



NORTH WEST PROVINCIAL LEGISLATURE

STRATEGIC PLAN

2020-2025



“OUR MANDATE

**Law-Making, Oversight and to
promote Public Participation**

MISSION

**The North West Provincial Legislature aims to
provide services to the people of the North West
Province by ensuring:**

- A vibrant Legislature that is responsive to and
addresses the challenges of development facing our
people;**
- An Accountable Executive and other Organs of
State by strengthening oversight on the promises
made to our people by Government;**
- Promotion of efficient and healthy inter-
governmental relations between the three spheres of
Government; and**
- A creative, effective, efficient and transformative
administration that helps the Members of the
Legislature to fulfil their constitutional mandate.**

“

VISION

**Building a united prosperous
society in the North West Province**

ORGANISATIONAL

VALUES

**Integrity;
Responsiveness;
Transparency;
Trustworthy;
Professionalism; and
Teamwork**

”

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“ The Legislature exists as the voice of the people and to ensure their involvement in government processes. It provides a platform for the representation of the interest and aspirations of the provincial and local spheres of government. ”



HON S.R. DANTJIE
SPEAKER OF THE
NORTH WEST
PROVINCIAL LEGISLATURE

It is a great pleasure and honour for me to present the Strategic Plan 2020-2025 for the 6th North West Legislature as required by the Financial Management of Parliament and Provincial Legislatures Act of (No. 10 of 2009 (FMPPLA), as amended.

The Legislature exists as the voice of the people and to ensure their involvement in government processes. It provides a platform for the representation of the interest and aspirations of the provincial and local spheres of government.

Twenty-five years (25) into democracy, the 6th Legislature is on course to continue with the transformation agenda to build an equal society that reflects on the aspirations and values as set out in the Constitution.

These are;

- To improve the quality of life of all citizens and free the potential of each person to heal the divisions of the past;
- The achievement of equality and the advancement of human rights

and freedoms;

- Universal adult suffrage, a national common voters roll, regular elections and multi-party system of democratic government, to ensure accountability and responsiveness and openness; and;

- Lay foundations for democratic and open society in which government is based on the will of people and every citizen is equally protected by law.

The Legislature has successfully incorporated the priorities of the National Development Plan. Overseeing the implementation of the National Development Plan will be the focal point of the 6th Legislature. This serves as a directive to ensure enhanced pace of service delivery, better coordination and cooperation with other spheres of government and entities, improved involvement by the people and better delivery of quality services to our people.

In further building a people centred Legislature, the 6th Legislature will implement several new initiatives in its efforts to reach its vision including *Taking the Legislature to the People, Renewal Healing and*

Reconciliation, incorporating Sectoral Parliaments and outreach programmes in its programme of action to provide opportunities for people to be involved in the Legislature. Much focus and emphasis will also be on addressing gender based violence and intensifying the fight against women and children abuse.

The implementation of several projects, including the completion of the East Wing Office Block and the Refurbishment of the Chamber is continuing and will be delivered during this period. The important task of completing the Refurbishment of the Chamber will be the legacy for the 6th Administration.

The Strategic Plan for the Legislature is a product of robust engagement, among Members and staff of Legislature in shaping the direction of the 6th Administration. It identifies the outcomes and the goals to be achieved as well as sets out the road map towards their attainment. It will assist the Legislature in ensuring that it has the necessary capacity to discharge its mandate. We remain committed to our constitutional mandate of law-making, oversight and public participation. We will continue to organise

FOREWORD BY THE SPEAKER

well-structured oversight activities. Huge sacrifices are needed to achieve these. Public representatives and administration should work together in pursuit of our developmental goals. It remains our collective responsibility to serve the people and to ensure government of the people by the people for the people.

As part of our mandate, we will continue to engage with international communities through the Commonwealth Parliamentary Association (CPA). We have launched the North West Legislature as the CPA Branch and also established the Commonwealth Women Parliamentarians (CWP) Branch. These structures will be capacitated and assisted to develop its programmes as required by the CPA. Through engagements with other Legislatures and Parliaments, our Members will be exposed to international best practices as we also intend to exchange programmes with other CPA member states.

I wish to express my sincere appreciation to all the Members and staff of the Legislature who worked tirelessly for the establishment of the 6th Legislature. This was not just a mere function of administration

but a milestone in deepening and entrenching democracy the acceptance and implementation of post-election results.

We shall remain accountable to the people and respect their wishes and aspirations as a nation.

Thank you



Hon. S.R. Dantjie
Speaker of the North West
Provincial Legislature



MR. O.S MOSIANE
SECRETARY TO THE
NORTH WEST
PROVINCIAL LEGISLATURE

STATEMENT BY THE ACCOUNTING OFFICER

Legislature and Management, led by the Speaker of the Legislature, Honourable Susanna Dantjie gathered, evaluated, and identified extensive data including: the NWPL's SWOT analyses and the researched data on the current organizational environment on what is working and what is not in the NWPL.

This strategic plan is therefore focused on making sure that the North West Provincial Legislature fulfils its mandate, which is to make laws, conduct oversight and public participation.

Strategic planning in and of itself, is of little direct use if concrete steps are not taken to execute the developed strategic plan. The pay-off of strategic planning for the North West Provincial Legislature is in its application, namely, in the execution and implementation of the strategic outcomes, outcome indicators and outputs. It is in the implementation that we begin to see the long-term, systemic impact change.

The NWPL Strategic Plan lists each Standing and Portfolio Committee strategic priorities as developed and adopted by the 2020-2025 Committee Chairperson Planning Session of the NWPL. It also provides the necessary clarification where required. Finally, the five-year (5) strategic plan suggests a process and structure for the implementation of the plan. It is specifically designed to take into consideration actions that improve buy-in and positively impact the core mandate of the institution. The aim of this road map called the Strategic Plan is to ensure that the Legislature attains clean governance and audits in the near future.

I take this time to convey my heartfelt gratitude and appreciation to the Honourable Speaker, Hon. B.S.R. Dantjie for her visionary leadership and guidance, to Honourable Members led by the Chairperson of Chairperson, Hon. Cwaile for their effort in developing the Committees Strategic Plan. This has assisted the administration to refocus its energy to the priorities as identified by both the Executive Authority and Hon. Members.

My sincere appreciation also goes to Management and members of staff who have remained focussed and trusted service delivery machinery even sometimes under very testing and difficult working conditions.

Re a leboga.

Mr. Oageng S. Mosiane
Secretary: North West Provincial
Legislature

Date: 30 March 2020

Let me take this opportunity to present the 2020-2025 Strategic Plan for the North West Provincial Legislature, as determined by the Financial Management of Parliament and Provincial Legislatures Act, Act No. 10 of 2009 (as amended), Section 14(i) compels the following, "Within six months after an election of the National Assembly, or by another date determined by Parliament, the Accounting Officer must prepare and present to the Executive Authority a draft strategic plan for Parliament's administration".

Nothing brings the strategic plan to life more than the direct impact it would have on service delivery to the communities and ascertaining a genuine attempt at contributing to improving the quality of people's lives. This resonates with the vision of building a united and prosperous nation.

As the North West Legislature Management and staff, we pledge "To provide effective service and support to Members of the Legislature that will enable and empower Members to fulfil their Constitutional Mandate and responsibilities". "Ditau di senang seboka di siewa ke None e tlhotsa".

To understand the current state of the North West Provincial Legislature of developing the five (5) year strategic plan, Members of the Provincial

OFFICIAL SIGN - OFF

It is hereby certified that this Strategic Plan 2020 – 2025:

- Was developed by the management of the North West Provincial Legislature under the guidance of the Hon. Speaker S.R. Dantjie.
- Takes into account all the relevant policies, legislation and other mandates for which the North West Provincial Legislature is responsible.
- Accurately reflects the Impact, Outcomes and Outputs which the North West Provincial Legislature will endeavour to achieve over the period 2020 – 2025.

Rev. D.A. Gaobepe
**Manager Strategic Planning, Monitoring and
Evaluation**

Signature: _____



Mr. T. Lehutso
Chief Financial Officer

Signature: _____



Mr. O.S. Mosiane
Secretary to the North West Provincial Legislature

Signature: _____



Approved by:
Honourable S.R. Dantjie
Speaker of the North West Provincial Legislature

Signature: _____



THE NWPL MACE

DISSECTION OF THE MACE

THE PICK AND THE SPADE

The Pick and the Spade denote dependency on labour and hard work.

The Mine shaft represents the mining industry in the North West Province. The platinum coating represents the enormous platinum resources in the Province.

THE CATTLE

The cattle heads depict the pastoral farming of the North West Province.

SUNFLOWERS AND MAIZE

The Sunflowers represent the crop and the sunny climate of the Province

The maize crop denote the outstanding maize production of the Province which lies within the maize triangle.

NATIONAL FLAG

The National Flag Colours also forms part of the mace

THE GOLDEN RINGS

The Golden rings around the mace represent the gold mining industry



ABBREVIATIONS ACRONYMS

Abbreviation / Acronym	Meaning
4IR	Fourth Industrial Revolution
AFS	Annual Financial Statements
AG	Auditor-General
ANC	African National Congress
APP	Annual Performance Plan
ATC	Announcements, Tablings and Committee Reports
CPA	Commonwealth Parliamentary Association
CWP	Commonwealth Women Parliamentarians
DA	Democratic Alliance
EFF	Economic Freedom Fighters
ERP	Enterprise Resource Planning
Executive	Members of the Executive Cabinet
FMPPLA	Financial Management of Parliament and Provincial Legislatures Act (Act No. 10 of 2009), as amended
GDP	Gross Domestic Product
Hon.	Honourable
ICT	Information and Communication Technology
IT	Information Technology
IYM	In-Year-Monitoring
LGBT	Lesbians, Gays, Bisexuals and Transgender
Members	Members of the Provincial Legislature
MOU	Memorandum of Understanding
MPL	Member of Provincial Legislature
MTEF	Medium Term Expenditure Framework
N/A	Not Applicable
NCOP	National Council of Provinces
NDP	National Development Plan
NW	North West
NWP	North West Province
NWPL	North West Provincial Legislature
PESTEL	Political, Economic, Social, Technological, Environmental and Legal
PSC	Public Service Commission

ABBREVIATIONS ACRONYMS

Abbreviation / Acronym	Meaning
PFC	<i>Policy Formulation Committee</i>
RHR	<i>Reconciliation, Healing and Renewal</i>
SCM	<i>Supply Chain Management</i>
SMART	<i>Specific, Measurable, Achievable, Realistic and Time-bound</i>
SOM	<i>Sector Oversight Model</i>
SADCOPAC	<i>Southern Africa Development Community Organisation of Public Accounts Committees</i>
SOP	<i>Standard Operating Procedures</i>
SOPA	<i>State of the Province Address</i>
STATSSA	<i>Statistics South Africa</i>
SWOT	<i>Strengths, Weaknesses, Opportunities and Threats</i>
UDM	<i>United Democratic Movement</i>
V	<i>Versus</i>
VF+	<i>Vryheids Front Plus</i>

PART A

OUR MANDATE

OUR MANDATE

1. Constitutional Mandate

The North West Provincial Legislature's mandate is derived from the Constitution of the Republic of South Africa (Section 104). The core function of the Legislature is to pass laws for the North West Province, to conduct oversight over the Executive and other Organs of State and to promote public participation.

2. Legislative and Policy Mandate

The North West Provincial Legislature (NWPL) derives its mandate from the Constitution of the Republic of South Africa. The below stated are Acts, Regulations, Guidelines and Best Practices the institution adheres to.

2.1. LEGISLATIVE MANDATES

- The Constitution of the Republic of South Africa, 1996;
- The Financial Management of Parliament and Provincial Legislatures Act 2009, (Act No. 10 of 2009) as amended;
- The Independent Commission for the Remuneration of Public Office Bearers Act, 1997 (Act 92 of 1997);
- The Standing Rules of the Legislature;
- Mandating Procedures of Provinces Act, 2008 (Act No. 52 of 2008);
- Powers, Privileges and Immunities of Parliaments and Provincial Legislatures Act, 2004;
- The Division of Revenue Act;
- The North West Appropriation Act,
- Government Immovable Assets Management Act, 2007 (Act No. 19 of 2007);
- The Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997);
- Employment Equity Act, 1998 (Act No. 55 of 1998);
- Labour Relations Act, 1995 (Act No. 66 of 1995);
- Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);
- Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000); and
- Critical Infrastructure Protection Act 2019.

OUR MANDATE

2.2. POLICY MANDATES

Policies specifically developed for and by the Legislature are amongst others:

- National Development Plan 2030;
- North West Medium Term Strategic Framework;
- North West Standing Rules of the Legislature;
- North West Tabling Guide;
- Legislative Sector Oversight Model;
- Legislative Sector Public Participation Model;
- North West Oversight Model;
- North West Members Enabling Facilities Policy; and
- North West Member's Code of Conduct.

2.3. GUIDELINES AND BEST PRACTICES

- Treasury Regulations, Frameworks and Guides;
- Preferential Procurement Regulations;
- King IV Report on Governance for South Africa 2016;
- Revised Framework for Strategic Plan and Annual Performance Plan;
- International Standards for the Professional Practice of Internal Auditing;
- Institute of Risk Management South Africa (IRMSA);
- Public Sector Risk Management Framework (PSRMF);
- Risk Management Guidelines; and
- COBIT 5.

OUR MANDATE

3. Institutional Policies and Strategies over the five year planning period

- National Development Plan 2030;
- North West Provincial Priorities;
- North West Medium Term Strategic Framework;
- North West Standing Rules of the Legislature;
- The Members Enabling Facilities Policy;
- North West Tabling Guide;
- Legislative Sector Oversight Model;
- Legislative Sector Public Participation Model;
- North West Oversight Model;
- North West Member's Code of Conduct;
- Public Participation Framework;
- Amendments to the Financial Management of Parliament and Provincial Legislatures Act, 2009, (inclusive of Supply Chain Management and other Section 65 regulations);
- Formalising the Legislative Sector through legislation (Legislative Sector Service Bill);
- Drafting of a protocol agreement between the South African Legislative Sector and the national and provincial treasuries on the implementation of the Financial Management of Parliament; and
- Provincial Legislatures Act, 2009, to guide the relationship and protocols on budget processes of the Legislative Sector.

OUR MANDATE

4. Relevant Court Rulings

The following judgments inform the interpretation of the constitutional and statutory mandates of the Provincial Parliament:

a) Doctors for Life International v The Speaker of the National Assembly and Others (CCT12/05)

This judgment dealt with the interpretation of Section 118(1)(a) of the Constitution, and a provincial legislature's duty to facilitate public involvement in the legislative and other processes of the provincial legislature.

b) Ex parte President of the Republic of South Africa: In re Constitutionality of the Liquor Bill 2000 SA 732 CC

This judgment dealt with the domain of Schedule 5 exclusive provincial legislative competences in the context of the Constitution's distribution of legislative power.

c) Lindiwe Mazibuko, MP, Leader of the Opposition in the National Assembly v Max Vuyisile Sisulu, MP, Speaker of the National Assembly and Another [2013] ZACC 28

In this case the Constitutional Court held that the rules of a legislature must give effect to the rights and obligations imposed by the Constitution, and must provide for the vindication of Members' constitutional rights in a legislature.

d) Mario Gaspare Oriani-Ambrosini, MP v Maxwell Vuyisile Sisulu, Speaker of the National Assembly ZACC 27 [2012]

In this judgment the Constitutional Court held that a legislature cannot restrict the power of an individual (private) member of that legislature to introduce legislation in that legislature.

e) Mosiuoa Lekota and Another v The Speaker, National Assembly and Another (Western Cape High Court) case no: 14641/12

This judgment was concerned, in the first instance, with restrictions placed on Members' freedom of speech by the rules of a legislature and, in the second instance, with the limits of judicial oversight over legislatures.

f) Premier: Limpopo Province v Speaker: Limpopo Provincial Legislature and Others ZACC 25 [2011]

This judgment dealt with Section 104 of the Constitution in the context of the provincial legislatures' capacity to legislate on the management of their own financial affairs.

g) Stephen Segopotso Tongoane and Others v Minister for Agriculture and Land Affairs and Others CCT 100/09 [2010] ZACC 10

The judgment confirms that any Bill that substantially affects the interests of the provinces must be enacted in accordance with the procedure stipulated in Section 76 of the Constitution.

OUR MANDATE

h) The Speaker of the National Assembly v Patricia de Lille, MP and Another (Supreme Court of Appeal) case no: 297/98

The court held that freedom of speech in a legislature may be limited by the rules and orders of a legislature; provided that the limitation has due regard to representative and participatory democracy, accountability and public involvement.

i) Economic Freedom Fighters v Speaker of the National Assembly and Others CCT 143/15

In this case the Constitutional Court found that the structures or measures employed by a legislature to have oversight of Executive Organs of State are to be determined by the legislature itself, but that such measures must in substance and reality amount to oversight.

j) Democratic Alliance v Speaker of the National Assembly and Others CCT 86/15

In this case the Constitutional Court found that Section 11 of the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act, 2004, that authorised the arrest of Members who created or took part in a disturbance in the House, is unconstitutional.

k) Andries Molapi Tlouamma and Others v Speaker of the National Assembly and Others (Western Cape High Court) case no: 3236/15

In this case the Court considered the constitutional and legislative framework in which the legislatures in South Africa operate; interrogated the concept of separation of powers; considered the powers of the judiciary in relation to the principle of non-interference by other Organs of State in parliamentary proceedings; and analysed the role of the Office of the Speaker in South African law.

l) UDM v Speaker of the National Assembly and Others (Constitutional Court) case no: CCT 89/17

In this case the court considered the use of open or secret ballots to record a vote in Parliament.

m) Primedia Broadcasting (Pty) Ltd and Others v Speaker of the National Assembly and Others (Supreme Court of Appeal) case no: 784/2015

In this case the court considered the principles and values underpinning the public's right to an open Parliament.

n) Land Access Movement of South Africa and Others v Chairperson of the National Council of Provinces and Others (Constitutional Court) case no: CCT 40/15

In this case the court considered the lawfulness of truncated timelines for public involvement.

OUR MANDATE

o) **South African Veterinary Association v Speaker of the National Assembly and Others (CCT 27/18) 2018**

Constitutional Court Judgement: Court held that both the National Assembly and the National Council of Provinces failed to facilitate meaningful public involvement around the insertion of the word “veterinarian” into the Act. The insertion of the word constituted a material amendment to the Act, as it brought an entire profession, which had previously been regulated by other legislation, under the Act’s purview. The National Assembly Portfolio Committee made this amendment without obtaining the requisite permission from the National Assembly and without any public involvement on the insertion. This complete lack of public participation renders the actions of the National Assembly constitutionally invalid. The court held further that, while the National Council of Provinces took some steps to facilitate public participation on the Bill, it did not take reasonable steps to ensure that the public was consulted about the insertion of the word “veterinarian”. In some provinces where public hearings were held, only one- or two-days’ notice was given to the public. This unreasonably hindered the ability of interested parties to take note of the amendments and prepare representations on them. Moreover, the Constitutional Court held that the failure to bring the insertion of “veterinarian” to the attention of representatives of that profession was unreasonable. Veterinarians, as an affected interest group, should have been invited to make submissions. These failings by the National Council of Provinces, through the public hearings held by the Provincial Legislatures, render the insertion of the word “veterinarian” further constitutionally invalid.

p) **The Chairperson of the National Council of Provinces V Malema (535/2015) 2016 ZASCA**

Supreme Court of Appeal Judgement: The Court held that the Chairperson’s interpretation of the standing order could not withstand constitutional scrutiny, as the consequence would be that any criticism made against the government is also criticism against individual MPs who are members of the ANC. Accordingly, the Chairperson misconstrued her powers under the standing order, and her ruling that Mr Malema’s statement was unparliamentarily fell to be set aside. The SCA further found that Mr Malema was not suspended because his behaviour was obstructive or disruptive or impeding the management of orderly business within the House, but rather as a punishment for making a speech which was considered objectionable by some. Furthermore, the Court held that Parliament is empowered to make rules; its rules must be interpreted in conformity with the crucial guarantee of freedom of speech in Parliament afforded by S 58(1) of the Constitution. Whatever the standing order means, it cannot be interpreted to prohibit criticism of the government and other species of political speech, and Mr Malema’s criticisms fell in the heartland of protected political speech. The SCA dismissed the appeal.

PART B

OUR STRATEGIC
FOCUS

OUR STRATEGIC FOCUS

5. Vision

Building a united, prosperous society in the North West Province

6. Mission

The North West Provincial Legislature (NWPL) aims to provide services to the people of the North West Province by ensuring:

1. A vibrant Legislature that is responsive to the challenges of development facing our people;
2. An accountable Executive and other Organs of the State by strengthening oversight on the promises made to our people by Government;
3. Promotion of efficient and healthy intergovernmental relations between the three spheres of government; and
4. A creative, effective, efficient and transformative administration that helps the Members of the Legislature to fulfil their constitutional mandate.

7. Values

In striving for service excellence and best practice, the administration subscribes to the following core values:

Integrity: Being honourable and following ethical principles.

Responsiveness: Responding to the needs of the people of the Province.

Transparency: Transparent, being open and accountable in its operations and records.

Trustworthy: Building trust with the people of the Province.

Professionalism: Efficiency of operations, informed decision-making and a general professional attitude by providing advice and services of a high quality.

Teamwork: Being co-operative and working well with others.

8. Situational Analysis

The Legislature analysed the outcome of the 5th Administration to determine if the institutional objectives that were aligned to the National Development Plan (NDP) had been achieved. The approach utilised was as follows; Assessment, Analysis and Actions (Resolutions).

OUR STRATEGIC FOCUS

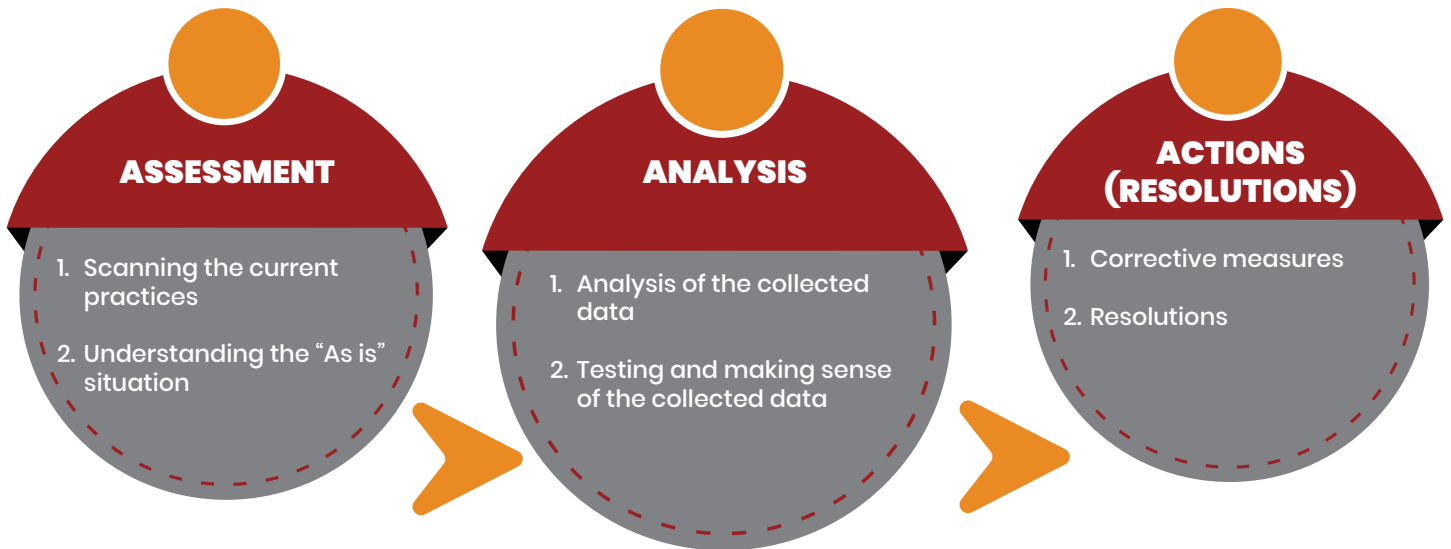


Figure 1: Situational Analysis Approach

A research analysis was conducted to determine the situational analysis of the North West Province. For the past years the Legislature utilised the SWOT (STRENGTHS, WEAKNESSES, OPPORTUNITIES AND THREATS) methodology to analyse the environment. Whilst this methodology was effective, it did not truly take all factors into account when planning. With this in mind, the Legislature adopted the PESTEL Framework. This framework / tool takes into consideration the POLITICAL, ECONOMIC, SOCIAL, TECHNOLOGICAL, ENVIRONMENTAL AND LEGAL (PESTEL) factors that may impact the institution’s performance.

The PESTEL analysis was utilised for the external environmental analysis while the SWOT Analysis was employed for the internal environmental analysis.

8.1. EXTERNAL ENVIRONMENT ANALYSIS

As a Legislature, it is important to determine and understand the needs of the people, the community, to ensure that the NW Provincial Government delivers on its promise and renders service delivery to one and all. Utilising the PESTEL framework analysis methodology, the institution was able to identify all factors which may hinder this. These factors have been incorporated into the planning process to ensure that adequate and effective oversight is conducted and that the Executive is held accountable on all fronts.

Furthermore, law-making and public participation will ensure efficient and effective public involvement in the legislative processes within the North West Province (NWP).

Political Environment

Prior to the highly anticipated general elections which took place in May 2019, the Province saw a decline in the political stability, which resulted in, amongst others, a two-week long violent protest. Its apparent aim was

OUR STRATEGIC FOCUS

to root out corruption and an act against the lack of service delivery in the province. Around the same period, a labour strike at the Department of Health and Social Development was in full force. Moreover, the province was placed under Section 100 (b) of the Constitution and fifteen (15) municipalities were placed under Section 139 of the Constitution interventions.

While the Legislature strived to exercise its oversight function, including the pivotal role played by the Oversight Committees which notably resulted in a number of House Resolutions passed, the above-mentioned interventions suggests that the oversight mechanism of the Legislature was not truly effective to prevent the such measures taken against the province.

Economic Environment

The NWP's economy is mainly driven by mining. Statistics indicates that the province generates more than a third (34%) of the province's gross domestic product (GDP). Rich deposits of platinum, chromite, gold, uranium and other minerals underpin the industry's dominance in the North West, with the main export partners being the United States of America (USA), Japan, and China at 17%, 13% and 9% respectively. The province had a 2% economic growth rate in 2017, in fact the NWP is one of the provinces which saw growth higher than the national rate due to a stronger performance in both agriculture and mining. In addition, agriculture contributes 3% while trade, which includes accommodation and catering industries, contributed 11.8% to the GDP of the province. Despite this potential, the province only contributed 6% to the National GDP in 2017, making it the third least contributors to the national economy (STATSSA, 2017).

Although the mining industry contributes significantly more to the Province's GDP than other industries, mining is a national competency and thus the Legislature is limited in engaging or playing oversight over this industry. The Legislature however, could play oversight over other industries such agriculture and tourism to ensure that programmes aimed at improving the economy of the province, are fully implanted.

Social Environment

STASSA recently published the mid-year population estimates (2019), which revealed that the population has increased to 4 027 160, with 2 043 152 (50.7%) being males while 1 984 008 (49.3%) were females. Moreover, the life expectancy according to estimates is 58% and 65% for males and females respectively.

The North West Province is predominantly rural, with an estimate of 2.2 million people in the province residing in rural areas and 1.9 Million residing in the urban areas. Moreover, the North West Province is one of the four (4) provinces that has the highest head count of adult poverty at 59.6% (STATSSA). For the Province, this significantly means that more than half of the population is living in poverty.

Unemployment is one of the biggest socio-economic challenges in the province. As at the second quarter of 2019, the STATSSA Quarterly Labour Force Survey (QLFS) 2019 revealed that the official unemployment rate was at 33% which is 4% more than the national rate. Moreover, the expanded unemployment rate was 46.6%. This

OUR STRATEGIC FOCUS

rate includes discouraged job seekers or people who want to have jobs but are not looking. This means a little less than 50% of the economically active population in the province do not have jobs.

Furthermore, the 2016 provincial community survey revealed that 47% of the population is still utilising the pit toilet system, whilst 37% thereof do not have water inside their yard. Finally, the survey revealed that 7% of the population do not have access to electricity.

Additionally, the growth in population and the high unemployment rates results in a need for more services by government, thus putting pressure on government resources. Consequently, government has to expand its resources to deliver services, which propels the Legislature to play effective oversight over the Executive in their endeavour to deliver services.

Technological Environment

The Fourth Industrial Revolution (4IR) represents the great tectonic shift of our time and the technologies has the potential to push digitally-ready countries into a new age of unprecedented economic prosperity.

However, looking at the current status of South Africa, the North West Province included, the country still has a long way to go. This is evident in the fact that the NWP is already experiencing challenges in upgrading its ICT infrastructure. Indicators pertaining to the upgrade of data centres and the improvement of the North West Provincial Government data sites have all underperformed in the 5th Administration.

The none attainment of such indicators also clearly indicates the gap in the oversight role played by the Legislature, meaning, had adequate oversight been conducted, an improvement in the ICT infrastructure would have been noted.

Environmental Environment

Water is considered one of the key limiting factors in the development of the NWP. The province is not only depleting its precious water reserves, but suffers from an additional problem; the pollution of groundwater caused by both natural and human-induced factors, including mining and industrial activities, agriculture and domestic use (NWDC Economic Data,). Water challenges have been evident in the past administration wherein some municipalities would go for weeks without water distribution whilst others distributed unclean water to residents. This may indicate the lack of water infrastructure in the province.

The state of affairs in municipalities is also reflective in the deteriorating environment in the province. Mushrooms of unregulated dumping sites are evident, which affects the health of people in the province, as well as the climate. These challenges demonstrate the lack of planning, governance and management within municipalities. This is proven by the fact that most municipalities have received and continue receiving a Disclaimer Audit Opinion. The failures of municipalities have a direct impact on the wellbeing of the people in the province. Moreover, the deteriorating state of affairs in municipalities also gives a reflection of the limited oversight played by the NWPL.

OUR STRATEGIC FOCUS

Legal Environment

Law-making is one of the three (3) mandates of the Legislature. The Legislature has passed twenty-one (21) Provincial Bills, while fifteen (15) NCOP mandates on Bills have been submitted. However, some of the Bills passed have not yielded any results for the North West citizens. An example hereof is the Youth Employment Service (YES) Act that was passed during the 2017/18 financial year. The aim of the Act was to grow youth owned and managed enterprises by ensuring their sustainability through various programmes that would provide business support. The programme had been allocated a budget in the 2017/18 and 2018/19 financial years, however, these funds could not be utilised as the entity had not been operationalised. This brought about a dire impact as the youth had not received the intended business support services.

The Portfolio Committee had engaged the Department regarding their unwillingness to operationalise YES. However, due to the fact that recommendations made by Committees are not binding, Departments are able to ignore Committee recommendations without any consequences.

The outcome of the PESTEL analysis is as follows:

EXTERNAL FACTORS	TREND OR EVENT	POSSIBLE INFLUENCE
POLITICAL	Political instability	<p>The change in Political Leadership within the NW Provincial Government has led to minor changes in policy directives, in the sense that provincial programmes were discontinued as a result thereof.</p> <p>The reconfiguration of the provincial departments and that planning in government is done around people and not functions/mandates, affects the Legislature as the Oversight Committees have to be restructured and Performance Plans adjusted accordingly.</p>
	Changes in political and policy directives	<p>The appointment of a new political leadership brings with it a new set of dynamics and political direction.</p> <p>This change ultimately has an effect on the service delivery to communities.</p>

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EXTERNAL FACTORS	TREND OR EVENT	POSSIBLE INFLUENCE
ECONOMIC	Unemployment	The social grant system has inadvertently created a dependency system. This places a strain on the fiscus as a whole.
	Labour migration	<p>The North West is a rural province and as such the youth migrate to cities upon completion of their studies. This has created a gap in the workforce, in particular, the skilled and professional.</p> <p>However, as the North West is a border province, there has been an increase in the foreign labour market. Whilst this may close the gap in the workforce, monies earned are not kept in South Africa, but rather taken out of the country.</p>
SOCIAL	Loss of public confidence	The mandate of the Legislature is law-making, conducting oversight and to promote public participation. Should members of the communities believe that the Legislature is unable or unwilling to conduct vigorous oversight over the various Provincial Departments in terms of service delivery, community unrest could occur, ultimately resulting in violent protests.
	The ability to forge relationships with external stakeholders	<p>The Legislature runs an oversight programme named O re Bone Re Go Bone. This programme is held across the four districts and is aimed at encouraging community members to engage and interact with the Legislature regarding issues such as service delivery, unemployment and poverty.</p> <p>These areas of concern are elevated to the respective Provincial Departments for their action.</p> <p>Going forward, the Legislature will embark on new public participation programmes namely, the <i>Taking Parliament to the People</i> and the <i>Reconciliation, Healing and Renewal</i> programme.</p>

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EXTERNAL FACTORS	TREND OR EVENT	POSSIBLE INFLUENCE
TECHNOLOGY (4TH INDUSTRIAL REVOLUTION)	Software systems - Ability to use the technology to our advantage.	Over the next five (5) years, the Legislature intends to purchase various modules of the Oracle system (the Enterprise Resource Planning system) to ensure that the financial management system is fully integrated. This integration will provide the Legislature with real-time information, thereby enabling the institution to provide effective services. Using Apps, telephone and convergence, will result in public participation via online functionality.
ENVIRONMENT	Pollution	The NWP has a number of mines and it is of utmost importance that the environmental management of these mines is done adequately. Issues such as adequate closure, rehabilitation of the mine and the surrounding land must be done properly to ensure a sustainable life for all.
	Water shortages	Inadequate or lack of oversight over the Departments and/or municipalities regarding the water shortages and water infrastructure could ultimately lead to violent public disruptions.
LEGAL	Court Judgements	The pending court judgements may impact the manner in which the Legislature conducts its business.

With the aid of the PESTEL analysis, the Legislature will be able to determine where our efforts must be placed to ensure the mandate of the Legislature is attained. The sixth (6th) Administration is a time for “doing”, for action, and this is evident in the fact that our performance approach is Outcome and Output-based.

Our main focus is to enhance oversight over the provincial departments, their public entities and the municipalities of the North West Province to ensure that the departments and public entities that are currently governed by the National Executive in terms of Section 100 of the Constitution of the Republic of South Africa are able and capable to govern themselves once again.

Through rigorous oversight, the aim is to ensure that a national intervention would not re-occur.

The communities have voiced their concerns through strikes and protests. The Legislature aims to educate the public so that their voices, their concerns can be heard and understood through the Legislature. The promotion of public participation is one of the mandates of the Legislature and educating the public thereon is one of the

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objectives of the institution. A new public participation strategy will be developed with the current one utilised as a basis of departure. Through the education programmes, community members will be informed of the various methods available they can use to interact with the Legislature (Sectoral Parliaments, Public Hearings and Sittings within the House etc.) and how to utilise the Petition System. The new public participation strategy will guide us in ensuring that the needs of the public are heard and taken into cognisance.

The Members of the NWPL met to discuss and determine the key priorities and thereby the objectives and outcomes thereof. Members compiled strategic plans for their Committees for the next five (5) financial years and an Annual Operational Plan for the 2020/2021 financial year.

The Legislature held its strategic planning session thereafter and developed its strategic plan and the annual performance plan based on the key priority areas as stated within the Committees plans.

The priority areas for the 6th Administration are as follows:

- Enhancing oversight over the Executives;
- Increased public awareness and thereby vigorous public participation;
- Strengthening the law-making practices; and
- Monitoring House Resolutions.

8.2. INTERNAL ENVIRONMENT ANALYSIS

The Legislature upholds the principles and values of a multi-party democracy as the potent vehicle towards the realisation of constitutionalism. The political parties and their elected representatives are elected every five (5) years and are represented in the Legislature in line with proportional representation as demonstrated below.

Name of Political Party	Number of Public Representatives
ANC	21
EFF	06
DA	04
VF+	02
Total	33

The Premier of the North West Province and the Members of the Executive are appointed from the thirty-three Members. Together these eleven (11) Members form the Members of the Executive Cabinet. The remaining twenty-two (22) are the Speaker of the Legislature, the Deputy Speaker of the Legislature and the twenty (20) Members of the North West Provincial Legislature (MPLs).

The twenty (20) MPLs are deployed to the various Legislature's Standing and Portfolio Committees. These Committees are often described as the engine of the Legislature and play a crucial role in the processing of

OUR STRATEGIC FOCUS

legislation, overseeing the work of the Executive and implementation of policy and legislation.

The Legislature has a total of eight (8) Committees that are tabulated below:

STANDING / PORTFOLIO COMMITTEE	KEY PRIORITIES
PREMIER, FINANCE, CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENT AND TRADITIONAL AFFAIRS	<ul style="list-style-type: none"> - Consider, amend and substitute Bills referred to it. - Conduct oversight on the implementation of policies, activities, budget (In-Year-Monitoring of the departments and their entities performance through quarterly reports) and compliance documents (annual performance plans and reports). - Oversight on the implementation of Municipal Infrastructure Grant projects around various municipalities. - Oversight on the implementation of Regional Bulk Infrastructure Grant in municipalities. - Oversight on the Human Settlements projects (Housing and Water & Sanitation). - Oversight on support given to Traditional Leadership (Infrastructure and tools of trade). - Oversight on the North West Housing Corporation. - Engagement with municipalities on their status quo. - Regular meetings with the North West House of Traditional Leaders in order to strengthen relations.
EDUCATION, CULTURE, ARTS, SPORT AND RECREATION	<ul style="list-style-type: none"> - To conduct oversight over the Department of Education to promote excellent education to all in the province. - To conduct oversight on the Department of Culture, Arts, Sport and Recreation to promote economic development in a socially cohesive province through culture, arts, sport and recreation.

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STANDING / PORTFOLIO COMMITTEE	KEY PRIORITIES
PUBLIC WORKS AND ROADS, COMMUNITY SAFETY AND TRANSPORT MANAGEMENT	<ul style="list-style-type: none"> - To conduct oversight over the Department of Public Works and Roads' management of provincial land, buildings and roads infrastructure. - To conduct oversight over the Department of Community Safety and Transport Management to promote community and road safety, exercise civilian oversight over the police and coordinate transport services through an integrated approach.
HEALTH AND SOCIAL DEVELOPMENT	<ul style="list-style-type: none"> - The Committee will provide oversight over the Department of Health to ensure access to equity, efficiency and quality of health services. - To conduct oversight over the Department. to ensure effective social security and safety net for the NW population. - To conduct oversight over the Department of Social Development's effectiveness to provide social security programmes and a safety net for the poor and the vulnerable of the NW population.
ECONOMIC DEVELOPMENT, ENVIRONMENT AND TOURISM, AGRICULTURE AND RURAL DEVELOPMENT	<ul style="list-style-type: none"> - The Committee to conduct oversight over the Department of Economic Development, Environment and Tourism to promote economic growth for the people of North West Province and tourism wherein enterprises thrive. - The Committee to conduct oversight on the Department of Agriculture and Rural Development to promote food security and land transformation. Focal areas will be the Sustainable Resource Management, Farmer Support and Development and Research and Technology Development.
OVERSIGHT COMMITTEE ON THE NWPL	Conduct oversight on the financial administration of the Legislature.

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STANDING / PORTFOLIO COMMITTEE	KEY PRIORITIES
LEGISLATIVE REVIEW AND IMPLEMENTATION OF RESOLUTIONS OF THE HOUSE	<ul style="list-style-type: none"> - To improve the sector oversight by guiding the roll-out of the Sector Oversight Model (SOM). - To facilitate the implementation of the “best-fit-model” for South Africa in attending to petitions within the 6-weeks process schedule as per the guideline.
PROVINCIAL PUBLIC ACCOUNTS COMMITTEE	<ul style="list-style-type: none"> - Hold the Legislature, departments, municipalities and state entities accountable by reviewing their Annual Financial Statements (AFS) and the Auditor General (AG) audit reports. - Conducting site visits, verifying that there is value for money.
CHAIRPERSONS FORUM	<ul style="list-style-type: none"> - To improve the sector oversight by guiding the roll-out of the SOM. - To facilitate the implementation of the “best-fit-model” for South Africa in attending to petitions within the 6-weeks process schedule as per the guideline. - To promote the enhancement of the Legislature’s oversight and accountability over the work of the Executive to ensure strategic goal implementation of the NDP (and medium term strategic framework). - To build capable, productive Committees, to strengthen and enable Members and support personnel to discharge Committee mandates. - To promote Stakeholder Management to strengthen the Legislature Sector Cooperative Governance.

Through the Sector Oversight Model (SOM) contracting process, Departmental Annual Performance Plans (APPs) will be scrutinised to determine / ensure that the Provincial Focus Areas are covered within those APPs.

Through the review of the In-Year-Monitoring (IYM) Reports and the Quarterly Performance Reports, Committees will be able to determine if the AG recommendations as well as the House Resolutions have been implemented and the result thereof. This will ultimately enable NW Provincial Departments to be removed from Section 100 of the Constitution’s ruling and govern themselves once again.

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CHAIRPERSONS OF COMMITTEES



**Hon. Mmoloki Cwaile
(ANC)**

Chairperson of Chairpersons &
Chairperson:
Legislative Review & Implementation
of Resolution of the House



**Hon. Kabelo Mataboge
(ANC)**

Chairperson:
Education, Arts, Culture and Sport
Development



**Hon. Job Dliso
(ANC Whip)**

Chairperson:
Standing Committee on
Provincial Public Accounts



**Hon. Aron Motswana
(ANC)**

Chairperson: Premier, Finance,
Corporate Governance, Human
Settlements &
Traditional Affairs

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CHAIRPERSONS OF COMMITTEES



**Hon. Onica Medupi
(ANC)**

Chairperson:
Community Safety and Transport
Management & Public Works, Roads



**Hon. Priscilla Williams
(ANC)**

Chairperson:
Health and Social
Development



**Hon. Bitsa Lenkopane
(ANC)**

Chairperson: Economic Development,
Environment & Tourism, Agriculture &
Rural Development



**Hon. De Wet Nel
(FF Plus)**

FF Plus Leader & Chairperson:
Standing Committee on
Legislative Affairs

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The MPLs are supported by the administrative staff led by the Secretary to the Legislature (the Accounting Officer), who ensures that the required support is provided to the MPLs to enable them to fulfil their constitutional mandate.

The administrative support comprises of three (3) Programmes, namely:

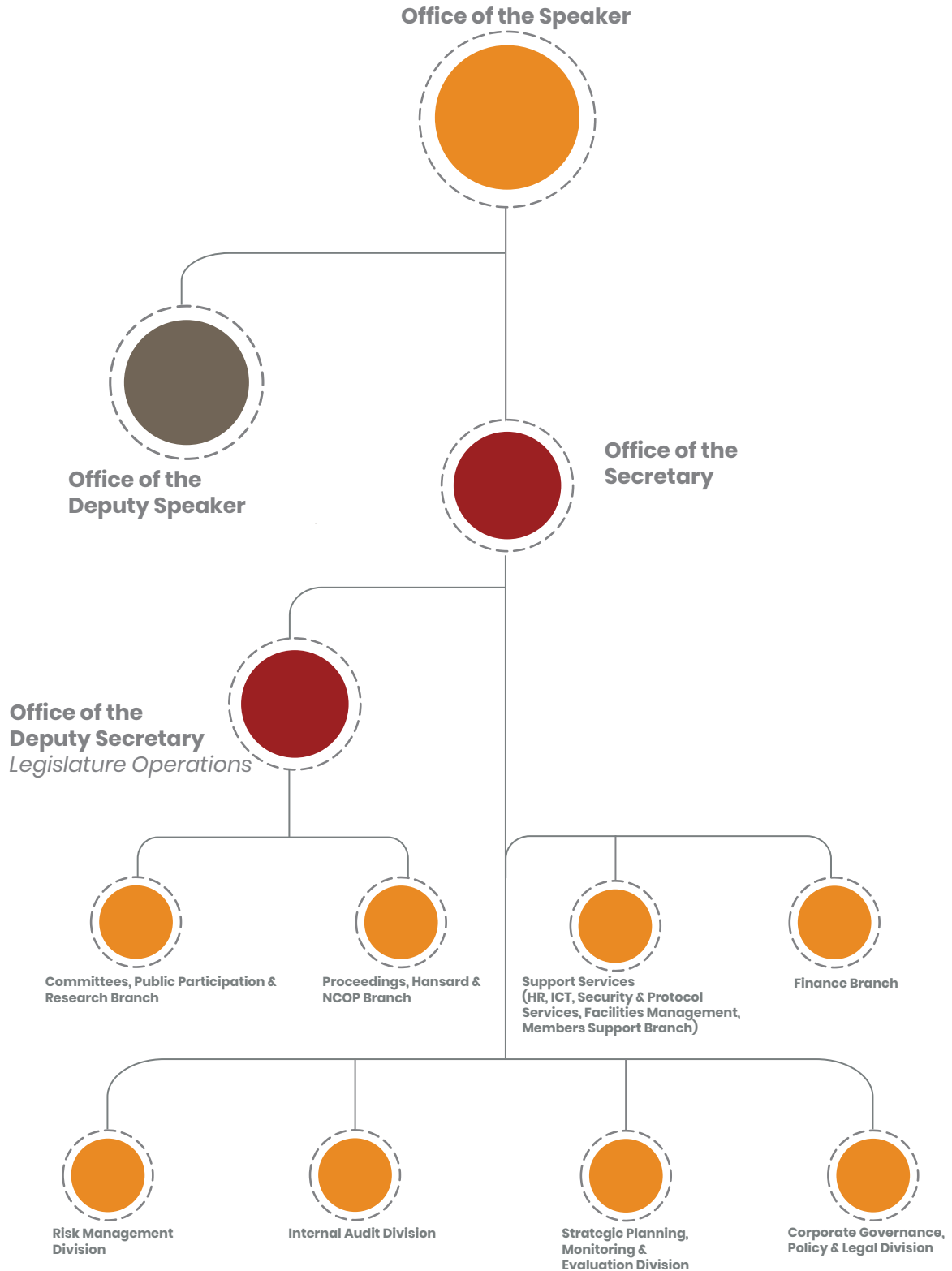
Programme 1 – Administration, Programme 2 – Members’ Salaries and

Programme 3 – Legislature Operations. Their functions are depicted below:

PROGRAMME	FUNCTIONS
PROGRAMME 1 – ADMINISTRATION	To enable the administration to render support services that will enable Members of the Provincial Legislature and its employees to fulfil their constitutional obligations.
PROGRAMME 2 – MEMBERS’ SALARIES	To provide for the payment of Members’ Salaries in terms of the prescripts of the law relating to the remuneration of public office bearers and to ensure that Members are given the necessary support that will allow them to effectively perform their constitutional mandate. This support for Members is provided through the implementation of the Members Enabling Facilities Policy.
PROGRAMME 3 – LEGISLATURE OPERATIONS	To enhance strategic management support in relation to parliamentary services.

OUR STRATEGIC FOCUS

ORGANISATIONAL STRUCTURE



OUR STRATEGIC FOCUS

Whist analysing the Legislature's operations and its environment, the Strengths, Weaknesses, Opportunities and Threats (SWOT) were identified. This SWOT analysis will guide us in planning and achieving our outputs and ultimately our outcomes.

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> - Constitutional autonomy; - Legislative Frameworks & Policy Imperatives (Sector Oversight Model, Public Participation Framework Model, etc.); - Legislature Public Participation programmes; - Allocation of Support and Research Personnel; - Reviewable organisational structure; - Political power; and - Treasury function within the Legislature. 	<ul style="list-style-type: none"> - Budgetary constraints; - Insufficient Human Capital; - Lack of political will; - Lack of Standard Operating Procedure Manuals; - Inadequate Public Participation processes; - A poor relationship between the Legislature and the Public; - Inadequate monitoring of the implementation of House Resolutions and Committee Recommendations; - ICT system weaknesses; - Lack of consequence management against Departments that display recalcitrant behaviour as well as inadequate institutional consequence management; - Inadequate processing of Petitions; - Poor law-making capabilities; and - Insufficient time for quality debates.

STRENGTHS

Constitutional Autonomy

The constitutional provision of the separation of powers between the arms and the spheres of government largely enables the Legislature to exercise its obligations independently, without interference, especially from the Executive Sphere of government. However, there are still some areas of growth in terms of Provincial Legislatures processing their own money Bills.

OUR STRATEGIC FOCUS

Sound Policy Frameworks and Policy Imperatives

The Legislature is governed by the FMPPLA and to ensure it adheres to all regulations, a number of policies have been compiled. These range from regulating financial matters, ICT and the performance of the institution. The Legislature has a Policy Formulation Committee to oversee policy development and to ensure that all NWPL Policies have been prepared in accordance with applicable legislation and regulations.

The Policy Formulation Committee will be tasked to review our Skills Development policies, as well as the bursary scheme to ensure we build and develop relevant capacity and skills for our sector. Our recruitment strategy however, will be bias as we want to target those skills that will help us achieve our goals.

Legislature Public Participation Programmes

The Legislature has public participation and oversight programmes geared at engaging members of the public to discuss their concerns. These concerns are elevated to the respective provincial departments and progress thereon is monitored through the House Resolutions.

The Legislature intends to build on our strong foundation by sharpening our oversight tools through the following oversight mechanisms:

- Initiation and preparation of Bills;
- Enhance oversight on the implementation of legislation and any provincial Organ of State; and
- Strengthening public participation.

WEAKNESSES

Budgetary Constraints

The budget allocated to the Legislature for its core mandate of oversight, law-making and public participation is far less than the overall budget allocated to the provincial departments over which the Legislature is expected to conduct oversight on.

As at 2020-2021, the Legislature's budget is 1,08% of the provincial allocation. This includes the budget allocated towards Infrastructure (the Refurbishment of the House Chamber). If this is removed, the Legislature is allocated 0,97% of the provincial allocation. This impedes an effective oversight, law-making and public participation conducted.

Insufficient Human Capital

Shortage of Legal and Research Personnel in support of Standing and Portfolio Committee activities. The Legislature aims to full this gap by appointing those with the necessary skills and expertise.

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Lack of Political Will

Lack of political will entails that due to lack of political systems, desirable oversight, law-making and public participation outcome based results may not be achieved. Therefore, creating a broader coalition among political leadership components is required to arrive at a successful common ground.

Lack of Standard Operating Procedure Manuals

Standard Operating Procedures (SOPs) are the documented processes that an institution has in place to ensure that services and/or products are delivered consistently every time. SOPs are often used to demonstrate compliance with the regulation or operational practices and to document how tasks must be completed at your organization.

As captured under the heading Strengths, the Legislature has frameworks and policy imperatives in place however, documented SOPs are not available. As a result, procedures and processes are not adequately followed and thereby services are not consistently rendered. This is evident by the outcome of the Auditor General's audit report whereby the root cause of findings was cited as "inadequate internal control".

Lack of SOPs could also lead to the control environment becoming ineffective which would render the system vulnerable to abuse and fraudulent activities.

To strengthen the control environment and thereby prevent the bypassing of internal controls, SOP manuals will be compiled for all processes. These processes and controls will also be tested through various Internal Audits conducted.

ICT System Weaknesses

Taking advantage of the existing ICT environment to improve administrative support to MPLs in enable them to carry out their constitutional obligations.

Inadequate Consequence Management

One of the mandates of the Legislature is to hold the Executive accountable. This is achieved through various oversight Committee meetings whereby Provincial Department Heads are called to account on subjects such as service delivery and the expenditure of public funds. Where discrepancies or irregularities are noted, Committee recommendations are issued to rectify the matter. However, the implementation of such recommendations are tedious and at times not implemented at all.

The Committee recommendations are not binding as the Standing Rules of the Legislature has not made provision for this. As a result, Departments are able to ignore Committee recommendations without any consequences.

Consequence management is not adequately enforced within the Legislature. This despite the fact that this

OUR STRATEGIC FOCUS

issue has been raised within the AG Audit Reports as a possible root cause to the continued transgressions and non-adherence to policies and legislation. Should consequence management not be adequately implemented, the Legislature may become susceptible to acts of abuse and fraud. One area that is of concern is the irregular, fruitless and wasteful expenditure. In an effort to address this, the Legislature established a committee to investigate and resolve all current and prior years' irregular, fruitless and wasteful expenditure.

Inadequate processing of Petitions

There is a need for expert legal opinions on the status of the current NW Petitions Act whilst developing guidelines and procedures to assist in the processing of petitions.

Technical Legal Expertise

One of the current areas of concern within the institution is the technical legal expertise required to support Members of the Legislature regarding the drafting of Bills. With the implementation of the newly approved organogram, the Legislature aims to fill this gap by appointing those that possess the necessary skills and expertise to do so.

OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> - Co-operative relationships between institutions supporting democracy; - Access to international forums and institutions of higher learning; - Existence and intra-collaborative work with the National Council of Provinces (NCOP); - Profiling of the Legislature; - Legislature Sector - Adoption of the National Development Plan Oversight Tool; and - The ability to forge relationships with external stakeholders. 	<ul style="list-style-type: none"> - Unstable Political Environment / Changes in political directives; - Loss of public confidence / Community unrests / service delivery protests; - Unhealthy (violent) Multi-party contestations / coherence; and - The absence of Regulations for Section 100 Intervention of the Constitution compromises accountability.

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OPPORTUNITIES

Profiling the Legislature

The Legislature uses both electronic and hard copy media to inform the members of the community about the Legislature. Every quarter, the Legislature magazine, Kgotla is produced and distributed wherein the work and services of the Legislature are discussed. Communication channels are also noted, informing the public of avenues they could utilise should they need to raise a petition or even initiate a Bill.

Social Media such as Facebook, Twitter and Instagram is used to upload videos (at times live videos), photos and information bullets informing them of past and upcoming events.

With the 4IR upon us, the Legislature aims to expand its followers on Social Media, with the intention to interact and educate members of the public.

Legislature Sector – Adoption of the National Development Plan Oversight Tool

The North West Provincial Legislature, together with the other eight (8) Legislatures, have collaborated and formed the Legislative Sector. Within this sector, information and best practice is shared and insight provided. It is within this sector that the NDP oversight tool was created. This oversight tool will assist the Oversight Committees and the support staff when conducting oversight. Furthermore, it is intended to supplement the oversight model by guiding the oversight process towards monitoring the NDP outcomes.

The ability to forge relationships with external stakeholders

During the 5th Administration, the Legislature utilised the oversight programme named O re Bone Re Go Bone to engage community members on issues pertaining to service delivery. For the 6th Administration, the Legislature has developed a programme named *Taking Parliament to the People*. The concept is similar to its predecessor and will be utilised to communicate and interact with the public.

THREATS

Changes in political and policy directives / Unstable Political Environment

One of the major threats the Legislature faces is the change in political and policy directives. The appointment of new leadership brings with it, is a new set of dynamics and political direction. This change has an effect on the daily operations of the Legislature in that the institutional policies have to be amended and staff members trained accordingly. This could lead to a disruption of scheduled activities.

The unstable political environment could possibly lead to protests occurring due to lack of service delivery.

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Loss of public confidence

One of the mandates of the Legislature is conducting oversight over the Executive and Organs of State. Should members of the communities believe that the Legislature is unable or unwilling to conduct vigorous oversight over the various Provincial Departments, community unrest is most likely to occur.

Looking at the last year, it was clear that communities were dissatisfied with the services provided by government as was evident in the rise in public protests. Through our engagement programmes and oversight meetings, Department Executives will be held accountable to ensure allocated funds are utilised in accordance with plans and services are rendered to the public.

Unhealthy (violent) Multi-party contestations / coherence

Political contestations that manifests in the House leads to some MPLs defying House Rules and Procedures ending in unacceptable decorum of the House.

Section 100 of the Constitution

Failure to explain the protocols and the Memorandum of Understanding (MOUs) in relation to the implementation of the Section 100 of the Constitution of the Province may have a negative impact on oversight activities.

PART C

MEASURING OUR

PERFORMANCE

MEASURING OUR PERFORMANCE

9. Institutional Performance Information

The 6th Administration commenced with the Committees of the Legislature planning and developing their strategic plans and annual operational plans. A clear plan and pathway has been created for the next five (5) financial years with the outcomes and ultimately, the impact the Legislature wishes to achieve.

The Legislature plans to fully implement the customised SOM, bearing in mind the cost implication, but will also analyse the implementation thereof to ensure we achieve what was intended.

As the Legislature implements this strategic plan as well as the annual performance plan, the key priority areas of the NDP, the State of the Nation Address and the State of the Province Address will be taken into account when implementing the mandate of the Legislature.

Provincial priorities such as job creation, water provision, roads, rail infrastructure and electricity will be at the forefront when conducting oversight and holding the Executives accountable.

In terms of the NDP objective, Social Cohesion, two (2) new Legislature programmes will be held through the 6th Administration. These are the Taking Parliament to the People and the Reconciliation, Healing and Renewal (RHR) programmes. These platforms will enable the Legislature and its Members to interact with the members of the public thereby forging relationships. In addition, these programmes will not only provide the public with opportunities to understand the work of the Legislature, but will also afford participants a platform to voice their concerns and put forward recommendations.

The RHR programme is also focusing on curbing violence and public unrest, especially in areas of gender based violence.






The Legislature will carry out its mandate in a robust, constructive manner and, will ultimately move the Legislature and the North West Province forward.

9.1 MEASURING THE IMPACT

Impact Statement	Informed citizenry through public involvement in the legislative processes for enhanced service delivery.
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The Legislature used the Logical Framework to identify the links between its inputs, activities, outputs, outcomes and the impact.

MEASURING OUR PERFORMANCE

LEGISLATURE	RESULTS	
IMPACT	Content NW Citizens. Reduced Service Delivery Protests. Increase in petitions registered. Informed Citizens.	
OUTCOME	Informed citizenry. Accountable and transparent governance. Transformational laws Effective and efficient administrative support.	
OUTPUTS	House Resolutions and Committee Recommendations monitored. Provincial Bills passed and NCOP Mandates adopted. Research studies conducted and Committees Reports tabled. Public Participation Programmes conducted. MPLs attending Exposure Programmes. Legislature Programmes Compliance to FMPPLA.	
ACTIVITIES	Committee oversight meetings and visits conducted. Public hearings and Sectoral Parliaments held. Public attendees mobilised. FMPPLA compliant reports prepared.	
INPUTS	House Papers, Procedural Guidance and Advice, Members' Support services etc. Legal, analytical and content advice, research, records, public education, communication, media, meeting room preparation, catering etc.	

MEASURING OUR PERFORMANCE

9.2 MEASURING OUTCOMES

IMPACT	OUTCOME	OUTCOME INDICATOR	BASELINE	FIVE - YEAR TARGET
Informed citizenry through public involvement in the legislative processes for enhanced service delivery.	1. Participatory Democracy	% of community members participating in Legislative processes.	-	100%
	2. Accountable and transparent governance.	Functional governance structures.	-	100%
	3. Transformational laws.	Processed Bills to be enacted into law.	9	45
	4. Effective and efficient administration	Audit outcome achieved	Unqualified audit with findings	Clean Audit Outcome
% functionality of the E-Parliament System.		-	100%	

9.3 EXPLANATION OF PLANNED PERFORMANCE OVER THE FIVE-YEAR PLANNING PERIOD

An institution is deemed effective and efficient when it achieves a “Clean Audit” outcome. This means that the institution has effective systems in place to achieve allocative efficiency and prudent financial and non-financial resource management. Moreover, the periodic review and implementation of policies with optimum adherence thereof, ensures that the institution is steered towards achieving broader government goals.

During the next five (5) financial years, the Legislature will ensure the stabilization and optimal utilisation of its financial systems, high proficiency of the Generally Recognised Accounting Practices standards and the understanding thereof. This will enable the “core” programmes to render adequate and effective services to the public.

One of such services is to process Bills, both provincially and nationally, that must be enacted into law. The Legislature orders the province’s permanent delegates to the NCOP through mandates on NCOP Bills to participate in national law-making process and raise provincial interests at the national sphere of government as directed by Section 42(4) of the Constitution. The purpose of the law is to order society, provide rights and privileges to persons and to provide certainty by regulating the politico-economic and social environment. It is through the mandates on the NCOP Bills that the Legislature takes part in the process to pass laws that transforms society consistent with the preamble of the constitution of the country.

MEASURING OUR PERFORMANCE

As indicated previously in this Strategic Plan, one of the mandates of the Legislature is to hold the Executive Accountable. This entails that Heads of Departments and MECs are required to report to respective Portfolio Committees and keep them abreast of the implementation of their strategic plans, their annual performance plans as well as the spending of their allocated funds. In doing so, the Legislature works towards effective service delivery within the Province and also prudent spending of public funds.

The above-stated information is conveyed to the public through various public meetings, public hearings and sectoral parliaments hosted by the Legislature. These platforms are designed to provide the public with information but also to obtain their inputs and recommendation. This is essential when dealing with Bills.

The Legislature aims to use electronic media, web portals such as the e-Petitioning, as well as other 4IR systems to reach its audience. The benefits hereof not only assist Parliament and Parliamentarians but also the public in accessing and participating in parliament and the parliamentary processes.

9.4 KEY RISKS

OUTCOME	KEY RISK	RISK MITIGATION
1. Participatory Democracy	Inadequate participation in legislative processes.	Implementation of the public participation framework.
	Non-compliance to relevant legislation.	Adherence to relevant legislation and the Standing Rules of the Legislature.
2. Accountable and transparent government.	Non-compliance with relevant legislation.	Adherence to relevant legislation and the Standing Rules of the Legislature.
	Poor governance	Full implementation of the Sector Oversight Model. To establish relationships with oversight bodies (the AG, Public Protector, PSC).
3. Transformational laws	- Poor governance - Non-compliance to the transformational laws.	Monitoring enforcement of legislation (through oversight).
4. Effective and efficient administration	Non-compliance to relevant legislation.	Adherence to relevant legislation and the Standing Rules of the Legislature.
	Lack of reliable source of reference for business processes.	Revise and implement the Standard Operating Procedure manuals. Finalisation of the Delegation of Authority and Responsibility policy.

MEASURING OUR PERFORMANCE

OUTCOME	KEY RISK	RISK MITIGATION
	Breach of good governance practices	Update the current policies and procedures.
		Adequate implementation of policies and procedures.
5. Accountable and transparent government.	Non-compliance with relevant legislation.	Adherence to relevant legislation and the Standing Rules of the Legislature.
	Poor governance.	Full implementation of the Sector Oversight Model.
		To establish relationships with oversight bodies (the AG, Public Protector, PSC).

PART D

TECHNICAL INDICATOR

DESCRIPTION

TECHNICAL INDICATOR DESCRIPTION

10. TECHNICAL INDICATOR DESCRIPTIONS

Indicator Title	1. % of community members participating in Legislative processes.
Definition	Create a platform for communities to actively participate directly and indirectly in law-making and oversight processes through public participation and public education programmes conducted by the Legislature.
Source of data	<ul style="list-style-type: none"> - Mobilization plan; - Attendance registers; and - Logistics report.
Method of Calculation	<p>Cumulative (year-to-date)</p> <p>Percentage calculation:</p> $\frac{(\text{Number of participants 2025 year} - \text{Number of participants 2020 year})}{(\text{Number of participants in 2020 year})} \times 100\%$
Assumptions	<ul style="list-style-type: none"> - Implemented Public Participation Framework; and - Active participants.
Disaggregation of Beneficiaries	Disaggregation will occur during public participation programmes held, such as the Women's Parliament, Youth Parliament, etc.
Spatial Transformation	The events/activities take place in all the districts (Ngaka Modiri Molema, Bojanala, Dr R S Mompoti and Dr Kenneth Kaunda) in the province.
Reporting Cycle	Five (5)-year
Desired performance	Enhanced participatory democracy
Indicator Responsibility	Executive Manager Public Participation, Research and Committees

TECHNICAL INDICATOR

DESCRIPTION

Indicator Title	2. Functional governance structures.												
Definition	<p>The governance structures in the Legislature are committees that have been established to ensure the Legislature functions adequately. The governing structures are the:</p> <ul style="list-style-type: none"> - Rules Committee; - Standing Committee on Oversight over the Legislature; and - Audit Committee. 												
Source of data	<ul style="list-style-type: none"> - Information relating to the Rules Committee to be obtained from the Rules Committee Secretariat. - Information relating to the Standing Committee on Oversight over the Legislature to be obtained from the Committee Division. - Audit Committee information obtained from the Internal Audit Division. 												
Method of Calculation / Assessment	<p>Cumulative (Year-to-date)</p> <p>Percentage calculation:</p> $\frac{\text{(Governance output documents)}}{5} \times 100\%$ <p>A Governance output document check list will be used to determine compliance. When the output document is available, a tick mark (✓) will be recorded on the check list. Every tick mark will count as 1, i.e.</p> <table border="1" data-bbox="552 1379 1422 1693"> <thead> <tr> <th colspan="2">GOVERNANCE OUTPUT DOCUMENTS</th> </tr> </thead> <tbody> <tr> <td>1. Terms of reference is available</td> <td>✓</td> </tr> <tr> <td>2. A schedule of meetings is available.</td> <td>✓</td> </tr> <tr> <td>3. Approved minutes of meetings are available.</td> <td>✓</td> </tr> <tr> <td>4. Committee Reports issued</td> <td>✓</td> </tr> <tr> <td>5. Committee resolutions implemented.</td> <td>✓</td> </tr> </tbody> </table> <p>5/5 x 100% = 100% achievement.</p>	GOVERNANCE OUTPUT DOCUMENTS		1. Terms of reference is available	✓	2. A schedule of meetings is available.	✓	3. Approved minutes of meetings are available.	✓	4. Committee Reports issued	✓	5. Committee resolutions implemented.	✓
GOVERNANCE OUTPUT DOCUMENTS													
1. Terms of reference is available	✓												
2. A schedule of meetings is available.	✓												
3. Approved minutes of meetings are available.	✓												
4. Committee Reports issued	✓												
5. Committee resolutions implemented.	✓												

TECHNICAL INDICATOR DESCRIPTION

Indicator Title	2. Functional governance structures.
Means of verification	Governance output documents: <ul style="list-style-type: none"> - Terms of reference for each Committee; - Schedule of meetings for each Committee; - Approved minutes of meetings for each Committee; - Committee reports are issued; and - Resolutions implementation reports.
Assumptions	Committee meetings are not cancelled.
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Reporting Cycle	Five (5)-year
Desired performance	Optimal functioning of the Legislature.
Indicator Responsibility	Deputy Secretary to the Legislature

Indicator Title	3. Processed Bills to be enacted into law.
Definition	Proposed legislation that is considered and passed by the Legislature to be assented into law by the Premier or President in case of national Bills.
Source of data	<ul style="list-style-type: none"> -NCOP mandates conferred; and -Bills.
Method of Calculation	Quantitative - Simple count
Assumptions	Laws passed are informed by the needs of the public and constitutionally sound.
Disaggregation of Beneficiaries	Bills are applicable to all citizens. Disaggregation will be indicated where applicable in the specific Bill.
Spatial Transformation	The events/activities take place in all the districts (Ngaka Modiri Molema, Bojanala, Dr R S Mompoti and Dr Kenneth Kaunda) in the province.
Reporting Cycle	Five (5)-Year
Desired performance	Full participation in the provincial and national law-making process.
Indicator Responsibility	Deputy Secretary to the Legislature

TECHNICAL INDICATOR DESCRIPTION

Indicator Title	4. Audit outcome achieved.
Definition	The financial statements are free from material misstatements (in other words, a financially unqualified audit opinion) and there are no material findings on reporting on performance objectives or non-compliance with legislation
Source of data	<ul style="list-style-type: none"> - NWPL AFS; - Post Audit Action Plan; - Independent reviews by the Provincial Treasury; and - AG audit report.
Method of Calculation	Qualitative – At the end of the five (5) years.
Assumptions	<ul style="list-style-type: none"> - Policies and procedures are implemented; - Sound control environment; - Sound compliance and risk posture; - Capable, skilled staff.; - Full implementation of the ERP (Oracle) System; and - Adequate financial reporting.
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Reporting Cycle	Five (5)-Year
Desired performance	Improved audit outcome – The audit opinion expressed to be “Clean Audit”.
Indicator Responsibility	Chief Financial Officer

TECHNICAL INDICATOR

DESCRIPTION

Indicator Title	5. % functionality of the E-Parliament System.
Definition	The E-Parliament system (this system will include ICT systems such as the House Resolution Tracking, Petitions Tracking, Parliament Web TV, e-Voting) will enable MPLs and the Legislature staff to effectively conduct their duties.
Source of data	IT Division: E-Parliament Strategy <ul style="list-style-type: none"> - Reports indicating completion of the system; and - ICT systems as captured within the E-Parliament Strategy are implemented.
Method of Calculation	Cumulative (year-to-date). Percentage calculation: $\frac{\text{(Number of ICT systems implemented)}}{\text{(Total number of ICT system to be implemented)}} \times 100\%$ The total number of ICT systems planned to be implemented are stated within the E-Parliament Strategy.
Assumptions	<ul style="list-style-type: none"> - Availability of knowledgeable human resource; - Capable, skilled staff; and - Availability of funds.
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Desired performance	<ul style="list-style-type: none"> - Complete and adequate functioning of the E-Parliament system; and - Paperless institutions.
Indicator Responsibility	Executive Manager Corporate Services

Notes

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Notes

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STRATEGIC PLAN (2020 - 2025)