from <https://www.stthomas.edu>

As a third party you will have access to research information (e.g. audio or video recordings, DVDs/CDs, transcripts, data, etc.) that include confidential information. Participants have revealed information to the researcher(s) since they have been assured by the researcher(s) that every effort will be made to maintain their privacy throughout the study. That is why it is of the utmost importance to maintain confidentiality when conducting your duties as a transcriber, statistician, co-coder and/or fieldworker during the research study. *Below is a list of expectations you will be required to adhere to in your role as a third party in this study. Review these expectations carefully before signing this form.*

### C. THIRD PARTY EXPECTATIONS

---

**To maintain confidentiality, I agree to:**

1. Keep all research information that I collect or that is shared with me confidential by not discussing or sharing this information verbally or in any format with anyone other than the principal researcher of this study;
  2. Ensure the security of research information (e.g. audio or video recordings, DVDs/CDs, transcripts, data, etc.) while it is in my possession. This includes:
    - Keeping all data and/or transcript documents and digitized interviews on a password protected computer with password-protected files;
    - Closing any programs and documents when temporarily away from the computer;
    - Keeping any printed transcripts or data in a secure location such as a locked file cabinet;
    - Permanently deleting any digital communication containing the data.
  3. Not make copies of research information (e.g. audio or video recordings, DVDs/CDs, transcripts, data, etc.) unless specifically instructed to do so by the principal researcher;
  4. Give all research information (e.g. audio or video recordings, DVDs/CDs, transcripts, data, etc.) and research participant information, back to the principal researcher upon completion of my duties as a transcriber;
  5. After discussing it with the principal researcher, erase or destroy all research information (e.g. audio or video recordings, DVDs/CDs, transcripts, data, etc.) that cannot be returned to the principal researcher upon completion of my duties in this study.
- 

Name of 3<sup>rd</sup> party involved in research activities: Mr Learnmore Muchemwa

Research activity responsible for (transcribing interviews, co-coding of data, statistical analysis, collecting data, etc.): transcribing interviews

Title of Research Study: Critical analysis of performance indicators of the GPL

Name of Principal Researcher: Eugenia Muzenda

**By signing this form, I acknowledge that I have reviewed, understand, and agree to adhere to the expectations described above. I agree to maintain confidentiality while performing my duties as acquired**

Form adapted from the confidentiality agreement developed by the University of St Thomas IRB, retrieved from <https://www.stthomas.edu>

by the principal researcher. I recognise that failure to comply with these expectations may result in legal action.

*NB: Please note that the person has not been appointed yet and will be at a later date.*

*L Muchemwa*

10/04/2023

Signature of 3<sup>rd</sup> party

Date

Learnmore Muchemwa

Print Name

## APPENDIX H: Turnitin report

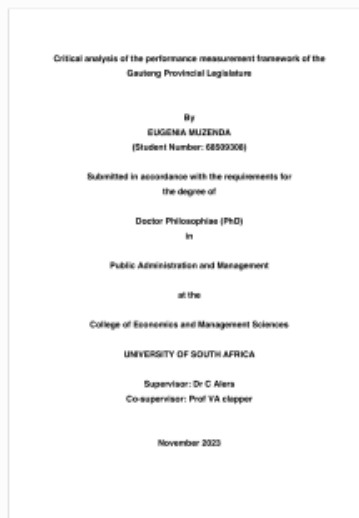


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Critical analysis of the performance measurement framework of the  
Gauteng Provincial Legislature

By,  
EUGENIA MUZENDA  
(Student Number: 68509308)

Submitted in accordance with the requirements for  
the degree of  
Doctor Philosophiae (PhD)

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## APPENDIX I: A letter from the language and technical editor

*Marianne Kapp Language Services — marscaro@gmail.com*

Cape Town  
08 Nov. 2023

To whom it may concern,

This letter confirms that the manuscript detailed below was edited for proper English language grammar, punctuation, spelling, and overall style by a qualified and highly experienced native English-speaking editor:

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Marianne Kapp  
+27824813300