

*FUNCTIONING OF THE KWA-ZULU NATAL JOINT EXECUTIVE AUTHORITY:  
A GENERIC ADMINISTRATIVE ANALYSIS*

*by*

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*DECLARATION*

*I declare that FUNCTIONING OF THE KWA-ZULU NATAL JOINT EXECUTIVE AUTHORITY: A GENERIC ADMINISTRATIVE ANALYSIS is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.*

*CHRISTOPHER ENERST MANDLENKOSI NTSELE*

*JANUARY 1993*



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## SYNOPSIS

This study was concerned with the analysis of the JEA using the generic view of public administration. It comprised of the study of reading material on the JEA, Kwa-Zulu/ Natal Indaba, Buthelezi Commission, NPA and Kwa-Zulu, and interviews held with public officials of JEA, NPA and Kwa-Zulu.

The results revealed that JEA is not a usual regional administration with identified land of its own. However, in its unique position of being a part of two separate regional administrations, it is a fully fledged public institution endowed with all activities of public administration, namely: functional activities, generic administrative processes, auxiliary functions, and intra-generical phenomena.

Most of all, the study revealed that, in its unique position, JEA is a second phase in a process where the third and last phase is a strong single regional administration in Region E. To pave the way for this final phase the recommendations urge the JEA:

- \* to broaden the Ministers' Forum to include three "own affairs" Ministers who, if still existing, will be affected by the move to a strong single administration in this region;
- \* to be pro-active in bringing closer liaison among regional agencies rendering similar functions in the region;

- \* to include research into a future strong single regional administration as one of the JEA goals;
- \* to gear the Secretariat to the Ministers' Forum to undertake this research;
- \* to finance the research from the Joint Revenue Fund or to approach both the Republican Treasury and Kwa-Zulu Treasury to authorise over-spending on research;
- \* in filling the remaining vacant posts, to consider public officials knowledgeable in research work; and
- \* to streamline existing procedures of different regional administrations in order to determine uniform procedures best suited for a strong single regional administration of the future in Region E.

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## CHAPTER ONE

## GENERAL INTRODUCTION AND ORIENTATON

## 1 INTRODUCTION

In South Africa there are three tiers of government, namely: central, regional and local governments. Each tier has an accompanying administration. As such, the regional administration is the second tier administration. By virtue of its middle position, it exercises control over its own local or third tier government structures, and accounts to the central or first tier government directly, as in the case of NPA, or indirectly through its legislative assembly, as in the case of Kwa-Zulu.

JEA is a different regional administration because it deviates from the above stated norm. It has no local government structures of its own. Yet, through its Joint Services Boards it pools resources of NPA and Kwa-Zulu local government structures. Furthermore, it, technically does not stand alone as a unit. Instead, it is as much of a part of Kwa-Zulu as it is a part of NPA. As a regional administration, it does not have a territory, therefore, is not identified as a zoned area of JEA land in any map of the country.

This study was prompted by a keen desire to understand this unique phenomenon of the JEA. It was hoped that some progress towards this goal might be made by examining the JEA from a generic view of public administration.

It was thought that any regional administration should contain the generic administrative processes of public administration and respond to the political, social and



economic environment within which it exists. At the same time, a regional administration needs to be understood in its individual context, recognising that, although the JEA is in many respects a part of NPA and Kwa-Zulu, it is also unique, thus different from both of them.

Further, it was thought that such a joint regional administration, in a country which is in a transition phase from a White-Coloured-Indian government to a democratic government, could be an area potentially rich in information and possible insight into the future of regional administration. JEA was selected because it is the only joint regional administration open to all races which is known to the researcher. It was also chosen because of researcher's association with the JEA Secretariat office through his workplace,

## 2 OBJECTIVES OF THE STUDY

The objectives of the study are as follows:-

- I to investigate the JEA structure and functions with particular emphasis on its generic administrative processes,
- II to give a description of this joint regional administration,
- III to make suggestions in accordance with the findings of the study, for possible improvements in the operation of this joint regional administration, and
- IV to suggest , if possible, a regional administration best suited to the needs and conditions of Region E.

### 3 BASIC ASSUMPTIONS TO THE STUDY

This study adopted the basic assumptions outlined by the Chief Minister of Kwa-Zulu and confirmed by the Administrator of the Natal Province (Mc Cormack 1986:1). They are four in number, and are outlined as follows:-

#### 3.1 First assumption

Natal and the self-governing region of Kwa-Zulu are inextricably interlinked. This situation, as can be seen in Annexure 1, has provided many boundaries between Kwa-Zulu and NPA as the land to the size of approximately 33,161 square kilometres allocated exclusively to the self-governing region of Kwa-Zulu is scattered throughout the Province of Natal with 91,481 square kilometres of land (Mc Cormack 1986: 1).

As a result of these patches of Kwa-Zulu land on the vast Natal land, the same integration between the two areas emerges, if one considers the relationship from an economic, social, environmental, or virtually any other perspective. This inter-relatedness is seen in many obvious ways, such as, "the flows of rivers and the routes of roads in and out of Natal and Kwa-Zulu, the daily movements of workers from Kwa-Zulu to jobs in Natal and so on" (Mc Cormack 1986:1).

#### 3.2 Second assumption

Natal and the Kwa-Zulu self-governing region face major problems which demand innovative solutions. The major socio-economic problems such as unemployment, poverty, sickness and disease, malnutrition, and other third world ills exist mainly in the Kwa-Zulu self-governing region. However, these are also Natal problems in that development in all fields would not escape the

implications of continuing low levels of well-being under these third world conditions (Mc Cormack 1986:2).

### 3.3 Third assumption

The Kwa-Zulu self-governing region and Natal realise results through co-ordinated action. This could come in the form of a joint executive authority which is a new concept in the current apartheid regime, and as such, which would represent a vehicle for achieving much improved co-ordination and resource use. The joint executive authority could also be viewed as an important step in putting into place the institutional infrastructure that would enable the enormous challenges obtaining in the Natal/Kwa-Zulu region to be grasped (Mc Cormack 1986:3).

### 3.4 Fourth assumption

Such a joint executive authority structure can provide wider opportunities to local people to evolve solutions to their local problems. People in the region know their problems and resources best. As such, when they are given sufficient opportunities and scope within which to work, they are able to come up with the best possible solutions to their problems (Mc Cormack 1986: 3).

## 4. DEFINING KEY CONCEPTS AND EXPLAINING KEY ABBREVIATIONS

Certain key words and abbreviations are open to varied interpretations. In order to establish precision regarding their use, the following clarification is provided.

### 4.1 Concepts

For this study the key concepts are: administration, budgeting, determining procedures, financing, organising and public policy. Other words with more than one meaning are explained when they are used.

#### 4.1.1 Administration

For purposes of this discussion administration is contrasted with management. According to Andrews (1991:77) administration refers to the total concern with human resources in an institution and management refers to planning, the formulation of standards, control and evaluation, as well as personnel motivation and guidance (Andrews 1991:2). On the other hand, Gortner, as cited by Andrews (1991:3), regards administration to refer to co-ordination, guidance, and functional work aimed at the execution of public policy, and management to refer to all activities necessary to perform public functions.

Social scientists like Nigro and Nigro, Appley, Thornhill, Hanekom, and De Villiers, regard these two words "administration" and "management" to be synonymous and interchangeable (Andrews 1991:3). Others like Robbins perceive these two terms in relation to a private or a public setting. They link "management" to a profit-making concern and "administration" to neutral processes that are applicable in both private and public institutions (Andrews 1991: 3).

For purposes of this study administration refers to the totality of a concern comprising of functional activities, auxiliary functions, intra-generical phenomena, and generic administrative processes (Cloete 1989: 2). In this context, personnel administration refers to "staffing", and is composed of the generic administrative processes and the functional activities which are personnel provision, support functions, training and development, and utilisation (managerial) functions (Cloete 1991 :152).

#### 4.1.2 Budgeting

The Collins Concise Dictionary defines "budget" as "an

estimate of expenditure and revenue and the financial plans for the ensuing year presented annually....." (Collins 1989). Malan, as cited by Supersad, defines "budget" as "a statement of amounts needed over a specific period to provide certain services. In other words, it is a statement in terms of rand and cents of a proposed future programme " (Supersad 1990: 102).

Prentice, also cited by Supersad, defines the budget by the nature of expenditure as, for example, operating budgets outlining " the cost of operating the agency and its programme for a fiscal year (including) personnel costs, cost of maintaining the physical plant, purchasing supplies and similar operating costs " (Supersad 1990 : 102).

Suffice it, therefore for purposes of this study, to see the budget in its many forms as:-

- (a) a policy document in which aims and strategies of the JEA appear in its budget as policy statements;
- (b) a source of information in that the JEA budget is no secret document, and any person can purchase a copy and study the contents thereof to acquire knowledge about the institution's programmes;
- (c) a work programme in that it outlines individual programmes and expenditure items by which JEA goals are achieved;
- (d) a control document that serves as a preplanned annual programme against which achieved purposes are measured, and financial responsibilities are calculated (Fourie 1991 : 15); and
- (e) an economic instrument to stimulate investment and employment and to promote economic prosperity (Fourie 1991:15). As an economic instrument budgeting ties public administration together with the free market system. Even those who are sceptical

about involvement of government in the market system do look at the budget to allocate resources in a manner that can reduce inflation and bring wealth into the country (Fourie 1991:15).

#### 4.1.3 Determining procedures

A procedure is a series of interdependent, consecutive steps taken towards the achievement of an objective (Andrews 1991:21). These interrelated sequential steps are established for purposes of accomplishing a task.

The word "determine" means to "decide" "resolve" or "make up one's mind" (Hornby 1981 :165). To this list of descriptions Bosman and co-writers include "locate", "establish", "find out and "lay down" (Bosman et al 1986 : 567). Common to all these words is the on going mental exercise of searching.

Therefore, combined, the words "determine" and "procedure" imply a realisation of room for improvement in the existing steps taken to achieve a task. A need to replace obsolete procedures with new procedures develops. As such, "determining procedures" is a concept which in this study means a continuous search for better, simpler, quicker, and cost-effective ways for achieving optimum productivity. It means continuous investigation and improvement of operations at the Secretariat office.

#### 4.1.4 Financing

The seventh edition of the Pocket Oxford Dictionary of Current English defines "finance" as "the management of money", "support in money for an enterprise", "money resources", and to "provide capital for" (Allen 1988:274).

Therefore, for purposes of this study, finance refers to the process of managing money; of providing financial

support, or funding. As such, financing is discussed in the context of the specialised field of public financial administration.

#### 4.1.5 Organising

Organising can mean the setting up of a structure of anticipated individual behaviour (Roux 1991 : 3). This meaning emphasises the arrangement of people, and since the arrangement of people takes place everywhere all the time, it stands to reason that where there are people there is always organising. Scott supports this argument when he says that organising "infects virtually every aspect of contemporary social life" (Scott-Myers 1981:1).

Organising goes beyond the arrangement of people and groups in a specific order so that positive action can be taken to achieve a particular objective. It also defines "their mutual relations as individuals within the unit, and also their relations as a group towards other groups" (Cloete 1989: 79).

Therefore, for purposes of this study, organising is a process that goes beyond physical aspects, such as organogrammes, to underlying arrangements, such as, a mission, goal and objectives, management plans, strategies, etc. upon which these physical aspects are based.

#### 4.1.6 Policy

Policy is described in the context of public policy. Here are a few definitions:- It is future oriented (Hanekom 1987:8). It is a course of action directed towards the accomplishment of some purpose or goal (Anderson 1984: 2). It is a purposive course of action which preceeds an actor or set of actors in dealing with a problem or matter of concern (Anderson 1984: 2). It is whatever governments choose to do or not to do (Dye 1978:3).

It is the link between the political and administrative processes (Hanekom 1987 :10). It is the enabling function of the administrative process (Hanekom 1987: 10). It is a desired course of action and interaction which is to serve as a guideline in the allocation of resources necessary to realise societal goals that are decided upon and made publicly known by the legislator (Hanekom 1987:8).

In this study, public policy must be understood in terms of all of these descriptions, because, through the public policy of joint regional administration adopted by Kwa-Zulu and NPA, the legislators and executive office bearers express intentions of steering the South African communities from segregation to integration.

#### 4.2 List of abbreviations

Following is the explanation of the abbreviations used in this study:

- \* JEA is an abbreviation for the Kwa-Zulu and Natal Joint Executive Authority which is a regional administration established in terms of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986). Depending on the matter at hand, in this discussion this term is inclusive of the Secretariat office.
- \* Kwa-Zulu refers to the regional administration of the Kwa-Zulu Legislative Assembly which was established in terms of Proclamation R70 of March 30 1972. In the study the term includes a Kwa-Zulu department, Kwa-Zulu Cabinet, and any structure of this regional administration.
- \* NPA is a regional administration of the Natal Province which was stripped of legislative powers in terms of the Provincial Government Act, 1986 (Act



69 of 1986). In this study the term is inclusive of any part of this regional administration.

- \* CODESA means the Convention for a Democratic South Africa established for political negotiations.
- \* Region E refers to an economic development region as outlined by the Central Government incorporating the self-governing region of Kwa-Zulu and Natal.

## 5 APPROACH AND METHOD OF RESEARCH ADOPTED

To gain insight into the structure and functions of the JEA and to establish verifiable facts about this regional administration, the following procedures were adopted.

### 5.1 Literature study

As a first step, and, as often thereafter as possible, relevant literature was explored. This literature review covered the aspects listed below:

- (a) a systematic and critical study of literature on public administration, particularly, the literature on the generic view of public administration; and
- (b) a systematic and critical study of literature on other fields of social sciences, placing the emphasis on the readings about policy, organising, financing, personnel matters, workstudy and method, and control.

### 5.2 Records on the JEA

Apart from exploring literature, the following records on the JEA were studied:-

- \* legislation on the JEA as well as legislation that regulates JEA activities;
- \* staff establishment of the Secretariat office;
- \* extracts from JEA files;
- \* JEA minutes;
- \* Papers delivered by executive officers on the JEA;

- \* newspaper articles about regionalisation and JEA;
- \* JEA annual reports;
- \* JEA annual budget; and
- \* reading material on Kwa-Zulu, NPA, political parties in Natal and self-governing region of Kwa-Zulu, and Natal / Kwa-Zulu Indaba relevant to the topic of study area.

### 5.3 Personal contacts

On the practical side, contact was made with the Secretariat office. In-depth discussions with resourceful JEA officials ensued. These were followed by informal telephonic confirmation or further explanation on certain facts about the JEA.

This is apart from participation in the Welfare and Pensions Inter-departmental Liaison Committee business conducted at regular intervals under the auspices of the JEA. Further, in the course of this investigation, an annual JEA function was attended. In this function, an opportunity was seized to discuss about the JEA with the executive officers of the JEA, NPA and Kwa-Zulu.

### 5.4 Theoretical framework

In order to establish a sound academic base for the analysis, the generic administrative processes of public administration were used as the theoretical framework.

### 5.5 Limitations

When this study was carried out it was subjected to the following limitations:-

- (a) At the time the JEA had been in existence for about six years and as such, it did not have archives for reading material.
- (b) As yet, there were no assigned or authorised functions transferred from NPA and Kwa-Zulu for joint administration by JEA.
- (c) The Secretariat office still had vacancies in key

positions.

- (d) JEA, NPA and Kwa-Zulu had resolved to suspend the transfer of functions pending the outcome of CODESA negotiations.

## 6 PLAN OF STUDY

This study is divided into ten chapters. The first chapter outlines the scope of the study. The second chapter deals with the theoretical background to the study. Here the various theoretical perspectives on the various generic administrative processes are reviewed and related to the JEA situation.

Chapters 3 to 8 study, respectively, JEA policy-making, JEA organising, JEA financing, JEA staffing, determining of JEA procedures, and control measures in the JEA. Chapter 9 provides an alternative regional structure to the existing JEA, NPA and Kwa-Zulu regional structures.

The final chapter presents the conclusions and recommendations that flow from the study.

## CHAPTER TWO

## THEORETICAL PERSPECTIVES

## 1 INTRODUCTION

Public officials have over the years shown very little faith in academic studies, probably because they believe that the studies are too "theoretical" when their work is too "practical" (Botes 1991:11). To them theory has no place in public administration where work is too important and too urgent to let their minds be muddled by theoretical speculations (Botes 1991:11).

In so denouncing theory they fail to appreciate that the public service is arranged systematically according to any of the four theoretical frameworks, namely:- the comprehensive view, or the conventional or narrow view, or the generic view, or the professional view (Coetzee 1988:6 - 10). As such, whatever they do in the work situation is guided by the theoretical framework of their respective institutions.

The irony is that, after denouncing theory, these public officials return to their offices "and start with their own theorising, speculations on the future, extrapolations, hypotheses, assumptions, alternative possibilities, and the applicability of alternative solutions" (Botes 1991 :11).

This shows that theory is the basis for all the functions of public administration. The comprehensive nature of public administration makes it necessary for this discipline to use theories of other disciplines. Therefore, officials "must understand all the huge array of disciplines which enrich our environment" (Emmerich as cited by Botes 1991:8). They must select relevant theories to the many missions of public

administration and co-opt the best services of each of them to produce a product "so pure, and so clear, and so simple that it will not tarnish or melt under the most brilliant light and heat of public inspection" (Emmerich as cited by Botes 1991:8).

For purposes of this study these "borrowed" theories are reviewed in the context of the JEA generic administrative processes.

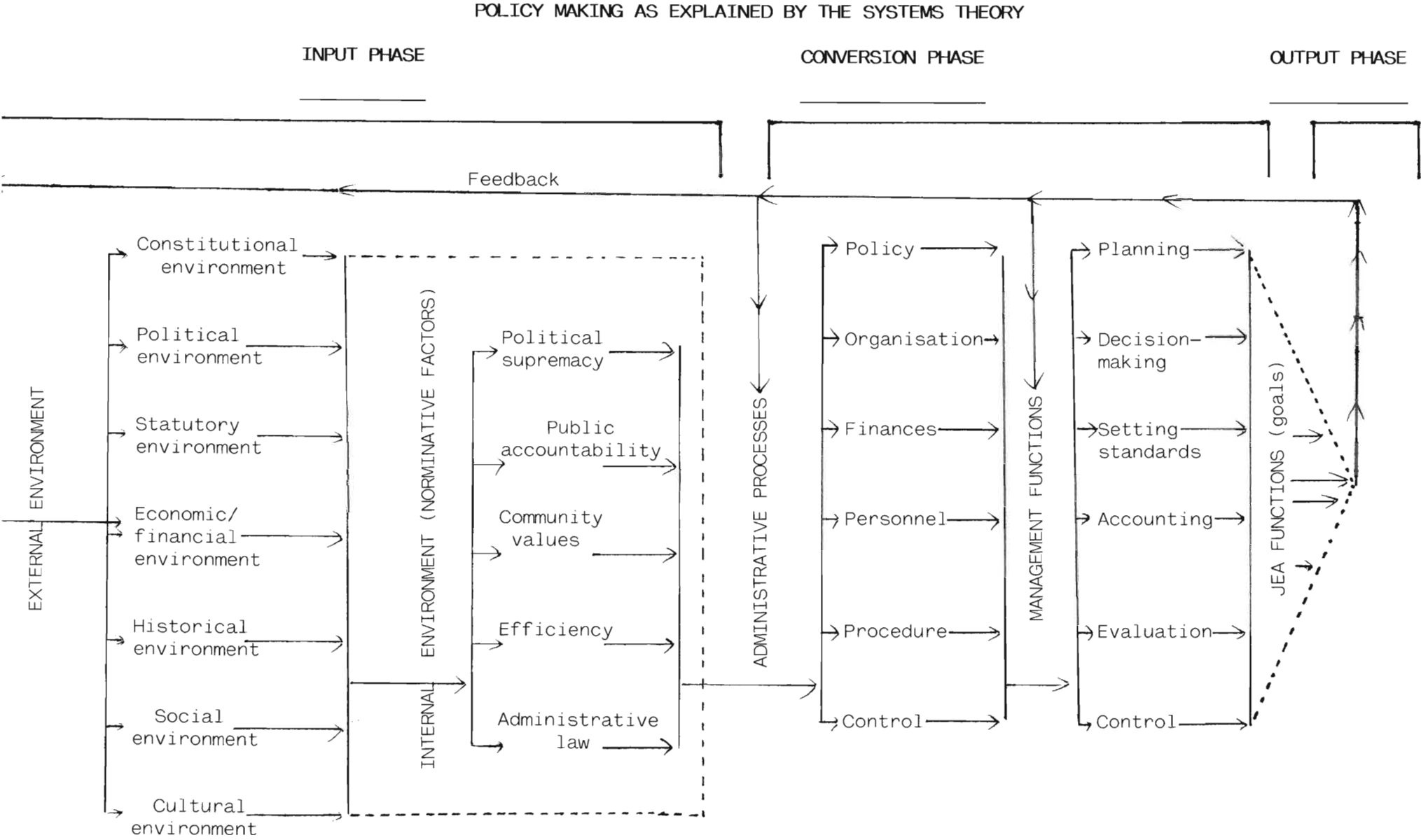
## 2 THEORIES FOR POLICY-MAKING

Theories that are used for understanding policy-making have not been developed specifically for the analysis of policy-making (Anderson 1984:13), but rather existing theories developed elsewhere which are converted for purposes of policy analysis. Included, inter alia, are: systems theory, group theory, elite theory, functional theory, and institutional theory. These theories are useful "in, and to the extent, they direct our attention to important political phenomena, help clarify and simplify our thinking, and suggest possible explanations for political activity, or, in our particular case, public policy" (Anderson 1984:13).

### 2.1 Systems theory

In the systems theory inputs from the external environments such as community needs and problems serve as the basis for action by the policy-maker (Dye 1978: 37 - 39). Through debate, compromise and consensus, decisions are taken on what is to be done to alleviate problems. These decisions result in practical services and content policies known as outputs. These outputs are fed into the society and the policy-maker monitors the society's reaction (Brynard 1991:22). See Figure 1 below.

Figure 1



Haas and Drabek (1973:85 - 91) identify eight features of the systems theory. The relevance of these characteristics to the JEA are discussed hereunder.

First, public institutions in terms of the systems theory are to be viewed as systems within systems and with their own sub-systems. In the JEA situation one immediately identifies Kwa-Zulu and NPA as systems within which the JEA system exists. One further identifies the JEA policy-making body, the JEA committees, and the office of the Chief Executive Officer as sub-systems of the JEA system.

Second, these systems and sub-systems are open, which means that they cannot survive in isolation. This is very true for the JEA system and its sub-systems as they are constituted in such a manner that they carry out the policies of Kwa-Zulu, NPA and the Central Government.

Third, they follow the principle of equifinality which means that "the same final state can be reached from different initial conditions and in different ways" (Haas and Drabek 1973:86). For this Region E, the JEA is perceived to be the second way of maximising co-operation between the Natal Province and the Kwa-Zulu self-governing region. The first one was the Strategic Policy Group and the last envisaged way for a co-ordinated service is the single legislature for this region.

Fourth, as open systems, public institutions have complex feedback mechanisms that permit adaptive responses to many types of external changes. Presently the JEA is quite sensitive to the influence brought to bear by environmental factors. The recent move towards a single health service under the auspices of the JEA in Region E responds to the national outcry for a single health authority in the country (Dube 1991:interview). The Joint Services Boards in the place of the Joint Services

Councils respond to the wishes of the Region E communities who objected to the establishment of the latter body in this region (Dube 1991:interview).

Fifth, public institutions are patterned sets of events. In the JEA the "pattern" is consensus in all JEA projects.

Sixth, these public institutions have boundaries that differentiate them from various environments. Whereas in this region it is the political boundaries which separate NPA and Kwa-Zulu, the JEA has no such boundaries. Its boundaries are dynamic in that they depend on the problem at hand. For example, in the Pietermaritzburg and districts Roads Pilot Project, the boundaries are in the form of districts included in the pilot project. In the Joint Services Boards boundaries are in respect of each joint services board as defined in relevant proclamations.

Seventh, within and outside public institutions, interaction reflects different layers of control and autonomy. Outside the JEA one can cite the control of the JEA exercised by the offices of the Chief Minister-in-Cabinet and the Administrator-in-Committee. Within the JEA, it is the executive body, its standing and advisory committees, and the office of the Chief Executive Officer, that form the different layers of control and autonomy.

Eighth, the open systems analysis need not be reductionistic. Instead, it should be perspectivistic. That is, in studying the JEA, one need not break it down to the lowest sub-system in order to understand the whole concept, even though that does help. Rather, one must find constructs and possibly laws within all sub-systems at whichever level which best characterises the whole.



What comes out from the above eight features are certain complexities of an open system. Following below are some of these complexities:

(a) Consciousness on the environment

In biological terms one would perceive a semi-permeable membrane between an open system and its environment which assists the public institutions to become aware of, and to make the necessary arrangements to accommodate the "inputs" or "demands" of the environment. This means that the "character" of the JEA, for instance, is determined by its environment and, in turn, it influences the "character" of its environment.

(b) Cyclical character

The explanation in (a) above, demonstrates the cyclical nature of the open systems. In this input-conversion-output feedback cycle the response of the environment to the feedback produces "new" inputs which begin afresh the input-conversion-output feedback cycle to produce "new" outputs. For example, the decision of the JEA to halt further assignment and authorisation of powers, duties and functions was as a result of new political inputs.

(c) Negative entropy

Entropy denotes gradual loss of energy. In a closed system, this means that self-destruction cannot be avoided because no maintenance or energy supplies are received from outside. "In contradistinction, an open system is characterised by "negative entropy" which means that such an organisation is self-supporting by means of the fact that more energy is absorbed through inputs than is lost through outputs" (Roux 1991:14). The negative

entropy is evident in the JEA's competence to raise loans and donations to back its projects with adequate funds.

(d) Growth and extension

In an open system growth and extension are inevitable. Although the office of the Chief Executive Officer of the JEA was meant to have a skeletal secretariat personnel, it is steadily growing. From the original 7 posts, it now has 12 posts. Growth can still be expected when certain assigned or authorised functions are finally transferred to the JEA. This growth could include the upgrading of the Secretariat office from the current Director grading to a higher grading.

These explanations on the basis of the systems theory, show that this theory is useful. In spite of this usefulness, the systems theory has certain short-comings. The obvious short-coming is a lack of a clear explanation on the conversion process, as it does not guarantee that the feedbacks are taken into account. If they are, it does not give the extent to which these feedbacks are taken into account. It also does not explain convincingly that consensus achieved at policy-making meetings is not a matter of compromise for the sake of progress.

## 2.2 Group theory

According to the group theory of politics, public policy is the product of the group struggle (Anderson 1984:15). This rests on the contention that action, interaction and struggle among groups are the central feature in political life.

That the JEA is influenced by the group concept is evident in the establishment of the JEA where Rule 3(1) of Proclamation No. 119 of 1987 provided for five members

representing NPA and another five members representing Kwa-Zulu. Both Kwa-Zulu and NPA were considered as groups which must be represented equally at JEA. In this equal representation Rule 10(1) provides that every resolution by the JEA shall be formulated by the Chairman and after debate by this equal membership be carried without dissent (Proclamation 119 of 1987:6), because even if one member is overruled by the majority decision in that member's group there is one vote short, and therefore, that decision is not accepted equally by both groups.

However, inspite of explanations advanced above, the group theory has its flaws. It seems both to overstate the importance of groups and to underplay the independent and creative role that individuals play in policy-making. Therefore, other explanations are given by other theories, of which the elite theory is one.

### 2.3 Elite theory

According to the elite theory public policy can be regarded as reflecting the values and preferences of a governing elite (Anderson 1984:16). It divides society into two, namely: a handful of elites at policy-making level and the large masses at grassroots level. The public officials are part of that handful of elites which makes policies and implement them to the masses. In this arrangement attention is focused on the role of leadership in policy-making, namely, that in any political system a few govern the many.

This theory projects the JEA as the elite group. Its masses are the communities served by both NPA and Kwa-Zulu. From this projection, the lack of direct communication, between the elite JEA and the Region E masses is at certain quarters a bone of contention in

that the masses, particularly the Natal Blacks with no vote at central and provincial levels, are short of a way of influencing this joint policy-making process.

In other words, the elite theory exposes structural deficiencies in governing. Brynard warns that without providing a structural solution the interests of the masses turn to be secondary to the interests of the elite (Brynard 1991:21). The needed structural solutions are lacking in the elite theory and may be offered by the functional and institutional theories.

#### 2.4 Functional theory

The functional theory is the analysis of the functional activities involved in policy-making. This analysis involves the consideration of:-

- \* "alternative solutions;
- \* participants in policy-making and execution;
- \* adjudicatory measures to ensure adherence to the law;
- \* judgement pertaining to the success or failure of a specific policy; and
- \* adaptation of legislative measures" Brynard 1991:21).

This theory is descriptive in character and it is particularly useful in comparative studies on policy-making.

#### 2.5 Institutional theory

The institutional theory in policy-making is supposed to describe the roles of public institutions involved in policy-making and to analyse the public policies as products of institutions, either as policies formulated by or implemented by public institutions or both (Dye 1978:20 -23). The value of institutional theories in the JEA concept is found in formulating uniform policy for

NPA and Kwa-Zulu ensuring the same high standards in services rendered by these two Administrations in the various fields.

The institutional theories further emphasise legitimacy of policy. It should be noted here that, although the JEA can make policies, it is an executive body. Its policies must be legitimised by the legislature. In its dual allegiance, the JEA has to have its policies legitimised by both Parliament and Kwa-Zulu Legislative Assembly.

### 3 THEORIES FOR ORGANISING

As organising is so much part of the human race, it has evolved with it. Through that process of evolution of the human race, divergent organising theories have over a period of time emerged. Roux (1991: 5) has provided a schematic representation of the evolution of theories for organising. See Figure 2 in page 23. He divides the evolution into the following periods: classical era, neo-classical era, contemporary era, and transcendental era (Roux 1991:5).

#### 3.1 Classical era

Three distinct theories evolved from the classical era, namely:-

- \* scientific management theory,
- \* administrative theory, and
- \* bureaucratic theory (Roux 1991: 6).

Figure 2

## EVOLUTION OF ORGANISING THEORIES (Roux 1991:5)

1900 - 1920	1920 - 1945	1945 - 1990	1990 -
Classical era	neo-classical era	contemporary era	transcendental era
Scientific management theory	human relations theory	systems theory	eclectic theory
formal structure	informal structure	open system	elements of each era
closed system	human behaviour	influence of environment	

### 3.1.1 Scientific management theory

According to the scientific management theory a formal structure is a prerequisite for a public institution. Therefore, the influence of this theory on the JEA which operates on formal structures: the JEA; the JEA Committees; and the office of the Chief Executive officer; is evident.

According to Taylor, this formal structure should provide a sharp distinction between "workers" and "managers" (Haas and Drabek 1973:36). Whereas the job of "workers" is production work, the job of "managers" is according to Luther Gulick, planning, organising, staffing, directing, co-ordinating, reporting and budgeting (POSDCORB) (Haas and Drabek 1973:36). This arrangement is also evident in JEA projects. On assigned or authorized powers, duties and functions the office of the Chief Executive Officer assumes the role of "managers" for those functions. Both NPA and Kwa-Zulu place their public officials as "workers" at the disposal of the JEA to continue under the auspices of the JEA with their production work in these transferred powers, duties and functions.

The premise around which the scientific management theory revolves is that this production work can be investigated scientifically. Taylor was convinced that an objective

assessment of information obtained from the workplace of the "worker" may lead to a perception of the "best way" when organisational problems are addressed (Roux 1991:7). The information collected in this fashion can then be classified scientifically and systematically in order to improve productivity in the work place.

The traces of this scientific management thinking are still found in Kwa-Zulu, NPA and JEA. To resolve problems use is made of NPA Work Study Officers or Kwa-Zulu Efficiency Officers to investigate each post in the JEA staff establishment, classify data scientifically and systematically, and, on the basis thereof, make recommendations on potential areas to improve productivity.

Roux summarises Taylor's scientific management theory by four basic principles (Roux 1991: 7):

(a) To find the "best way" of conduct

In this principle the "best way" is in respect of each task. It calls for managers to observe and scientifically analyse all traditional work practices by means of time studies, studies of methods, and studies of movement. The aim is to finally render a maximum service at a minimum cost. That is basically what the joint authority in this



Region E is all about - to render a maximum regional service cost-effectively.

(b) Scientific selection of staff

The merit system is at the centre of this principle which requires that Personnel Administration Standards (PAS) be determined for all vocational dispensations. On the basis of these standards, job descriptions for all posts in the establishment are formulated.

Thereafter, the selection of staff becomes consequential to a match between workers' qualifications and experience, on the one hand, and the job descriptions on the other hand. The shortcomings and potential development of each worker are determined through research.

Traces of this principle are found in Kwa-Zulu, NPA and JEA, all of which use the merit system in appointment and promotion of staff.

(c) Financial incentive

According to the scientific management theory, workers are viewed as economically motivated creatures (Haas and Drabek 1973:37). Therefore, a system of financial incentives is necessary to keep workers productive in their jobs. This is evident in the JEA, Kwa-Zulu and NPA structures in the form of competitive salaries and fringe benefits.

(d) Functional specialisation

This principle implies that a clear distinction exists between managers in the higher cadres of a public institution and workers at the lower levels. On assigned or authorised powers, duties and functions this distinction means that the JEA officials exercise leadership on all joint projects. As such, they plan, prepare and supervise, whereas Kwa-Zulu and NPA public officials allocated for these joint projects confine themselves solely to operational work performance.

### 3.1.2 Administrative theory

Administrative theories are advanced by, amongst others: Henri Fayol, Luther Gulick, Lyndall Urwick, James Mooney and Alan Reilly (Roux 1991:8). These social scientists made different contributions to administrative theories. Nonetheless, as the name "administrative" signifies, all these contributions focus on management functions and do not extend to operational or technical functions.

#### 3.1.2.1 Contributions of Henri Fayol

Fayol's contribution is two fold, namely:

- (a) the elements of management, and
- (b) the principles of management (Roux 1991:8).

##### (a) Elements of management

The elements of management include aspects like planning, organising, directing, co-ordinating and controlling (Roux 1991:8). By these elements, Fayol established the duties of the Chief Executive Officer, and drew for the first time the attention of researchers to problems confronting top management in an institution (Haas and Drabek 1973:36). Old as these elements of management are, they are still relevant to modern public institutions like the JEA. The JEA office of the Chief

Executive Officer is very much involved in planning, organising, directing, co-ordinating and controlling.

(b) Principles of management

Fayol identified fourteen principles of management, also known as principles of organising (Roux 1991 :8). These are:

- \* division of work;
- \* authority and responsibility;
- \* discipline;
- \* unity of command;
- \* unity of direction;
- \* Subservience of the individual's interest to the general interest of the public institution;
- \* reasonable compensation of personnel;
- \* centralisation of authority;
- \* scalar hierarchical authority;
- \* orderly hierarchical composition;
- \* equal consideration of staff;
- \* stability of employment and guaranteed tenure of service afforded to staff;
- \* emphasis on an individual's initiative; and
- \* maintenance of esprit de corps (Roux 1991:8).

In the discussion of the dynamics in JEA organising, these principles come to the forefront.

### 3.1.2.2 Contributions of Gulick and Urwick

Gulick and Urwick are co-authors who also advanced certain principles on organising. Roux (1991:8) sums up these principles as follows:-

(a) Public institutions should be structured according to four basic criteria:-

- (i) according to the objective to be achieved;
- (ii) according to the process or function to be executed;
- (iii) according to the client, which has to be served; and
- (iv) according to the geographical area in which the service is rendered;

(b) unity of command;

(c) authority and responsibility;

(d) span of control which is the chain of authority in which for each manager a size adequate to permit close supervision is established;

(e) delegation; and

(f) utilization of staff and line personnel.

Even in these modern times these principles are still applicable to public institutions like the JEA.

#### 3.1.2.3 Contributions of Mooney and Reilly

Mooney and Reilly focused on the principles for formal organisations (Roux 1991:9). They identify the co-ordination principle, the scalar principle, and the functional principle (Roux 1991:9). Co-ordination refers to the concentration of related functions at horizontal level. The scalar principle refers to the existence of a hierarchy with vertical allocation of authority and delegation. The functional principle refers to the grouping of homogeneous functions. All these principles are applicable to the JEA.

#### 3.1.3 Bureaucratic theory

This theory is advanced by Max Weber. He focuses his studies on the functions of a public institution and the way it executes its authority within society (Roux 1991 :9). From this focus his analysis produced an "ideal type" of bureaucracy (Roux 1991 :9) which includes the following:-

- (a) The emphasis on the nature and form of an institution.
- (b) The concept of hierarchy.

(c) Specialisation of tasks.

(d) Recording of administrative actions (Roux 1991:9).

All these aspects are applicable to the JEA.

There are certain criticisms against the classical theories.

First, these theories hold the assumption that in a public institution there is goal consensus and goal clarity, whereas, in real life situations, public officials, offices, sections, divisions, branches, and, even departments of the same public institution tend to differ in their understanding of goals (Haas and Drabek 1973:29).

Etzioni and Parrow as cited by Haas and Drabek (1973:29) attribute the cause for this diversified understanding of goals on the existence in all public institutions of two types of goals, namely: the general purposes stated by the managers, and the operative goals based on the actual operating policies of the public institution.

On their own these two types of goals are enough to complicate the understanding of goals in the JEA set-up. This is, primarily, because in every JEA project use is made of existing NPA and Kwa-Zulu management and technical personnel. Therefore, NPA management may be unaware of Kwa-Zulu general purposes, or, vice versa; or,

the JEA management may choose to ignore the general purposes of both Authorities and persuade the project personnel to pursue JEA general purposes.

It may also happen that the JEA does not understand the operative goals transferred with the service from respective Authorities. In other words, assigned or authorised services managed centrally by the JEA are bound to experience divergent perceptions of goals because official goals for these joint projects include JEA official goals, NPA official goals, and Kwa-Zulu official goals.

Second, the classical theories have no room for investigating informal behaviour in public institutions. The personnel is mistakenly taken to be rule followers in a highly mechanistic fashion, which is not always the case (Roux 1991: 10). For example, inspite of the formal structure being established in 1986 to transfer powers, duties and functions to the JEA, in 1992 none of these powers, duties and functions had been so transferred to



JEA. Amongst many possible causes for not taking full advantage of this formal structure, may be that informally the NPA and Kwa-Zulu management personnel resist working themselves out of their jobs. Therefore, without the means to investigate informal behaviour this theory may fail to provide adequate explanations and predictions about the future of the JEA.

Third, public institutions are capable of changing emphasis from a formal structure to a charismatic structure and from a charismatic structure to a formal structure (Roux 1991:10). The classical theories overlook this fluctuation in the functioning of public institutions.

Fourth, the classical theories do not provide for investigating the impact of environmental changes on to public institutions as public institutions are seen as closed systems (Roux 1991:10). Such an approach is inappropriate for the JEA which, as an open system, is part of both Kwa-Zulu and NPA.

Fifth, internal conflict is not acknowledged by these theories. It is regarded as a "social disease" which is undesirable (Haas and Drabek 1973:29). In the real life

situation internal conflict should be encouraged. If it is well managed it promotes dynamism and creativity, and a healthy competitive spirit within a public institution. In the JEA structure internal conflict on joint projects is inevitable seeing that Kwa-Zulu and NPA departments that render the same service are brought together to operate as one department under the JEA.

Therefore, if there are organisational problems and the investigating officer bases his investigations on this theory, on identifying this inevitable internal conflict, he will immediately perceive an incurable social disease and wrongly diagnose the JEA as "dying" or disintegrating. Using other theoretical bases, however, he can recognise this internal conflict for what it truly is, which is something good and desirable, as long as it is managed effectively.

### 3.2 Neo- classical era

From the twenties to the forties the focus of administration research moved away from analysis of the formal structures to look at solutions to organisational problems (Roux 1991: 10). More attention was paid to the interaction between all members of the public institution which led to the development of two types of theories, namely: the human relations theories and the

motivation theories. It was as if the shift of focus was from a closed model advanced by the classical theories to an open model advanced by all later theories - "the neo-classical theories representing the "birth" of open models" (Roux 1991:10).

Of the above two theories, it is only the human relations theories which are discussed under this section. The motivation theories are discussed under the section which deals with theories for staffing. The transfer of these theories to that section emphasises the fact that these generic administrative processes are so interdependent, so inter-related, and so mutually inclusive that it is even possible to apply their theories interchangeably.

### 3.2.1 Human relations theories

The social scientists, who advanced the human relations theories, viewed employees of an institution as complex social creatures with feelings, desires and fears, whose behaviour on the job, like behaviour

elsewhere, is a result of many factors apart from economics (Haas and Drabek 1973:43). Elton Mayo of the Harvard Business School (USA) did informative research on human influence and performance within an organisational framework. He concluded that financial incentives are self-limiting, but non-financial incentives and sanctions do significantly influence group behaviour (Roux 1991:10).

Later the findings of Mayo were supported by Fritz J. Roethlisberger and William J. Dickson. In their research entitled Management and the Worker, they presented the analysis and conclusions drawn from the six years of study within the Hawthorne plant. They found that aspects such as group stability, credit given to the individual workers, and appreciation for work well-done could lead to more encouragement than financial compensation (Haas and Drabek 1973:42).

These theorists move away from emphasising financial incentives to emphasising group behaviour. They argue that groups are very important to individual workers seeing that they derive their primary satisfactions through the groups within which they interact. As a result, they recommend strongly that work settings and work flows in public institutions should be such that groups can emerge (Haas and Drabek 1973:44). "Thus,

coffee breaks, rest periods and so on are important not only because they reduce individual fatigue, but also because they provide a mechanism whereby persons can interact to get to know each other to become a group" (Haas and Drabek 1973:44). There are many techniques that can be used to stimulate group formation.

The value of groups is in the group norms which serve as regulatory devices for member behaviour (Roux 1991:10). In the previously mentioned research Elton Mayo concluded in this regard that it is the social norms, and not necessarily the physical abilities of workers, which play a decisive role in productivity (Roux 1991:10). Employees form groups and act as members of groups, instead of acting as individuals. He also concluded that leadership plays an important part in the determination and enforcement of group norms (Roux 1991:10).

Although it is clear that the above exposition is useful for the JEA functioning, there is no denying that the human relations researchers are overly prescriptive rather than analytic. What comes out here is the way the JEA ought to function in order to upgrade regional services with the ever shrinking government resources.

All the neo-classical theories are criticised for this prescriptive characteristic. Further, they are criticised for presenting a conflict as an evil. "Conflict, like status differences and competition, may be highly functional at times" (Haas and Drabek 1973:48). They are also criticised for paying little attention to the influence of environmental factors on public institutions. Emphasis is on internal functioning rather than on public institution - environment transactions (Haas and Drabek 1973:48).

### 3.3 Contemporary era

From 1945 until recently, social scientists studying public institutions accepted more and more the impact environmental factors have on governmental institutions. These external factors include political, economic, social, cultural, technological and international factors. Changes in these factors contribute to an "unpredictable" and an "unstable" institutional environment and this leads to different demands on contemporary executive institutions (Roux 1991:11). However, it is noted that these contemporary social scientists do not rule out the "formal" and "informal" structural principles expounded by the classical and neo-classical theorists. Both classical and neo-classical theories are used to a greater extent and with

greater "openness" towards environmental factors which shifts the emphasis more towards the public institution - environmental transactions. This shift has produced the systems theories discussed under theories for policy-making, and environmental theories discussed in the following paragraphs.

### 3.3.1 Environmental theories

The exponents of the environmental theory are Burns and Stalker, Emery and Trist, and Lawrence Lorsch (Roux 1991:14). According to the findings of these social scientists, where the environment is stable and predictable public institutions tend to be rigid. Where the environment is unstable and unpredictable, public institutions tend to become fluid and adaptive. Therefore, they argue that the environment exerts a decisive influence on the organisational structure of public institutions.

The argument of these environmentalists is very relevant to the JEA which was born out of necessity as a result of the political environment which barred a single legislature for the region of Kwa-Zulu/Natal.

However there are criticisms against these contemporary theories. Following are some of these criticisms as

highlighted by Haas and Drabek (1973 : 92 - 93):

First, to use both the systems theory and the environmental theory as a basis for empirical research presents operational problems. Terms, like boundaries, adaptation, feedback and others, are useful as organising concepts. They, however, become difficult to use operationally. As a result, predictive statements are hard to make.

Second, in the contemporary theories ideology and belief systems are absent.

Third, inter-personal expectations have not been followed adequately.

Fourth, technology has not been successfully integrated into any of the framework within models advanced by these theories.

Fifth, little effort has been made to categorise analytical types of event systems wherein different processes might operate.

Sixth, empirical studies that would sharpen the concepts, and test some of the hypothesised relationships are almost totally absent.



### 3.4 Transcendental era

This is the period from 1990 in which social scientists are beginning to adopt a holistic approach. In the absence of an appropriate term Roux (1991:6) called theories of this era the future organisational systems and forms. This term is too long, and for purposes of this study they are called the "Eclectic theories" because they incorporate properties of all earlier theories.

#### 3.4.1 Eclectic theories

In view of the fact that certain aspects of the classical theories, the neo-classical theories and the contemporary theories were confirmed to be relevant to the JEA situation and the fact that the eclectic theories are a mix of all these other theories, it is submitted that the eclectic theories are also relevant to the JEA.

## 4 THEORIES FOR FINANCING

Before any analysis of public finance can be undertaken, it is necessary to first understand the theories which influence its practice. This is important because the theories behind financial management of private profit-oriented institutions cannot readily be applied in government finance. "The public institutions must render a public service at great cost: whether it is "efficient" in terms of private profit margins or not, it must be rendered" (Fourie 1991:6).

The theoretical base for financing in public administration is found in both the traditional principles which though untested have been common knowledge for ages, and the economic theories.

### 4.1 Traditional principles

Fourie (1991:5) advances the following five principles as traditions or conventions because they are not written in laws:-

#### 4.1.1 Public funds are public goods

In the procurement, handling and controlling of government funds public managers know very well that they

are dealing with "public money". This is the taxpayers' money held in trust by the government. As such, it is necessary to use most of it to benefit the general public.

The JEA lives up to this principle. Following are two examples in support of this statement. First, the JEA has kept its skeletal staff when other departments in Kwa-Zulu and NPA have continued to expand. Second, the JEA has continued to operate in the NPA offices at the Bourquin Building complex. Both these examples mean that the JEA's administrative overhead costs are deliberately kept low in order to channel most of the "public money" in the "joint revenue fund" to projects that benefit the general welfare.

#### 4.1.2 Public accountability

It is common knowledge to public managers that, in every public institution, one official (usually the Head of Department) is appointed as an accounting officer to be held accountable for all financial transactions.

The Chief Executive Officer is an appointed accounting officer for the JEA.

#### 4.1.3 Political supremacy

Every public manager knows that elected representatives are the highest final decision-making authorities on the imposition of taxes and the allocation of expenditure.

This principle is evident in the role of the office of the Chief Executive Officer which is to implement decisions taken at JEA meetings by the elected and appointed executive office bearers who constitute the JEA.

#### 4.1.4 Fiscal year plan

It is also common knowledge to public managers that expenditures must be balanced at the end of each financial year.

The financial year for the JEA starts in April and ends in March the following year, as is the case with Kwa-Zulu, NPA and the Central Government. At the end of every fiscal year, the office of the Chief Executive Officer balances the JEA expenditure and submits it for incorporation into the consolidated government expenditure that is finally tabled before Parliament.

#### 4.1.5 Government must promote economy

The question of the role of the government in promoting economy has been debated for centuries, and it has always been accepted that the government of the day has a decisive role to play. In this country there are three ways in which the present government plays this role (Fourie 1991:7).

##### 4.1.5.1 Initiator role

The government initiates economic activities by:

- (a) the establishment of policy institutions such as: economic advisory council, planning council, reserve bank, treasury, etc., which determine national policy in economic matters;
- (b) the establishment of promotional institutions like a development bank, business corporation, such as, the Kwa-Zulu Finance and Investment Corporation, agricultural marketing boards, bureaux of standards, etc., which stimulate and regulate the economy; and
- (c) the establishment of service institutions like state departments, state commercial institutions, etc., which provide the necessary infrastructure through which the country's economy grows.

#### 4.1.5.2 Regulator role

The role of regulating economic activities is evident in the under mentioned government institutions:

- (a) the basic framework institutions, such as a registrar of companies, a registrar of financial institutions, the registration of properties, rights, citizenship and patent rights, etc.;
- (b) the regulatory institutions, such as a price controller, a registrar of medicines, government inspections, approval of leases and concessions, etc., and
- (c) the reconciliatory institutions, such as industrial councils, wage boards, rent boards, etc.

#### 4.1.5.3 Participator role

As a participator the government produces goods and provide services in competition with private endeavours. It does this through:-

- (a) financial institutions such as the reserve bank, development banks, etc.;

(b) entrepreneurial institutions; and

(c) consumer institutions where government institutions are large consumers of goods and services, such as, the government garage, public works departments, etc.

As a participator in the economy the government does also produce goods and provide services at regional government and local government levels. Therefore, it is not surprising that the office of the Chief Executive Officer is very involved with the running of the joint services boards which effect savings through bulk service provision, and which generate revenue through rate charges - all in an effort to promote the economy at the local government level in this Kwa-Zulu/Natal region.

#### 4.2 Economic theories

Economic theories range between the communistic views on one hand, and the capitalistic persuasions on the other hand - the former upholding nationalisation by which to vest all economic decisions on the government, and the latter upholding privatisation and denationalisation by which to leave economic activities entirely in the hands of the market forces (Fourie 1991:8). The latter

theories are important to this study because changes in the economic environment have made economists of the capitalistic persuasion realise and accept the need for government involvement in economy.

It was Adam Smith, the father of modern capitalism, who advocated that, save for its basic functions, the government should not interfere with the economy (Fourie 1991:3). He listed the basic functions to be: defence against foreign aggression, protection of life and property, public works, roads, schools, and adjudication (Fourie 1991:3). The realisation and acceptance of these basic functions was re-inforced by the following two factors:-

- (a) that in the market economy, as in government services, the ultimate resource allocational objective is the attainment of maximum social welfare; and
- (b) that the market system is not always an appropriate mechanism for resource allocation, seeing that it has the inclination of making the rich to be richer and the poor to be poorer - a situation which is totally opposed to the maximum social welfare, that the market forces should always be promoting.



Therefore, "partial market failure in allocative efforts leads to an acceptance of governmental allocational intervention, despite a market-oriented culture" (Herbert 1983:51). In this acceptance, one experiences various approaches. Hereunder, five of these many approaches are discussed against the JEA background. These are: absolute/relative unanimity; political interaction costs of democratic voting; hypothesis of increasing governmental activity; displacement, inspection and concentration effects; and welfare economics.

#### 4.2.1 Absolute and relative unanimity

This approach is advanced by a Swedish Economist - Knut Wicksell (Herbert 1983:52). As a bottom line, Wicksell regarded the political process as extremely important to the attainment of an efficient societal allocation of resources. He pinpoints the problem in the method used to identify and cater for individual preferences for economic goods. The most commonly used method of the majority vote is according to Wicksell unsatisfactory. By using this method, for example, "a minority of fifty percent minus one of the citizens may be obliged to help pay for a public - type economic good with their taxes, even though they do not desire the allocation of the

good. Such costs to the "political losers" of a majority voting decision are referred to as voter externality costs (Herbert 1983:52).

To underline the grievous effect of these voter externality costs to this country's economy, the incoming JEA chairman highlighted the following list of what he termed the "central government debacles - the education crisis, the rubicon speech, white elephants such as MossGas, the abortive decentralisation programme, the nuclear energy programme, the scale of military spending...", all of which did not stem from consensus among individuals and peoples of this country (Mdlalose 1992:6). However, serious as the voter externality costs are, the potential voter externalities continually decline as the percentage required to approve a political decision increases.

To finally eliminate them Wicksell suggests the absolute unanimity, in which every voter votes yes before the motion could be carried. In this absolute unanimity solution no individual can be forced to pay for unwanted economic goods (Herbert 1983: 52).

This is the prescribed and practised JEA approach. As mentioned earlier in chapter 3, JEA policy decisions on all matters including economic issues are only carried on

consensus.

Consensus is not always easy to achieve. Realising this hurdle, Wicksell provided an alternative - the relative unanimity. This next best solution refers to qualified majority voting, where a majority of, say, two thirds, three fourths, four fifths, or five sixths are required for the approval of a budget policy. However, such a solution works against the well-being of some of the voters, and it is neither prescribed for nor practised in the JEA business.

#### 4.2.2 Political interaction costs of democratic voting

This approach of Messrs. James M Buchanan and Gordon Tullock provided additional input to the above Wicksell approach (Herbert 1983:55). Like Wicksell, these two theorists accepted in principle the need for the involvement of a democratic political system in economic issues. They confirmed Wicksell's findings on the voter externality costs and concluded that these costs form just one component of costs. Another component is that of decision-making costs.

A decision-making cost refers to the bargaining cost required to reach an agreement. Included in these costs are real resource costs and opportunity costs. The real

resource costs are in terms of direct labour, material and capital outlay. The opportunity cost considerations include the value of time spent in bargaining (Herbert 1983:55).

With regard to the JEA the real resource costs are kept very low. This is made possible by a number of factors. For example, there is no capital outlay in view of the fact that both NPA and Kwa-Zulu have placed at the disposal of the JEA their facilities to use free of charge. Items, like the subsistence and travelling allowance for members of the JEA are borne by the members' respective Departments in NPA and Kwa-Zulu. Direct labour and material required for the JEA meetings come in a package form with the facilities placed at the disposal of the JEA. Labour and material costs involved in secretarial work are the only real resource costs drawn from the Joint Revenue Fund.

The opportunity cost considerations are also kept at a low ebb. This is made possible by the spacing of JEA meetings to one meeting a month. Even at these meetings full attendance is composed of only ten members which is a very reasonable figure of participants to quickly reach consensus. Herbert (1983:55) warns that the opportunity costs may be expected to increase as the proportion of the voting group required to approve a decision can

become larger than this number.

In between these monthly meetings, standing and advisory committees are engaged to do most of the necessary spadework to allow the JEA monthly meetings to dispose only of committee recommendations and other complex business (Dube 1991:interview). All these organisational arrangements help to cut down on JEA business hours, thus maintaining the opportunity costs at a low ebb.

#### 4.2.3 Hypothesis on increased government spending

Adolph Wagner, a famous German political economist who lived between 1835 and 1917, presented yet another approach (Herbert 1983:323). Even with this approach the bottom line is that the government must be involved in economic decision-making. He hypothesised that "a functional cause-and-effect relationship exists between the growth of an industrial economy and the relative growth of its public sector" (Herbert 1983:323).

For example, around the city of Durban an industrial economy is steadily developing in shack towns like Malukazi, Inanda, Richmond Farm, etc. As a testimony to this hypothesis, the authorities of these areas where these shack settlements are mushrooming are moving in to provide goods and services. The JEA was one of the

government institutions which participated in the zoning of the Durban Functional Area with these shack towns as part of the area to be serviced and to be flooded with governmental activities in upgrading the standard of living of the shack dwellers. This has increased the involvement of the public sector proportionally with the total economic activity in these areas (Herbert 1983:323).

#### 4.2.4 Displacement, inspection and concentration effects

The above-mentioned effects, advanced by Allan Peacock and Jack Wiseman, are separate and related (Herbert 1983:330). The displacement effect happens after a social crisis. Usually during the social crisis taxes are raised to cope with the crisis situation. At the same time there emerges a new level of tax tolerance in people which makes them willing to support a higher level of public expenditure. When the social crisis is over, the new levels of tax tolerance are maintained and the government capitalises on them when keeping the taxes at that high level originally intended for the crisis period. Therefore, "a permanent public sector displacement takes place for a portion of society's economic resources which had been allocated previously through the private sector" (Herbert 1983:330).

In the JEA situation, the joint services boards demonstrate this displacement effect. At present, these boards have a backlog of developing under-developed villages and towns. By doing so these public sector bodies channel the society's economic resources to where the need is greatest when prior to their establishment the development of towns was at the initiative of the private sector.

The inspection effect occurs when the government expands into new areas of economic activity. "Some of these new areas may have been provided formerly by the private sector, while others may be the result of technology advancement which allows new goods to exist which have no previous allocation history" (Herbert 1983 : 330). A classical examples is in the political disturbances found in Natal and Kwa-Zulu areas which force NPA, Kwa-Zulu and JEA to seek solutions to important problems such as housing shortage, unemployment, etc., which previously had been neglected. This is referred to as an inspection effect.

The concentration effect supports Wagner's hypothesis that governmental economic activity tends to increase proportionally to the total economic activities as a result of urbanisation or industrialisation.

#### 4.2.5 Welfare economics

Welfare economics is a theory concerned with the social desirability of alternative economic states (Herbert 1983:331). It distinguishes various circumstances under which markets can be expected to perform well from those circumstances under which markets will fail to produce results. These alternatives provide the basis for most of the normative work in public finance, and the office of the Chief Executive Officer can only ignore them at its peril.

The influence of the welfare economics on the JEA is evident in its strong preference for the free enterprise system of economy and its complete opposition to the economic system of nationalisation (Dube 1991:interview).

To conclude discussion on the theories it must be emphasised that the whole point of theory building is to simplify as much as possible, in order to reduce problems in financing to their essentials. These problems are normally experienced in both the public expenditure and the revenue.



## 5 THEORIES FOR STAFFING

In the specialised field of personnel administration the concern is with the human effectiveness in the rendering of public goods and services. There are several theories on human effectiveness found to have a bearing on the public institution's output. These theories are "based at least in part on attempts by behavioural scientists to observe, measure, and interpret human behaviour" (Scott-Myers 1981:1).

Progressive public institutions use these theories as springboards for action and change. They explain human effectiveness in an institution from various angles, such as:-

- \* manager's style of leadership,
- \* authority or powerbase,
- \* institution's internal relationships,
- \* individual's psychological development, and
- \* motivation (Scott-Myers 1981:1).

### 5.1 Manager's style of leadership

From this angle, there are theories of, inter alia, Blake and Mouton; Hall O'leary and Williams; and Likert (Scott-Myers 1981 :3). The model advanced by these theories is the managerial grid model presented in Figure 3.

Figure 3

MANAGERIAL GRID MODEL (Scott-Myers  
1981:3)

9									
8	1.9				9.9				
7	Human factor				Team				
6									
5									
4									
3	Laisefare				Task				
2	1.1				9.1				
1									
	1	2	3	4	5	6	7	8	9

In the 1.1 management style workers are left on their own to work as they please. In the 1.9 management style the emphasis is on the human factor. The work must be adapted to people as workers. In the 5.5 management style a compromise is struck between productivity and personal needs of workers. In the 9.1 management style emphasis is on tasks even at the expense of the welfare of workers. In 9.9 management style both productivity and the welfare of workers are emphasised. The JEA managerial grid will unfold as this public institution takes over assigned and authorized powers, duties and functions. At present it is too early to tell.

#### 5.1.1 Robert Blake and Jane Mouton

These two social scientists advanced the managerial grid theory which is discussed in page 59 above (Scott-Myers 1981:3). As pointed out earlier, the human effectiveness in an institution, according to the managerial grid theory, can be explained and predicted by studying and understanding the manager's style of leading and directing in terms of two co-ordinates of a grid, numbered 1 to 9. On the ordinate the grid shows the manager's concern for his/her work-force. On the abscissa the grid shows the manager's concern for production.

The ideal combination is the high concern for both people and productivity. Therefore, using this theoretical framework it is possible to identify the manager's short comings - be these in the area of handling other people or skills for producing goods - and expose him/her to the required training. It is expected that after training change towards the ideal will be evident.

#### 5.1.2 Jay Hall, Vincent O'leary and Martha Williams

These three social scientists explain and predict the group effectiveness in terms of the public manager's concern for decision on adequacy and his/her concern for

commitment of employees to the decision (Scott-Myers 1981:4). A grid is also used in this theory to plot the mix of the public manager's concern. His/her concern with commitment is plotted on the ordinate, and, on the abscissa, the concern with decision adequacy. Out of this mix various kinds of decisions, having varied effects on the effectiveness of employee groups, can be observed.

#### 5.1.2.1 Majority decision

At a 5,5 mix a public manager uses majority decision-making as a vehicle for group effectiveness. Majority rule is traditional decision-making which often presumes that the pursuit of high commitment is incompatible with decision excellence requiring bargaining and compromise (Scott-Myers 1981:3). However, if majority decision making is used as the only management style, the public manager runs the risk of causing the marginalised minority in the group to undermine the effectiveness of the group. It need not be emphasised that the commitment of every group member to a decision is vital.

#### 5.1.2.2 Good-neighbour decision

At a 1,9 mix the public manager manages a homogeneous

group where the threshing out of decisions is hardly thorough but the commitment is very high (Scott-Myers 1981:3). Using this management style of good-neighbour decision-making at all times, can lead the group in the pursuit of crude decisions which can affect its effectiveness negatively.

#### 5.1.2.3 Leader - knows - best decision

At a 9,1 mix the public manager makes decisions alone and his work-force carries them out (Scott-Myers 1981:3). Being the sole management style, the leader - knows - best decision approach is characterised by very low member commitment to tailor - made decisions, and this usually leads to very low group morale.

#### 5.1.2.4 Acquiescence - to - a - default decision

At a 1,1 mix decisions are inadequate and there is very little commitment to them (Scott-Myers 1981:3). A public manager who thrives on this management style runs the risk of managing an ineffective group.

#### 5.1.2.5 Ideal decision

At a 9,9 mix the public manager manages on the assumption that better decisions can be reached when all resources

available in the group are pooled and utilized (Scott-Myers 1981:3). Here the public manager thrives due to both high commitment and best decisions.

This theory on group effectiveness helps to identify the short comings of the public manager by the way decisions are taken in the group. Knowing the shortfalls makes it possible to expose the public manager to the appropriate training or to re-organise the group structures in such a way as to allow for change in group effectiveness to take place.

### 5.1.3 Rensis Likert

Rensis Likert identified four types of manager's styles of leadership.

First, there is the exploitive - authoritative management with the following characteristics:

- \* It thrives on negative motivation, such as, fear where threats are used to get the work done.
- \* Top management makes all decisions.
- \* Strict control and authority is exercised over all workers.
- \* Only downward communication is used (Scott-Myers 1981:3).

Second, there is the goodwill - authoritative management.

It has the following characteristics:

- \* The negative motivaton is coupled with reward.
- \* Top management makes the most decisions and middle management makes the least decisions.
- \* Communication is still mainly downwards.
- \* Very little confidence is placed in subordinates but good ideas of workers are sometimes used (Scott-Myers 1981:3).

Third, there is the consultative management where:

- \* rewards serve as motivators together with limited instances of punishment;
- \* decisions on broader policy issues are vested on top management while workers can make suggestions pertaining to other decisions;
- \* both upward and downward communication is practised; and
- \* a reasonable amount of confidence in workers is shown by management (Scott-Myers 1981:3).

Fourth, There is the participative management which is regarded by Likert as the ideal (Scott-Myers 1981:3). In participative management:

- \* the group is the nucleus and for that reason group incentives are used for motivation;
- \* decisions are made at all levels;

- \* work control occurs at all levels;
- \* communication is downwards, upwards and also horizontal; and
- \* there is mutual trust between management and workers and also amongst workers (Scott-Myers 1981:4).

The size of the Secretariat office and the manner in which informal communication is promoted within the office makes it conducive for participative management.

## 5.2 Authority or power base

According to John Pare' the source of authority or power is a key factor in limiting or promoting human effectiveness (Scott-Myers 1981:4). In his theory, this social scientist identifies four power bases.

### 5.2.1 Boss power

This power is derived from the authority presumed to be associated with the level or status or post in the institution (Scott-Myers 1981:4). For example, the top manager has authority over senior, middle and junior managers, and managers in general have authority over workers - the traditional expression of "management's prerogative". Boss power can be abused by public



managers and thus affect negatively the human effectiveness in an institution. Used appropriately, however, it can inspire workers in a positive way.

#### 5.2.2 System power

The system power represents the networks of bureaucratic dos and don'ts (Scott-Myers 1981:4). It is expressed through controls imposed by management systems and procedures. In system power the public manager has very little influence to exert. If change is sought, it is these networks of bureaucratic restrictions which must be studied and reviewed.

#### 5.2.3 Peer power

The peer power is derived from a peer group. It is the influence of associates springing largely from affiliation needs which may stress goals and needs of the group over individual needs of members and over the goals of the institution (Scott-Myers 1981:4). To bring about change to human effectiveness it is necessary for these goals and needs to surface and be acknowledged and harmonised.

#### 5.2.4 Goal power

In goal power the public manager and the institution provide attractive and meaningful goals which offer opportunity for simultaneously satisfying individual and institutional needs (Scotts-Myers 1981:5). Therefore, to remain attractive and meaningful to workers, institutional goals need to be kept abreast with changes inside and outside the institutions to remain attractive and meaningful to workers.

This concludes the example of theories which explain and predict on the basis of power. The following set of theories explain and predict in terms of the institution's internal network of relationships.

### 5.3 Internal network of relationships

The theories of Chris Argyris and Warren Bennis belong to this category.

#### 5.3.1 Chris Argyris

According to the theory advanced by Chris Argyris interpersonal and technical competence, as well as internal commitment, are key ingredients of human effectiveness in an institution (Scott-Myers 1981:4).

They are fostered by "authentic relationships, high but realistic expectations, meaningful work, freedom to act, accountability, and goal - oriented team action". (Scott-Myers 1981:4). In other words, these relationships and measures of control can be manipulated to create a conducive climate for human effectiveness.

#### 5.3.2 Warren Bennis

Warren Bennis uses governing systems to explain and predict human effectiveness in a public institution. According to his theory, bureaucracy tends to stifle initiative "through its enmeshing network of complex, inflexible and restrictive rules and systems." (Scott-Myers 1981:5).

On the other hand, democracy, is inevitable in an institution that is heading for success in its operations, because the workforce gets an opportunity to give expression to individual talents in defining and achieving synergistic institutional - personal goals "in a climate of goal-oriented supervision and adaptive and flexible systems" (Scott-Myers 1981:5).

This concludes examples of theories which explain and predict human effectiveness on the basis of relationships. The following set of theories are based

on the individual's psychological development.

#### 5.4 Psychological development

Examples of theories that explain and predict on the basis of the psychological make up of an individual are theories of Fromm and Glasser (Scott-Myers 1981:5).

##### 5.4.1 Ability to cope with freedom

Erich Fromm describes man's effectiveness on the basis of his ability to cope with freedom. If, on maturity, a person is granted freedom, respect and responsibility commensurate with his ability to handle it, "he can emerge as a self-reliant, spontaneous, and responsible individual". (Scott-Myers 1981:5).

However, a person who is conditioned to dependency and who also has learned to associate security, love and acceptance with the use of authority is unable to cope constructively with authority and autonomy. He finds freedom after leaving home frightening and seeks substitute apron strings by being attracted to patterns of conformity, manipulation and even destructiveness.

#### 5.4.2 Reality therapy

William Glasser is the author of the reality therapy (Scott-Myers 1981:5). He defines human effectiveness as a function of being able to become involved with others in responsible relationships and through this involvement to learn to cope effectively with reality. According to this theory, in a work environment which allows for the use of individual talents and which fosters accountability for conduct, persons tend to develop patterns of responsible behaviour. Irresponsible social, authority and work relationships bring about maladjustment which is a manifestation of escape from reality.

Unlike the traditional psychoanalytic theory, this theory does not require the probing of the sub-conscious past to help a person adjust to the present reality (Scott-Myers 1981:5). Instead, through responsible role relationships that do not deprive others of need fulfillment, this theory helps the person face reality and accept responsibility for satisfying his needs.

This concludes examples of theories that explain and predict human effectiveness in an institution on the basis of the psychological make-up of an individual. The following set of theories base their explanation and

prediction on motivation.

## 5.5 Motivation theories

Motivation implies that a person has an inner driving force to achieve some pre-determined goal and that externally there is an attraction which activates the inner driving force and result in a motivated action (Andrews 1991:16).

Prevailing theories of motivation include Maslow's needs hierarchy theory; McGregor's theory X and theory Y, Herzberg's satisfiers and dissatisfiers theory; McClelland's achievement theory, and Vroom's expectancy theory.

### 5.5.1 Abram Maslow's hierarchy theory

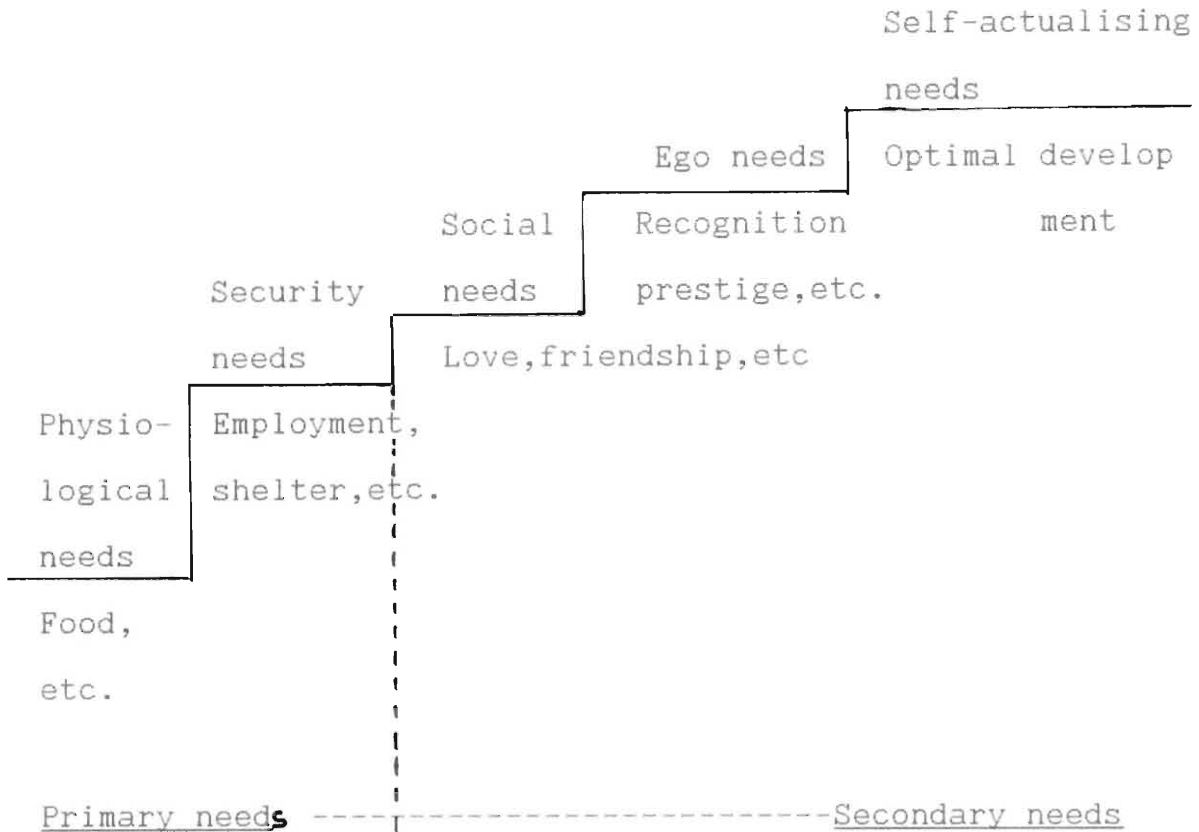
Maslow had the view that motivation provides a will to do or a reason to exert some effort, meaning that motivation springs forth from individual needs, wants and drives (Joubert et al 1991:344). According to this theory motive resides in the satisfying of human needs.

These needs range in value from physiological needs to the need for self-actualisation. See Figure 4.

In other words, they range in value from the basic primary needs to secondary needs. In this arrangement needs at the bottom rungs should be satisfied first before attempts are made to satisfy those at the top rungs.

Figure 4

MASLOW'S HIERARCHY OF NEEDS (Joubert et al 1991:345)



Save for the self-actualisation needs, which are growth motives, all others in Figure 4 above are deficiency motives (Joubert et al 1991:345). As such, they are pursued because public officials need something. Once the needs of specific levels are satisfied the motivation to pursue or dwell in those levels expires and a new

motivation to satisfy needs of the next higher rungs develops (Andrews 1991 :16).

Therefore, unsatisfied needs tend to overrule the behaviour of workers. Satisfied needs lose their motivational power. Consequently, opportunities should, according to this theory, be given to workers to realise their full potential, and care be taken not to utilise them at saturation point. Regression as a result of external and internal changes is also possible according to this theory (Andrews 1991 :17).

#### 5.5.2 Douglas McGregor's theory X and theory Y

Douglas McGregor advanced the X - Y theories (Andrews 1991:17). The basic assumptions in theory Y are that:

- \* an average worker likes to work;
- \* external control and threats are not the only mechanisms for attaining maximum production in workers; and
- \* workers are bent to satisfy their higher order needs such as attaining, acknowledgement, status, etc.

Theory Y views management as a process designed primarily to create opportunities, release potential, remove



obstacles, encourage growth and provide guidance (Andrew 1991:17). With this perspective a public manager, would make him/her to manage by setting goals and not solely by the use of authority and controls.

"According to this theory, while motivation is predictable, the accuracy of the prediction hinges upon the correctness of the underlying theoretical assumption concerning the motives of employees" (Andrews 1991:17).

The basic assumptions in theory X are that:

- \* worker dislikes work and will avoid it whenever he can;
- \* because of this inclination, he must be forced with threats and strict supervision to render work of a satisfactory standard; and
- \* worker actually wants to be led and he avoids responsibility (Andrews 1991 :17).

Theory X argues that if workers are lazy, uncreative, unco-operative, unwilling to take responsibility and indifferent, the cause is with management methods of organising work and of motivating employees. Workers, according to this theory, will exercise self-direction and self-control in the achievement of the goals of the institution, if, and to the extent, they commit themselves to the said goals (Andrews 1991:17).

### 5.5.3 Herzberg's satisfiers and dissatisfiers theory

Frederich Herzberg advanced two sets of factors that activate workers to work, namely: hygiene factors and motivators (Andrews 1991:17).

Hygiene factors are situated outside the worker. Examples are salary, service benefits, conditions of service, supervision, training, security, interpersonal relations and status. Their absence, although they do not necessarily motivate the worker, cause discontent in the worker.

Motivators are situated in the work a worker has to do. For example, workers want to receive acknowledgement of work well done. They want to be given responsibility.

These hygiene factors and motivators are distinguishable but cannot be separated, because when the hygiene factors are lacking the climate needed to make the motivators successful is also lacking (Andrews 1991:17).

### 5.5.4 David McClelland's achievement theory

David McClelland develops the achievement motive. He argues that, save for only two innate motives, all other motives are learned or acquired. The innate motives are:

(i) to strive for pleasure; and (ii) to seek to avoid pain (Andrews 1991:18).

Striving for pleasure is at the one end of the continuum and seeking to avoid pain at the other end. "The intensity and persistency of motive throughout the life of an individual depends upon the absolute frequency with which the pain or pleasure occurs, the generality of the association and ease with which the satisfaction of one's motives may be obtained, the intensity of the pain or pleasure at the time the association is formed and the age at which it is formed" (Andrews 1991:18).

Therefore, the most persistent motives are likely to be acquired in early childhood.

The satisfaction derived from experiencing pleasure and avoiding pain, has intensified the desire for achievement in people. This "achievement motivation has been the cause of managerial accomplishment and development to a greater extent than any other motive" (Andrews 1991:18).

#### 5.5.5. Victor Vroom's expectancy theory

Victor Vroom bases his theory upon the assumption that:-

- \* all employees have specific job expectations,
- \* employees expect to be rewarded, and

\* expectancy is based on

- attractiveness of the end-result,
- valance,
- connection between reward and action, and
- connection between effectivity and exertion.

Therefore, according to the expectancy theory, if a person sees that his efforts will lead to the accomplishment of a task and that it will lead to an important outcome, such as satisfying a need for status or recognition, motivation will take place.

## 6 THEORIES FOR DETERMINING PROCEDURES

The International Labour Office (1986:34) and other writers like Barnes (1980:6) and Andrews (1982:24) regard the workstudy as a theoretical base for determining procedures. They suggest four techniques for this theory, namely: method study, standardising procedures, work measurements and training of personnel. These techniques are discussed at length in Chapter Seven.

## 7 THEORIES FOR CONTROL

An element of control is evident in all theories discussed above. Therefore, it is not necessary to repeat the discussion here.

## 8 THEORY APPLICATION

That most of these theories on human effectiveness need to be translated into application by any dynamic institution, such as the JEA, is self-evident. The usual argument by public managers that they concern themselves with practice application which leaves little time or energy for theorising does not hold water because everytime these busy managers work on a project, they reason it out first. However, for them to apply theory in a scientific manner they must have developed to a certain level of preparedness.

### 8.1 Awareness phase

The development to this phase emanates from tertiary education, technical and professional training, in-service training, attendance at management seminars and conferences, on the job training, reading widely on the subject of public management, and other exposures. Therefore, many public managers reach this first stage long before they occupy management positions.

### 8.2 Stage of understanding

The understanding of the connection between a particular management style, or stance, or technique, or model and

management results takes place at this second stage. In other words, it is during this phase that public managers in general begin to apply a management theory.

### 8.3 Commitment level

At the above second level the intellectual conditioning experience takes place in preparing public managers for commitment to a management theory of the choice of the institution they work for, or, if the choice is open, management theories of their own choice. This commitment becomes evident in the library material the public managers keep in their offices as reference sources; their extensive reading about a particular management theory; and their consistent attempts to apply their knowledge gained in their work situations.

### 8.4 Stage of new habits

This extensive reading, this consistent application of, and a developing interest in a particular management theory add up to the development of new habits in public managers. They, then, change their approach towards the management of workers and the general handling of personnel affairs. These changes in the behaviour of public managers towards improved human effectiveness in an institution, are linked with the overall strategy for a way forward.

## CHAPTER THREE

## LEGISLATIVE MEASURES AND POLICY PRESCRIPTIONS

## 1 INTRODUCTION

The legislative measures and other forms of policy prescriptions constitute policy and policy-making (Anderson 1984 : 3). To analyse them in the JEA set-up means being engaged in the exercise of JEA policy analysis which has three basic concerns, namely:

- \* to explain JEA policy rather than prescribe "proper" JEA policy;
- \* to vigorously search by means of social scientific methodology for causes and consequences of the JEA policy; and
- \* to apply theories concerning public policies to the JEA policy-making (Anderson 1984 : 7).

In general, the policy displays many facets which can be subjected to policy analysis. However, for purposes of this study only three policy aspects are selected for analysis. These are:

- \* process of policy-making in as far as it led to the establishment of the JEA;
- \* types of JEA policies; and
- \* JEA policy levels.

The JEA at any given time is a legal part of two separate regional governments. Therefore prior to analysis of the above policy aspect it is necessary to give a brief review of the statutory measures that precipitated the need for a joint authority. These statutory measures control the daily operations of the JEA. For purposes of this discussion only two of these statutory measures are

reviewed, namely:-

- \* apartheid measures; and
- \* constitutional framework.

## 2 APARTHEID AS A BASE FOR JEA

The use of separation as the base for relationship between various races and ethnic groups in social, economic and political spheres dates back to 1652 which is the year of the arrival of the first settlers in this country (Vosloo et al 1974:3). That was long before 1948 which is the first year of the apartheid era.

However, it was only from 1948 when the National Party came to power that the government embarked on a policy programme which was "directed towards the systematic disentanglement of the various non-White racial and ethnic groups from the social, economic and political structures of the Whites..." (Vosloo et al 1974:3).

During the Nationalist Government various laws were passed by Parliament to give effect to this comprehensive policy of apartheid. For purposes of this study the first two Acts cited below were enacted before 1948 to confirm that separation was the "in-thing" long before the Nationalist Government, and the last two Acts cited are some of these apartheid laws. They are:

- \* Land Act, 1913 (Act 27 of 1913);
- \* Electoral Consolidation Act, 1946 (Act 46 of 1946);
- \* Population Registration Act, 1950 (Act 30 of 1950); and
- \* Group Areas Act, 1966 (Act 36 of 1966).

### 2.1 Land Act, 1913 (Act 27 of 1913)

The Land Act, 1913 (Act 27 of 1913), as amended, set aside land for exclusive use by specific races and ethnic



groups (Act 27 of 1913). On the basis of this land allocation, the Natal Province and the Kwa-Zulu self-governing region became two separate Authorities on 30th March 1972 (Proclamation No. R70,1972:332). Unfortunately this separation was not a simple mathematical formula which could separate Blacks from Whites in this Region E. Other Blacks lived and are still living on Natal soil. There are also Coloureds and Indians who live permanently in Natal.

Eventually the government settled for the programme of allocating land at two levels. There is the regional level at which Natal land is consolidated into the self-governing region of Kwa-Zulu. There is also the local level where residential areas in each town or city are demarcated according to race and ethnic groups.

For these pockets of land to develop systematically and simultaneously, they lacked a unifying mechanism. As such, the land allocated to the Whites developed faster and the land allocated to the other race groups, particularly the Blacks, lagged behind. The situation deteriorated to the extent that, of late, developed White areas are surrounded by shack towns.

Consequently an administrative need for co-operation and closer liaison between NPA/Kwa-Zulu and amongst local authorities to address the shack and other common problems is evident. This is where the JEA through its Joint Services Boards becomes just the right answer as long as apartheid persists.

## 2.2 Electoral Consolidation Act, 1946 ( Act 46 of 1946)

Section 3 of the Electoral Consolidation Act, 1946 (Act 46 of 1946), limits the franchise to every White person who is of, and over, 18 years, and who is not subjected

to disqualifications (Act 46 of 1946). Consequently, until recently when Indians and Coloureds were also authorised to vote nationally, it was only the Whites who participated in the central and provincial decision-making processes.

The Blacks are excluded. If they are Kwa-Zulu citizens they participate in the Kwa-Zulu decision-making process which has limited powers (Act 21 of 1971). There is no provisions for Blacks who live permanently in Natal with no citizenship affiliation to any homeland and, as such, this category of Blacks is totally excluded from participating even at regional political decision-making processes.

This lack of vote on matters which directly affect the Black people is seen at certain quarters as one of the main causes for the country's wide-scale political unrest. Therefore, as long as this Act is in place, the JEA remains an important instrument through its Joint Services Boards, in giving all the people of Natal and Kwa-Zulu self-governing region some participation in matters that affect them directly.

### 2.3 Population Registration Act, 1950 (Act 30 of 1950)

The Population Registration Act, 1950 (Act 30 of 1950), recently repealed, provided for separate registration of groups according to race in the Population Register (Act 30 Of 1950). The impact of this separate registration spilled over onto other various public policies and social activities.

For example, in the determination of the custody of children, until recently, Section 40(b) of the Child Care Act, 1983 (Act 74 of 1983) provided that a child shall not be placed in or transferred to the custody of any

person whose classification in terms of the Population Registration Act, 1950 (Act 30 of 1950) is not the same as that of the child, except where such person is the parent or guardian of the child (Act 74 of 1983). Invariably, this policy provision interfered with the natural course of social events.

It completely ruled out trans-racial foster placements, private places of safety across racial lines, and trans-racial adoptions which are now taking place between, on one hand, White families, or Indian families, or Coloured families of goodwill and means, and, on the other hand, Black children in need of care.

Whereas individually Kwa-Zulu and NPA could not attend effectively to these spill-over effects of this Act, the JEA could. It continually studied both Kwa-Zulu and NPA policy prescriptions and legislation and finally succeeded in bringing about uniformity in this Region E on this regard.

#### 2.4 Group Areas Act, 1966 (Act 36 of 1966)

The Group Areas Act, 1966 (Act 36 of 1966) consolidates the law relating to the development of certain areas within the framework of separate development where ownership and occupation of land by certain race or ethnic groups was prescribed (Act 3 of 1966).

As a result, certain towns were developed for exclusive occupation by either Whites, or Indians, or Coloureds, or specific Black ethnic groups. Even towns and townships that existed before 1966 were re-designed to fall in with the provisions of the Group Areas Act. In many cases, such re-designations resulted to forced removals.

When self-governing regions were introduced, this led to the excising of Black townships that were previously part of cities in White areas providing accommodation for city workers. For example, in Natal, the Madadeni township which was previously part of Newcastle became part of the Kwa-Zulu self-governing region. Kwa-Mashu and Umlazi in Durban, Kwa-Makhutha in Amanzimtoti, Magabheni in Umkomaas, Gamalakhe in Port Shepstone, Gezinsila in Eshowe, Nseleni and Ngwelezana in Empangeni, and many others were cut off from their towns and cities to be part of the self-governing region of Kwa-Zulu mainly because of the Group Areas Act.

Luckily, these policy changes of removing Black townships from the White structures were not implemented to their fullest extent in that people continued to work every day in these towns and cities whilst living in their homes in the self-governing region of Kwa-Zulu. Border posts were not introduced. Nonetheless, these policy changes brought about certain hardships. For example, they made it increasingly difficult for employers with a social conscience to plough back a certain percentage of their profits for the betterment of their employees' communities in the Kwa-Zulu townships (Dube 1991:interview).

Save for the JEA which through its Joint Services Boards can re-channel employers' contributions to improve the quality of life in deprived communities, both NPA and Kwa-Zulu are restrained by the Group Areas Act. In other words, it was these inadequacies of the comprehensive policies of apartheid which heightened the awareness in both NPA and Kwa-Zulu that, to promote community welfare effectively in Region E, it was necessary to review the constitutional framework to bring about a new dimension of the JEA.

### 3 CONSTITUTIONAL FRAMEWORK.

The constitutional framework of the JEA lies in the undermentioned Acts.

- \* Republic of S.A. Constitution Act, 1983 (Act 110 of 1983);
- \* Provincial Government Act, 1986 (Act 69 of 1986);
- \* National States Constitution Act, 1971 (Act 21 of 1971); and
- \* Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986), as amended.

The first three mentioned Acts form the foundation for the last mentioned Act.

#### 3.1. Republic of South Africa Constitution Act, 1983 (Act 110 of 1983)

This constitutional legislation provides for Whites, Indians and Coloureds, in respective Houses of Parliament, to participate in political decision-making at central and provincial levels (Act 110 of 1983). It relegates Blacks in White areas to provincial administrations where they do not participate in the political decision-making process nationally (Act 110 of 1983). The provinces are made the responsibility of the General Affairs Department of Local Government and National Housing (Minister's inaugural speech 1987).

As a constitutional framework for the JEA this Act limits the influence of this body in Natal and the self-governing region of Kwa-Zulu to the administration of Black Affairs and matters for General Affairs.

#### 3.2 Provincial Government Act, 1986 (Act 69 of 1986)

This constitutional Act abolished the provincial councils (Act 69 of 1986). This left NPA without a legislature.

As such, NPA is simply an administrative arm of the Central Government. Policy decisions which were previously finalized at provincial level, are now recommended for approval by the Central Government.

As a constitutional framework for the JEA this Act extends the JEA to be a legal part of the Central Government. For instance, where the Chief Executive Officer of the JEA would otherwise account to the Natal Provincial Council, now he accounts to Parliament.

### 3.3 National States Constitution Act, 1971 (Act 21 of 1971)

In spite of the withdrawal of the provincial councils by the 1986 Act, the Legislative Assemblies established in terms of the National States Constitution Act 1971 (Act 21 of 1971) remain in place. This results in unequal policy powers between NPA and Kwa-Zulu although both are regional governments. Kwa-Zulu retains its autonomy.

As a constitutional framework for the JEA this Act makes the JEA a part of Kwa-Zulu which accounts to the Kwa-Zulu Legislative Assembly whereas the NPA accounts to Parliament.

It is clear that these three abovementioned constitutional Acts replace what was, prior to 1972, a single regional administration in this Region E with five decentralized administrations, namely:


- \* House of Assembly Regional Offices;
- \* House of Delegates Regional Offices;
- \* House of Representatives Regional Offices;
- \* NPA; and
- \* Kwa-Zulu.

The collective impact of these Acts on the JEA activities is such that this body should only influence NPA and Kwa-Zulu. At best, it can only hope to influence the other three own affairs regional Offices, indirectly.

### 3.4 Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986)

The objectives of this Act are stated as follows:-

" To provide for the joint and co-ordinated exercise of powers and performance of functions by the Government of Kwa-Zulu and the province of Natal, for the establishment for this purpose of a joint executive authority, and for incidental matters" (Act 80 of 1986).




This provision for the joint and co-ordinated exercise of powers and performance of functions in Region E excludes the own affairs matters listed in schedule 1 of the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983). Section 14 of the 1986 Act states that it is not possible to assign any own affairs powers, duties and functions to the JEA (Cuff 1986:30). In this regard it is important to remember that:

- \* the Provincial Government is a general affairs structure,
- \* the Black affairs are classified as general affairs, and
- \* all provincial functions are and remain general affairs until proclaimed own affairs and thereafter assigned to the relevant own affairs Ministers.

Technically, therefore, in Natal the affairs of Whites, Indians and Coloureds are not affected by this co-ordination of NPA and Kwa-Zulu through the JEA. However, according to systems theory, which projects the three

own affairs administrations, NPA and Kwa-Zulu as sub-systems of the Central Government which continuously interact with one another, and, in which a change in one of them results in corresponding changes in other sub-systems, the JEA activities influence and are influenced by activities of the three own affairs administrations.

The classical example of the truth in this systems theory is evident in the amendment of Section 41 (b) of the Kwa-Zulu Child Care Act, 1987 (Act 14 of 1987) to provide for the custody of children in the Kwa-Zulu self-governing region to be effected regardless of race. This was done through the Kwa-Zulu Child Care Amendment Act, 1990 (Act 10 of 1990) and it meant that Black children in Natal with their counter-parts in the other three race groups were now at a disadvantage because the Child Care Act, 1983 (Act 74 of 1983) still limited custody of children to families of similar race. In 1991 the Central Government, through the JEA recommendations for uniformity in NPA and Kwa-Zulu, passed the Child Care Amendment Act, 1991 (Act 86 of 1991) which brought about uniformity for all race groups in the care of children (Dube 1991:interview).



Further, in providing for the joint and co-ordinated exercise of powers and performance of functions, it should be born in mind that the JEA is an executive body which must carry out Acts of Parliament, Kwa-Zulu Acts, Natal Ordinances, Proclamations and so forth. It is not competent to pass legislative acts and is limited to executive functions.

Sections 2, 3, 4 and 5 provide for the drawing up of a set of rules. The establishment of the JEA is structured by these rules. They are contained in Proclamation No.119 of 1987. They cover mainly issues that are listed in Section 5 (Act 80 of 1986).



Section 5 (2) requires that the JEA should consist of equal numbers of representatives from NPA and Kwa-Zulu. However, the Act is silent about representation on the JEA committees. In spite of this silence, the principle of equal representation in the conducting of JEA business should stand.

The above outlines the principle of the exercise and performance of powers, duties and functions by a joint executive authority in which mandatory provision is made for equal representation which requires that even committees delegated with powers of the joint executive authority must uphold that mandatory provision for equal representation in the execution of committee business (Cuff 1986:6).

It is noted from Section 5 (4) that the provision can be made in the rules contemplated in Section 5 (3), for the delegation of powers, duties and functions of the JEA. According to a principle of law relating to delegation, the acts of such a delegatee (a committee in this situation) are deemed to be the acts of the delegator (the JEA in this case) who is accordingly bound by the completed acts of the delegatee (Cuff 1986:8).

Therefore, to empower and not at the same time provide for equal representation as a delegatee of the JEA (the delegator) which is required by law to provide for equal representation is so directly in conflict with the principle of equal representation from NPA and Kwa-Zulu cited above that it justifies the argument that this could never have been intended by the legislator. With this argument it is logical to accept the extension of this mandatory equal representation even to the JEA committees.

This Act also provides guidelines on the transfer of powers, duties and functions to the JEA from both Kwa-Zulu and NPA. These provisions are contained in Section 6. Here, a distinction is drawn between assigned and authorised powers, duties and functions. The assignment or authorisation is not issued by means of a proclamation but, rather, by the administrative act of the State President (Cuff 1986:9).

Section 7 (5) explains this distinction of assigned and authorised powers. Where the JEA is authorised to exercise or perform powers, duties and functions entrusted by law to the Administrator or a Minister of Kwa-Zulu, the Administrator or such Minister is, as a result of such authorisation, not divested of or exempted from such powers, duties and functions, but may exercise such powers, and shall perform such duties or functions in such circumstances as the State President may specify in the authorisation. In the case of assignment the Administrator or such Minister is not competent to provide for the retention of assigned powers, duties and functions by the original functionaries (Cuff 1986:13).

It is provided in the Act that these assignments and authorisations could be withdrawn. This can be done by the State President on the request of either the Administrator or the Chief Minister. The State President attends such a request of withdrawal of powers if it is made by the functionary which will take back the powers, duties and functions from the JEA. According to legislation the assigned or authorised powers, duties and functions revert to the original Authority when withdrawn from JEA (Cuff 1986: 19).

Therefore, it is good administration to grant, for example, the request of withdrawal made by the

Administrator when, after the finalisation of the withdrawal process, the powers, duties and functions revert back to NPA. It will be so because it would place the burden of exercising or performing these withdrawn powers, duties and functions upon the functionary that is well-prepared to receive them back as it made the request.

According to this legislation the JEA is competent to make recommendations to the Administrator or the Chief Minister. These recommendations may involve such matters as:

- \* amendments to any laws or provisions which have already been transferred to the JEA for administration, and amendments to laws or provisions not yet transferred;
- \* what new laws or provisions are required in respect of the JEA functions;
- \* how functions not transferred should be administered in the overall interest of NPA and Kwa-Zulu;
- \* the allocation of staff to the JEA and any other staff matters; and
- \* the functions, powers or duties which should be transferred to the JEA.

The Administrator and the Chief Minister are not compelled by the Act to accept the recommendations, but due to the composition of the JEA it is unlikely that its recommendations would be rejected.

Other powers, duties and functions of the JEA that become evident as this Act is studied include:

- \* co-ordinating capacity of the JEA;
- \* JEA in acting as an agent; and
- \* JEA collaborating with another person or body (Cuff 1986 : 12).

JEA is competent to act in a co-ordinating capacity between NPA and Kwa-Zulu regarding any matter in which these two Authorities have an interest. This provides a very wide scope in that the interests of these two Authorities can even go beyond powers, duties and functions assigned to them respectively by the National States Constitution Act, 1971 (Act 21 of 1971) and the Provincial Government Act, 1986 (Act 69 of 1986).

JEA is competent to act as an agent. When acting in this capacity, it would not be exercising any independent discretion or judgement, but would merely be seeing to the practical implementation of a decision taken by Kwa-Zulu or NPA, whatever the case may be (Cuff 1986:12).

JEA is empowered to collaborate with any person or body in the performance of any act which the JEA is competent to perform. This could be any person or body in the private or public sectors.

### 3.5 Joint Executive Authority for Kwa-Zulu and Natal Amendment Act, 1991 (Act 74 of 1991)

This Act complements the principal Act in a number of areas. First, the amendment to Section 5 of the principal Act empowers the JEA to appoint amongst its members committees and also to both delegate or assign any of its powers, duties and functions to any of the JEA committees. Read with Rule 8 of Proclamation 119 of 1987 the committees referred to by this amendment are the standing committees and the advisory committees (Explanatory Memorandum 1990).

The advantages of appointing a standing committee are, inter alia:

- \* quicker decisions are likely to be taken at committee level;

- \* increased understanding on the part of some JEA members regarding specific functional fields through in depth involvement in committee business;
- \* the simplification and expediency of the administrative processes which can enable the JEA through its standing committees to pursue its goals more effectively, in that the committees can continue doing JEA business between sittings of the JEA to eliminate time lapses which can delay many important decisions to be taken; and
- \* the JEA itself is left to deal with more pressing matters (Cuff 1986:10).

The advantages of appointing an advisory committee are, inter alia:

- \* the introduction of experts into the decision-making process because these committees could include educated lay people, experts, and members of staff in addition to the JEA members;
- \* that the members be selected to cover a wide geographical area;
- \* wider public participation in government decision-making takes place;
- \* that statutory bodies, such as, the Kwa-Zulu Finance and Investment Corporation, the Natal Sharks Board, and others, could form an advisory committee even though the legislation governing these bodies is not transferred to the JEA for administration; and
- \* that they could become the nucleus for achieving co-ordination of first and third tier governmental agencies, authorities and departments in fields which are of concern to the second tier government. The regional government has a unique role to play in this regard as, apart from initiatives derived from a uniquely second tier perspective, such as, the Natal/Kwa-Zulu Indaba, it is well placed to

understand both national and local issues. The use of advisory committees for this purpose deserves consideration (Cuff 1986:13).

Second, the amendment of Section 6 to the principal Act authorises the JEA to accept grants and donations and to negotiate loans with the Development Bank of Southern Africa. Read with Section 9, it states that money accruing to the JEA by way of these grants, donations, loans or from any source should also be paid into the joint revenue fund of the JEA. This provision increases the financial muscle of the JEA in order for the JEA to back up its projects in an effective way (Explanatory Memorandum 1990).

Third, the amendment of Section 7 to the principal Act makes further provisions for the transfer of powers, duties and functions to the JEA. In this further provision the State President is empowered to assign to the JEA administration of any law which he has already assigned to the Administrator of Natal in terms of Section 15 (1) of the Provincial Government Act, 1986 (Act 69 of 1986), or to authorise the joint exercise of the law concerned to the Kwa-Zulu self-governing region and the Province of Natal (Explanatory Memorandum 1990).

Fourth, the amendment of Section 8 to the principal Act further regulates the performance of the work incidental to the functions of the JEA. According to the principal Act this work should be performed by the employees of a statutory body placed at the disposal of the JEA. The statutory body itself is not permitted to perform JEA work because it should be performed by Kwa-Zulu and NPA. This amendment authorises the statutory body as well as any of its employees to perform work incidental to the functions of the JEA. In addition, this amendment provides for the JEA to delegate any of its

powers, duties and functions to its Chief Executive Officer, officers or employees of Kwa-Zulu, officers or employees of NPA, or officers or employees of a statutory body.

Fifth, the amendment of Section 10 to the principal Act refers to a technical matter and is consequential upon the amendment of the short title of the Exchequer and Audit Act, 1975 (Act 66 of 1975) to the Exchequer Act, 1975 (Explanatory Memorandum 1990).

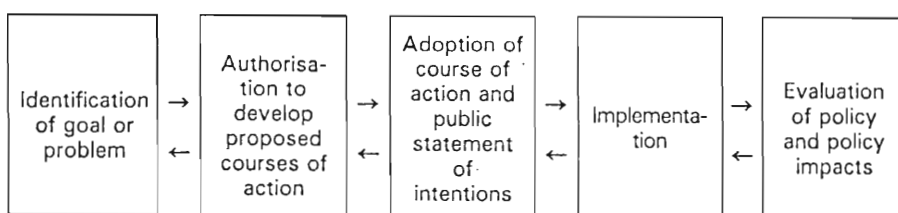
Finally, another technical amendment ratifies the official designation of the Minister. In the principal Act he appears as the Minister of Constitutional Development and Planning. That Department is now Local Government and National Housing.

#### 4 POLICY-MAKING PROCESS LEADING TO THE JEA CONCEPT

The process of policy-making includes the following stages, namely: identification of goal or problem, authorisation to develop proposed courses of actions, adoption of courses of action and public statement of intentions, implementation, and evaluation of policy and policy impact (Hanekom 1987 :52). These five stages can be represented as in figure 5 below.

Figure 5

MODEL FOR THE POLICY-MAKING PROCESS (Hanekom 1987:52)



With about six years in operation the JEA is still in the middle of the policy-making process. It went through the first, second and third stages. This study caught up with it at the fourth stage. The last stage of evaluation and impact is still way ahead.

#### 4.1 Identification of goal or problem

The identification of goal or problem is first evident in the 1982 Buthelezi Commission as it advanced four stages for the process of establishing a regional government for the Region E (Leisergang 1991). The first stage was concerned with close consultation between the executive and legislative bodies, namely the Kwa-Zulu Cabinet and the Natal Executive Committee as well as the Kwa-Zulu Legislative Assembly and the Natal Provincial Council. This close consultation was limited to the executive bodies when, after 1986, the Natal Provincial Council was abolished.

The second step was designed to entail the establishment of a single executive consisting of representatives of the Kwa-Zulu Cabinet and the Natal Executive Committee, or, alternatively, an amalgamation of the two executives into a single executive responsible to both the Kwa-Zulu Legislative Assembly and the Natal Provincial Council. The Buthelezi Commission provided that at this stage elected representatives from the Indian and Coloured minority groups would be included in the joint executive authority (Leisergang 1991).

The third step was designed to be the transition to a common multi-cultural executive and legislature for part of the Region E (Leisergang 1991). As suggested in the Lombard plan, the Durban Metropolitan Area was the most appropriate for this transition. The fourth and final step would be to bring the entire area of Region E under a single regional government. Already it should be clear



that these stages are a process in their own right (Leisergang 1991).

The identification of goal or problem is further evident in the research into the medium to long term futures for Region E which was undertaken by the Regional Planning Commission of NPA (Cuff 1986:1). This research project resulted into three workshops that were held in 1984 and were organised by the Regional Planning Commission. Members of the Natal Executive Committee, the Kwa-Zulu Cabinet and public officials from both Authorities participated in these workshops. The end-result of the research and workshops was the Ulundi Accord signed by both Kwa-Zulu and NPA (Cuff 1986:1).

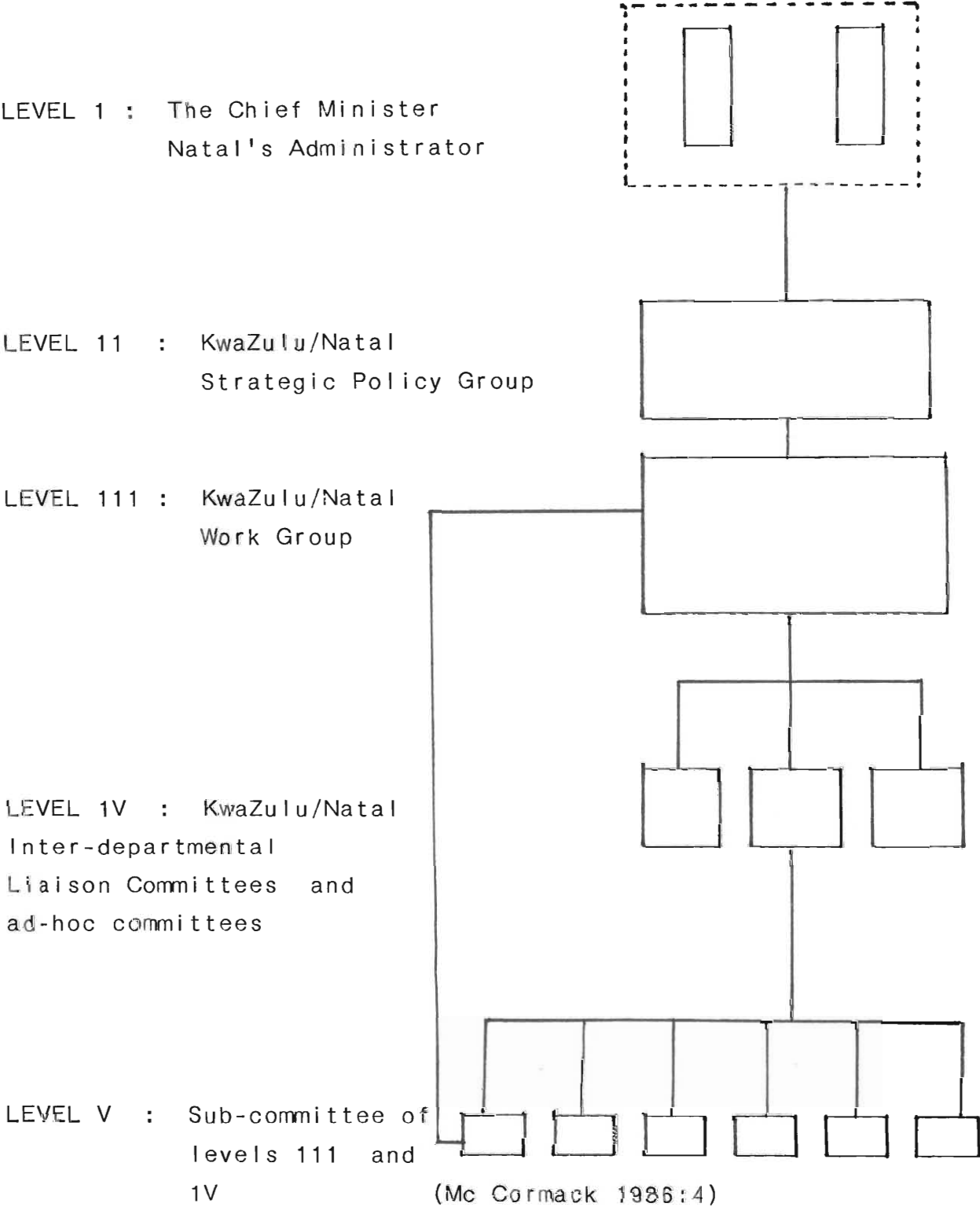
This concluded the first phase of the policy-making process in respect of the JEA concept. With the Ulundi Accord in place, both Kwa-Zulu and NPA were ready to move to the second phase of the process of policy-making, namely: the authorisation to develop proposed courses of actions.

#### 4.2 Authorisation to develop proposed courses of actions

At this stage policymakers, assisted by public officials develop courses of action. In NPA and Kwa-Zulu, the Natal's Executive Committee and the Kwa-Zulu Cabinet respectively formed proper structures authorised to develop courses of action. They achieved this finally when structures for co-operation were set up. These structures are represented in figure 6 on page 99. The explanation given for each structure is a summary of this authorisation.

Figure 6

DIAGRAMMATIC REPRESENTATION OF LIAISON BETWEEN NPA/KWA-ZULU--



The following paragraphs give more information about the structure and functions found at these levels.

#### 4.2.1 Chief Minister/Administrator level

As indicated by the dots in the diagrammatic representation in Figure 6 this was a loose level. It did not have any terms of reference for conducting business and it was not expected to hold regular meetings.

In that loose fashion the Chief Minister and the Administrator were a type of "court of appeal" should the members of the Kwa-Zulu/Natal Strategic Policy Group fail to reach consensus on any matter (Cuff 1986: 5).

#### 4.2.2 Kwa-Zulu/Natal Strategic Policy Group Level

As the name signifies, this is where joint policy-making took place. As such, this level was structured with its own terms of reference, membership and other structures.

##### (a) Terms of reference

The following were the terms of reference for this level:-

- \* To provide a forum at which representatives of Kwa-Zulu and Natal can discuss matters of common concern at a strategic level.
- \* To provide directives to the Kwa-Zulu/Natal Work Group.
- \* To receive and consider recommendations from the Kwa-Zulu/Natal Work Group.
- \* To implement the recommendations which will ensure the harmonious, viable and co-ordinated progress of Kwa-Zulu/Natal (Cuff 1986: 5).

(b) Membership

With the exception of the Chief Minister and the Administrator all the Ministers of the Kwa-Zulu Cabinet and all the members of the Natal Provincial Executive Committee were members of the Kwa-Zulu/Natal Strategic Policy Group (Cuff 1986: 5).

(c) Office bearers

The office bearers were limited to chairman and secretaries. The chairmen were elected in each camp and the chairmanship alternated at every meeting. The Secretary for the Kwa-Zulu Department of Economic Affairs together with the Town and Regional Planner for the Natal Town and Regional Planning Commission were the joint secretaries of this group (Cuff 1986: 5).

(d) Proceedings

By mutual agreement the decisions taken by the Kwa-Zulu/Natal Strategic Policy Group were binding on both Authorities subject to the concurrence of both the Chief Minister and the Administrator. These decisions were taken on a consensus basis (Cuff 1986: 6).

(e) Meetings

The first meeting of the Kwa-Zulu/Natal Strategic Policy Group was on 14 August 1985. Thereafter regular meetings took place every two months (Cuff 1986: 6).

#### 4.2.3 Kwa-Zulu/Natal Work Group level

The structure for this level, which includes, the terms of reference, membership and other features had to be approved by both Administrations separately. The Natal's Executive Committee approved it on 5 February 1985 and the Kwa-Zulu Cabinet on 5 March 1985 (Cuff 1986: 6).

##### (a) Terms of reference

Following were the terms of reference within which the Kwa-Zulu/Natal Work Group conducted its business:

- \* To draw up proposals regarding the terms of reference and character of the Kwa-Zulu/Natal Strategic Policy Group for submission to the Kwa-Zulu Cabinet and the Natal Executive Committee.
- \* To advise the Kwa-Zulu/Natal Strategic Policy Group on practical proposals regarding co-operation between the NPA and Kwa-Zulu.
- \* To advise the Kwa-Zulu/Natal Strategic Policy Group on effective means of alleviating the major socio - economic and environmental problems facing the region with special reference to the problem of unemployment in Region E.
- \* To monitor the implementation of those measures and proposals accepted by the Kwa-Zulu/Natal Strategic Policy Group and the respective executive bodies.

\* To deal with any matter referred by the Kwa-Zulu/Natal Strategic Policy Group (Cuff 1986: 6).

(b) Membership

All Secretaries of the Kwa-Zulu departments, the Deputy Provincial Secretary, the Executive Directors of Hospital Services, Roads and Community Services and the Director of the Natal Parks Board were members of the Kwa-Zulu/Natal Work Group (Cuff 1986: 7).

(c) Office bearers

Offices were limited to chairmen and secretary. The chairmanship alternated between the Deputy Provincial Secretary and the Secretary for Economic Affairs in Kwa-Zulu. The Secretary for the Kwa-Zulu/Natal Work Group was Mr J.B. McCormack in the Town and Regional Planning Office of Natal Provincial Administration. The two chairmen and the secretary formed the Executive Committee of the Kwa-Zulu/Natal Work Group (Cuff 1986: 7).

(d) Meetings

The first meeting of the Kwa-Zulu/Natal Work Group was on 3 May 1985. Regular meetings, thereafter, took place every two months (Cuff 1986: 7).

#### 4.2.4 Kwa-Zulu/Natal Inter-Departmental Liaison Committee level

These are levels 1V and V in the diagrammatic representation on page 99. These liaison committees are sub-committees of the Kwa-Zulu/Natal Work Group. They were established to promote liaison between Kwa-Zulu Government and Natal Provincial Administration in the following services:-

- \* Roads
- \* Health
- \* Welfare
- \* Planning
- \* Environmental Conservation
- \* Local Government
- \* Computers
- \* Libraries
- \* Museums
- \* Personnel
- \* Finance
- \* Organisation and Work Study
- \* Law Administration (Traffic Control, etc.)
- \* Anti - Shark Measures (Cuff 1986: 8)

These liaison committees were properly structured with terms of reference, membership and other features.

##### (a) Terms of reference

In each case committees were asked to find avenues for co-operation in terms of the following headings:-

- (i) alignment of policies,
- (ii) co-ordination of work programmes,
- (iii) sharing of information, knowledge, etc.
- (iv) sharing of facilities and co-ordinating in the purchase of new facilities,
- (v) establishment of joint projects,
- (vi) staff secondment,
- (vii) ad-hoc advice and problem solving,
- (viii) staff training and
- (ix) co-ordination of legislation (Cuff 1986: 8).

(b) Membership

Senior public officials from both Administrations in the respective fields were members of these liaison committees (Cuff 1986: 9).

(c) Functions

These liaison committees investigated particular matters for the Kwa-Zulu/Natal Work Group and provided concise progress reports with recommendations to the Kwa-Zulu/Natal Work Group for its regular two-monthly meetings. These reports from the liaison committees were incorporated into a consolidated report from the Kwa-Zulu/Natal Work Group which was presented to the Kwa-Zulu/Natal Strategic Policy Group at its regular two monthly meetings (Cuff 1986: 9).



#### 4.3 Adoption of courses of action and public statement of intent

The third stage involves the adoption of courses of action and a public statement of intent by the policy-maker. Here the policy-maker included the Chief Minister as spokesman for Kwa-Zulu, the Administrator as spokesman for Natal, the Minister of Local Government and National Housing, and the State President. At this stage the Chief Minister and the Administrator joined forces and approached the Central Government to request a joint executive authority for Kwa-Zulu and Natal (Cuff 1986: 10). The response of the Central Government reflects its public statement of intent.

In his inaugural speech of the JEA, the Minister of Local Government and National Housing accepted the basic approach of the Natal and Kwa-Zulu Indaba. He confirmed the acceptance by the Central Government of the interwovenness of the interests of Kwa-Zulu and Natal. He even suggested that should the re-introduction of a provincial legislature suit into the unfolding patterns of constitutional development, the Government would give careful thought to the provision of a single legislature for Kwa-Zulu and Natal at a regional government level. He concluded by committing himself and the Central Government to commence talks with the Kwa-Zulu Government, Natal Executive Committee, and leaders of all political parties in Natal about possible further constitutional development in Kwa-Zulu and Natal (Minister's Inaugural speech, 1987).

These and other public statements of intent saw the process of policy-making through to the next phase - that of implementation. This study covers first five years of the JEA in this implementation phase. Invariably, the first five years of any implementation process cannot expect to have covered much ground in grappling with the administrative challenges. At best, this would be a period for preparatory groundwork.

Therefore, the implementation and the evaluation of the JEA which are the two remaining policy-making process phases, are not presented as separate items like the first three phases already discussed. Instead, whatever has been implemented during this short space of time, will unfold as types of public policies and remaining generic administrative processes as applied to the JEA in the chapters that follow.

## 5. TYPES OF POLICIES AND JEA CONCEPT

Public policies have two very important characteristics. First, they form a social practice. As such, they are as dynamic as the social behaviour, and they are not isolated events (Jones 1983: 5). For instance, the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986) may appear to be an isolated event. However, in reality it is a consequence of several constitutional Acts that were mentioned at the introduction of this study. Its dynamism has led to the passing by Parliament of the Joint Executive Authority for Kwa-Zulu and Natal Amendment Act, 1991 (Act 74 of 1991).

Second, public policy arises from a need either to reconcile conflicting demands or to initiate collective action by groups with the same objective (Anderson 1984: 51). For example, in Natal and Kwa-Zulu, the need for collective action by Kwa-Zulu and NPA was realised long before the launching of the JEA in 1986. The Ulundi Accord referred to earlier bears testimony to this need for collective action by these two Administrations.

Whether these public policies are a social practice, whether they reconcile conflicting demands', or whether they initiate collective action they are a program of action for the solution or management of political disputes (Anderson 1984: 79). Usually these political disputes cover a very wide spectrum of problems ranging from financial and material problems to even ethical questions (Joubert et al 1991: 15 - 16). It is, therefore, primarily because of this very wide variety of problems addressed by public policies that in policy analysis social scientists use more than one approach to understand the nature of public policy. In this exercise two approaches are studied and are referred to by the names of the social scientists who support them.

The first approach is advanced by practitioners of public administration in the South African scene. These practitioners are: Joubert who represents the Institute for Training; Malan who represents the Department of Water Affairs; Benade who represents the Department of Interior; De Beer who represents the House of Assembly; and Morkel who represents the Department of Finance (Joubert et al 1991: 1) For purposes of this study this approach is entitled: the Joubert et al approach.

The second approach is derived from the scope of participation in policy-making. This scope may be narrow, medium size or fairly large (Anderson 1984: 39). Emette Redford is a supporter of this approach to the study of the types of public policy. For purposes of this analysis, the second approach is termed the Redford approach.

### 5.1 Joubert et al approach

Joubert and others distinguish five types of public policy. These are: the prescriptive types; the distributive types; the re-distributive types; the capitalising types; and the ethical types (Joubert et al 1991: 15 - 16). In paragraphs that follow the JEA policies are related to these categories to establish where they belong.

#### 5.1.1 Prescriptive types

Prescriptive policies prescribe how members of the community should act (Joubert et al 1991: 15). In that way they are backed by the force of law. The classical example of a prescriptive policy is the Criminal Law. This law places emphasis on "thou shall" or "thou shall not" which, if broken, is a criminal offence punishable by law.

One can argue that all Acts of Parliament are prescriptive policies. The Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986), as amended, is an Act of Parliament. Therefore, it is also prescriptive. It has prescribed structures, functions and powers of the JEA, and how through assignment and authorisation these powers, duties and functions should be taken away from their functionaries in Kwa-Zulu and NPA.

#### 5.1.2 Distributive types

There are those policies which allocate goods and services to specific groups in the community (Joubert et al 1991: 16). Examples of such policies are the National Welfare Act, 1978 (Act 100 of 1978) (in Natal) and the Kwa-Zulu National Welfare Act, 1986 (Act 9 of 1986) (in Kwa-Zulu) and other Welfare programmes and Health services in this Natal/Kwa-Zulu area.

The JEA legislation is not necessarily distributive in character, but, the potential does exist when, through assignment or authorisation of any of the Kwa-Zulu or Republican distributive policies, the JEA is allocated those functions. At the time of writing this dissertation, the JEA is in the process of taking over the health function from Kwa-Zulu and Natal Administrations and once the take-over is finalized the JEA policies will be distributive in regard to health matters.

### 5.1.3 Re-distributive types

Re-distribution policies address socio-economic imbalances (Joubert et al 1991: 16). In the tax system public policies are such that the groups with high income are taxed more heavily than groups with low income and tax proceeds are used in the upliftment of low income groups by way of welfare programmes and state subsidies. Therefore, tax policies are classical examples of re-distributive types.

JEA legislation that leans towards re-distributive policies is the Kwa-Zulu and Natal Joint Services Act, 1990 (Act 84 of 1990). Section 16(7) of this Act provides that in determining the priorities in connection with the utilisation of funds the Regional Services Board shall give preference to the establishment, improvement and maintenance of infrastructural facilities in areas where such needs are paramount (Act 84 of 1990). With this provision one expects that money to pass from affluent councils to develop towns and rural areas of other councils. That is re-distributive policy.

### 5.1.4 Capitalising types

Capitalising policies attempt to raise the production capacity of specific groups or institutions by means of tax exemptions, tax rebates, and, possibly, credit subsidisation (Joubert et al 1991: 16). One does find traces of capitalising policies in the Kwa-Zulu and Natal Joint Services Act, 1990 (Act 84 of 1990). Section 16(2)(d) of this Act empowers the Republican Minister of Finance to exempt any employer or person from the regional services levy or the regional establishment in relation to any enterprise (Act 84 of 1990). The application of this provision can be used as an incentive to stimulate industry and job opportunities in rural areas.

### 5.1.5 Ethical types

These are policies which deal with ethical matters such as equal wages and equal training opportunities (Joubert et al 1991: 16). Such ethical matters are found in the JEA legislation. For example, Section 5(2)(b) of the Kwa-Zulu and Natal Joint Services Act, 1990 (Act 84 of 1990) has a provision that in the event of the transfer of an employee to the employment of the Regional Services Board, such employee shall be employed on such matters and enjoy such rights and privileges as are not less favourable than those applicable to him at the time of such transfer (Act 84 of 1990).

From the above analysis, it is clear that the JEA policies have a mixture of all five qualities discussed. They cannot be placed in any one category of public policies as advanced by Joubert and his colleagues.

### 5.2 Redford approach

Emette Redford as cited by Anderson (1984: 39) uses the scope of participation as the basis to distinguish three types of public policies. These are:

- \* micropolitics;
- \* sub-systems policies; and
- \* macropolitics.

### 5.2.1 Micropolitics

In micropolitics the emphasis is on policy decisions that are meant for one or more governmental programmes, where the scope of participation is relatively limited (Anderson 1984: 39). For example, the JEA is perceived to be a mechanism to bring about uniformity in Kwa-Zulu and NPA delivery of services, co-operation between these two Administrations, and uniform standards in the quality of services from both Authorities. With that bottom line, welfare programmes in these Administrations can be taken as an example of micropolitics.

The classical example is around policy decisions of the Joint Services Boards and their committees. These policy decisions cut across the political boundaries of Natal and Kwa-Zulu self-governing region. They provide for a variety of regional services. They impose rights and obligations to individuals, groups and communities in this larger Region E.

Policy decisions by the Joint Services Boards are apolitical in character and by their nature are distributive. Expanding on this distributive quality of micropolitics, Anderson (1984: 39) states that they appear to affect only those immediately concerned. They are made on the basis of mutual non-interference, with each seeking benefits (or subsidies) for himself and not opposing or interfering with the efforts of others to do likewise.



That is precisely how representatives of various towns and cities in the Joint Services Boards behave. Be that as it may, the infrastructural services and facilities voluminous as they may appear to be, flourish on a narrow scope of participation in policy-making. As such, they thrive on micropolitics.

#### 5.2.2 Sub-system policies

In the JEA the sub-systems policies involve patterns of stable relationships between different sub-systems in the Kwa-Zulu Government and their counterparts in the Natal Provincial Administration. The scope of participation here is larger than in micropolitics. For purposes of this analysis three sub-systems are evident in the JEA.

##### (a) Chief Minister/Administrator sub-system

This sub-system provides the highest authority seat to the JEA system (Memorandum on JEA system 1990: 4). It appoints members to serve in the JEA sub-system. Rule 3(1) of the Proclamation 119 of 1987 provides that five members shall be appointed by the Administrator from the Natal Executive Committee to be members of the JEA. It further provides that the other five members of the JEA shall be designated and appointed from the Kwa-Zulu Cabinet by the Chief Minister (Proclamation 119 of 1987).

Although this sub-system is the highest seat of the JEA, Section 1 of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986), defines both the "Administrator" and the "Chief Minister" in such a manner that they are required to act "in consultation" with the other members of the Natal Executive Committee and the Ministers in the Kwa-Zulu Cabinet, respectively. The phrase "in consultation" is important in outlining relationships within the JEA system. In other contexts in the past it has been the subject of a number of judgements and legal opinions (Cuff 1986: 1).

However, for all practical purposes, this phrase "in consultation" is used in contradistinction to the phrase "after consultation". Where the relevant action is required to be taken "in consultation", the legislature is taken to have intended that the person authorised or required to act does so together with the other person(s) with whom he is required to consult. Where the relevant action is required to be taken "after consultation", the legislature is taken to have intended that the person authorised or required to act does so in the exercise of his own discretion but after a prerequisite consultation with the other person(s) with whom he is required to consult (Cuff 1986: 1).

With "in consultation" he carries out a joint decision. He is bound to carry out that group decision even though personally he is against it. This is the relationship between the Administrator with the members of the Natal Executive Committee on one hand, and between the Chief Minister and Kwa-Zulu Cabinet on the other hand. Therefore, this sub-system is only in a position to make sub-system policies stemming from their executive bodies of both Authorities. With "after consultation" both the Administrator and the Chief Minister would only be advised by other consultants and act individually or jointly on their own as a sub-system. However, the latter is not the position.

This phrase "in-consultation" appears again in Section 2(1) and 3(1) where the Minister of Local Government and National Housing is required to draw up "in consultation with the Administrator and the Chief Minister" proposals in the form of rules and amendments to such rules (Act 80 of 1986). There can be very little doubt that the legislature outlined here relationships of the nature that there should always be an accord amongst the Administrator, the Chief Minister, and the Minister of Local Government and National Housing in regard to the contemplated rules.

This sub-system must also make recommendations to the State President. Section 2(1) of this Act states that the State President may on written recommendation of the

Administrator and the Chief Minister, request the Minister of Local Government and National Housing to draw up, in consultation with the Administrator and the Chief Minister, and submit to him, proposals in the form of a set of rules (Act 80 of 1986). Section 4 of this Act endorses this prerequisite recommendation by insisting that it is only at the written request of either the Administrator or the Chief Minister or both the Administrator and the Chief Minister that the State President is empowered to repeal any proclamation which published rules regulating the JEA activity (Act 80 of 1986).

While it is generally accepted that the power to perform any act necessarily includes in it the power to nullify that act, the relationships laid out by Section 4 above make it very clear that the legislature intended that the State President should not on his own accord have powers to withdraw any proclamation issued under Section 2. In other words, the State President is denied the power to nullify the act he is empowered to perform, which is an exception to the general rule enunciated above (Cuff 1986: 6).

This sub-system is also authorised by Section 6(1)(b) to dispose of recommendations made to it by the JEA (Act 80 of 1986). Rule 10(2) of Proclamation 119 of 1987 is more specific about what matters can be referred by the JEA sub-system to this sub-system.

These are resolutions which cannot be adopted by the JEA because of dissent (proclamation 119 of 1987). These JEA sub-system policies are referred to the Administrator and the Chief Minister for determination jointly by agreement (Proclamation 119 of 1987. It is interesting to observe that in terms of the definitions discussed earlier, working on the agreement required of this sub-system will still involve members of the JEA at their respective executive bodies. Therefore, the referred sub-system policies dealt with by this level in actual fact are the product of the Kwa-Zulu Cabinet and members of the Natal Executive Committee.

This augurs very well for other possible areas where the JEA sub-system may find it necessary to refer certain matters to this sub-system. These could be matters which fall outside the powers, duties and functions of the JEA at the time such a recommendation is made. There can be no likelihood that, where there is consensus, and where a power, duty or function of the Administrator or a Minister of Kwa-Zulu has, as a matter of fact, already been transferred to the JEA by way of assignment or authorisation, the JEA can still find it necessary to make recommendations to the Administrator or a Minister of Kwa-Zulu in regard to matters which fall within the scope of powers, duties and functions already transferred to the JEA and, therefore, capable of being exercised or performed by it (Cuff 1986: 14). In fact, during most of this preparatory ground work period of five years, the JEA has referred matters because none of the powers, duties and functions of the functionaries of the two Authorities were transferred by assignment or authorisation to the JEA.

Section 11 of the Act requires this sub-system to account annually to the public through the legislature for the activities of the JEA. Section 11(2)(a) calls upon the Chief Minister to cause the report on the activities of the JEA to be tabled in the Kwa-Zulu Legislative Assembly. Section 11(2)(b) requires the Administrator to transmit this report to the Minister of Local Government and National Housing who, in turn, shall table it in Parliament (Act 80 of 1986). Therefore, the principle of public accountability is vested in this sub-system.

(b) JEA sub-system

Section 5(1) provides for the establishment of the Joint Executive Authority to administer the provisions of the proclamation (Act 80 of 1986). Sub-section (2) is of cardinal importance to both the province of Natal and the Government of Kwa-Zulu in that it provides for the representation of these two Administrations in such a manner that they have equal representation in the JEA (Act 80 of 1986). Rule 3(1) of Proclamation 119 of 1987 fixes this representation to 5 members from each side (Proclamation 119 of 1987).

It is easy to argue that this representation necessarily contemplates equal numbers of the respective representatives on the JEA. However, the equality in numbers is meaningless if it not accompanied by equality

in the voting strength (Cuff 1986: 6). Therefore, it is submitted here that without any evidence to the contrary, by this Section (5)(2) the legislature intended that there should always be equality in the voting strength between the two participants in the JEA sub-system (Act 80 of 1986). Section 5(3) requires provision to be made in the proclamation that contains rules to clarify relationships in certain areas within this sub-system (Act 80 of 1986). For example, it requires the proclamation to state the seat of the JEA. In terms of Rule 2(2) of Proclamation 119 of 1987 the headquarters of the JEA is in Durban (Proclamation 119 of 1987).

This section requires the specifications of the qualification of members of the JEA (Act 80 of 1986). Rule 3(1), (2) and (3) prescribes that members of the JEA should be in the ranks of the members of the Executive Committee of the Province of Natal and the Ministers or Deputy Ministers of KwaZulu Government (Proclamation 119 of 1987). Both the Chief Minister and the Administrator are excluded from qualifying for membership (Act 80 of 1986).

Further, this section requires clarification on the period of office of members (Act 80 of 1986). Rule 4(1) responds by fixing the term of office to 5 years (Proclamation 119 of 1987). Another area of relationships in the JEA sub-system is that of the re-appointment of members. Rule 4(3) prescribes that members should be eligible for re-appointment when their term expires (Proclamation 119 of 1987).

The election and appointment of the chairman, vice-chairman and the acting chairman is another area of relationships. Rule 5 (1) addresses the election of the chairman and the vice-chairman in that it is to be done at an ordinary meeting and that after every five years the chairmanship alternates between Kwa-Zulu and NPA representatives (Proclamation 119 of 1987).

In the real situation the arrangement is that at the time a representative of Kwa-Zulu is chairman, the representative of NPA is vice-chairman or vice versa (Guidelines and Checklists 1986).

Rule 5 (4)(b) and (c) attend to the appointment of an acting chairman by resolution at any time after the occurrence of a vacancy (Proclamation 119 of 1987). With regard to meetings, Rule 6 provides for the holding of three types of meetings, namely: ordinary, special, and emergency meetings. Rule 7 addresses the issue of the quorum that, present at these meetings there should be at least three members from each camp (Proclamation 119 of 1987).

Rule 10 caters for relationships at play in adopting resolutions. These resolutions are a means for performing the business at hand. For all intents and purposes they are the JEA sub-system policies. Resolutions are formulated by the chairman and after debate by members present at such meetings, they should be carried with consensus (Proclamation 119 of 1987).



## (c) JEA committee sub-system

As early as 1985, committees were already playing an important part in the liaison and co-operation functions between Kwa-Zulu and NPA. For example, there was the Kwa-Zulu/Natal Work Group mentioned earlier which was a committee that made round table discussions possible amongst Heads of Departments of both Kwa-Zulu and NPA on matters of common interest. There was also the Kwa-Zulu/Natal Inter-departmental Liaison Committees and ad-hoc committees which brought sister departments from both Administrations to handle matters of common ground.

Therefore, even though the Joint Executive Authority of Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986) could not go as far as providing for the JEA committees sub-system three things happened. First, the Proclamation 119 of 1987 in Rule 8 provided for two types of committees. These are the occasional and standing committees, and the advisory committees (Proclamation 119 of 1987). Second, the Joint Executive Authority for Kwa-Zulu and Natal Amendment Act, 1991 (Act 74 of 1991) made a provision for the appointment of JEA committees (Act 74 of 1991). Third, the Inter-departmental Liaison Committees continued to function by feeding information into the JEA sub-system and implementing JEA decisions (Guidelines and Checklists 1986).

### 5.2.3 Macropolitics

At the macropolitics level, the policy-makers for the JEA function include party political leaders, the State President, the Cabinet, the Kwa-Zulu Cabinet, the Executive Committee of the Province of Natal, interest groups, public officials, the media and the JEA structures. In other words, at this level the range of participants in the JEA policy-making is quite broad.

Therefore, as a process or content form, the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986) as amended by the Joint Executive Authority for Kwa-Zulu and Natal Amendment Act, 1991 (Act 74 of 1991), or the Kwa-Zulu and Natal Joint Services Act, 1990 (Act 84 of 1990), or the Proclamation 119 of 1987, and other such policy documents for the JEA functions, has been through a mill where most of the abovementioned bodies have made a contribution, even if that contribution was just exerting influence. In other words, these policy documents are final products of macropolitical decisions.

This macropolitical character of the JEA was once mentioned in discussions at a seminar hosted by the Institute of Natural Resources held on 18 April 1991. The Chief Executive Officer of the JEA presented the JEA as part of a process which began with negotiations between NPA and Kwa-Zulu Cabinet which resulted in the Ulundi Accord mentioned earlier (Leisergang 1991). According to the Chief Executive Officer the Ulundi Accord provided three steps for co-operation and finally merging of Natal and Kwa-Zulu self-governing regions.

First, the Kwa-Zulu/Natal Strategic Policy Group was formed. The JEA is the second phase. The third phase that was initiated through the Natal/Kwa-Zulu Indaba did not go any further because of opposition from the government (Leisergang 1991).

This wide participation in regional policy-making was confirmed in the Opening Address of the Fourth Session of the Fifth Kwa-Zulu Legislative Assembly by Mr J.E. de Villiers, Minister of Regional and Land Affairs who said that the government finds the recommendations of the Buthelezi Commission and the models of regional government advanced by the Kwa-Zulu/Natal Indaba useful for a future constitution for this country (de Villiers 1992: 2).

The need for the macropolitical approach to the regional functions assigned to both NPA and Kwa-Zulu, is also evident in the unequal powers of these two regional governments. Since the dissolution of the provincial councils in 1986 NPA is an arm of the Central Government (Leisergang 1991). As such, most of its policy decisions must be endorsed or authorised by the Central Government.

On the other hand, Kwa-Zulu is an autonomous government with limited powers (Leisergang 1991). It is responsible to its voters which is not the case with the Executive Committee of the Province of Natal which is a nominated body. These unequal powers necessitate the involvement of other policy-makers and policy advisers in JEA policies, such as, the Central Government and the Kwa-Zulu voters.

Policies of a macropolitical nature are evident in the funding of the JEA. For example, funding is regulated by the Exchequer Act, 1975, where Kwa-Zulu, NPA, Central Government and now Development Bank of Southern Africa are the sources of the JEA revenue (Act 66 of 1975).

They are also evident in personnel provision and utilisation where in addition to the JEA legislation this function for the JEA is also in terms of the Public Service Act, 1984 (Act 111 of 1984), Commission for Administration Act, 1984 (Act 65 of 1984), Kwa-Zulu Public Service Act, 1990 (Act 5 of 1990) and also Kwa-Zulu Public Service Act, 1990 (Act 6 of 1990) (Act 80 of 1986). There are still many other examples of macropolitics in the JEA policy-making which are not relevant to this discussion.

## 6. POLICY-LEVELS AND THE JEA CONCEPT

Some social scientists extract types of public policies from levels at which these policies are made or taken in the hierarchical structure of government (Cloete 1985: 7). Usually the hierarchical structure of a democratic government begins with the policies of a ruling party. Then there is the legislature which is followed by the Cabinet and the Administration.

These levels of authority cut across certain systems in government. First, they cut across the legislature-judiciary-executive system, and, second, the national/central-regional/provincial-local government system. In the legislature, or the judiciary, or the

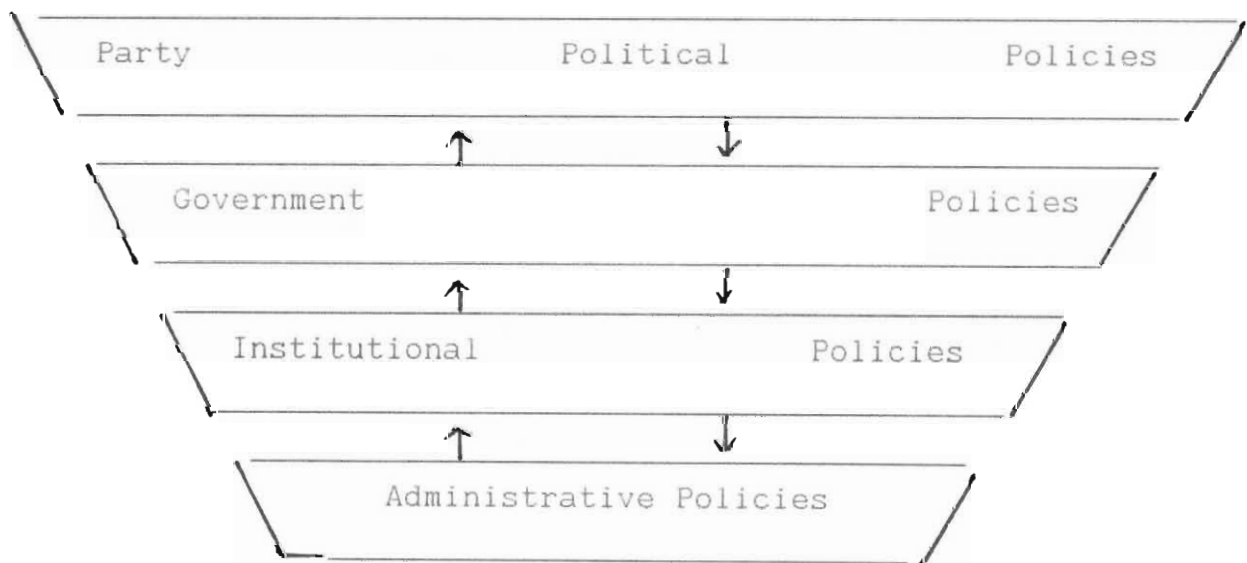
executive sub-systems policy levels that are discussed here are found in each of them as they are found in each of the central government, provincial government and local government sub-systems as distinct levels of authority.

As a result, social scientists like Barber, Gladden, Cloete and Hanekom suggest four types of public policies (Cloete 1985:7). These are: political policies, particularly of the ruling party which are implemented by the government of the day; government policies which are generated by the legislature in the form of policy statements and legislation; institutional policies generated by the elected or/and appointed executive office bearers; and administrative policies including operational (technical) policies which are made by the public officials (Cloete 1985: 7 - 8).

These types of policies are inter-related, inter-dependent and mutually inclusive. In this relationship they adopt the shape of a converted funnel as shown by Figure 7 below.

Figure 7

THE CONVERTED FUNNEL STRUCTURE OF LEVELS OF POLICIES



At the top, party political policies are all embracing (Cloete 1985: 7). This means that those in power have to tailor all government activities in terms of the provisions of the policies of the political party which voted them into government positions. They also should not ignore constructive criticisms of the opposition parties as these can be used to advantage as the sounding board for the ruling party's policies in order to be abreast of changes and developments taking place. If those in government positions choose to ignore these party political policies, they only do so at their peril seeing that they may be voted out of office at the next elections. Therefore, the JEA should also be influenced by these party political policies.

Next, are the government policies which in essence are the laws of the land (Cloete 1985:7). They bind every citizen of the country for which they are made. Institutional and administrative policies are subject to these laws of the land. Therefore, the elected or appointed executive office bearers must observe the political supremacy of the government policies and, in turn, their institutional policies are guidelines to administrative policies made by public officials. This makes government policies to be very general and sometimes vague; institutional policies to be quite comprehensive on specific issues; and administrative policies to be specific and operational.

## 6.1 Political policies and the JEA

The political parties advocate certain approaches to social issues. The second tier government is one of such issues where various political parties suggest different political policies. The JEA is another such issue. However it is beyond the scope of this study to give an exposition of all political policies of all political parties in this country on the issue of the JEA. The sheer large numbers of parliamentary and extra-parliamentary organisations makes the task difficult.

However, these political parties can be grouped into parties on the left or right of the ruling party according to their political policies. For example, on the issue of the regional government structures the Conservative Party, the Herstigte Nasionale Party, the AWB organisation and others who support a "Boere Staat" and "homeland" concept generate right wing political policies (Natal Mercury, February 3, 1992: 2). On the other hand, the Labour Party, the Democratic Party, the Inkatha Freedom Party, the Pan Africanist Congress, the Azanian People's Organisation, the African National Congress and others propagate left wing political policies on regional government structures as they see them as part of a united or federal South Africa (Natal Mercury, January 28, 1992: 1, 2, and 6). Therefore, here one talks about a continuum from the most extreme left to the most extreme right, with the political policies of the ruling party in the centre of the continuum.

With this continuum arrangement it is possible to select, say, the Conservative Party to represent the right wing organisations and study its policies on the JEA; take the centre organisation - the National Party and study its policies on the JEA; and select the African National Congress to represent the left wing organisations and study its policies on the JEA. Understanding the political policies of these representative organisations definitely gives an idea of the total spectrum of political policies on the issue of the JEA. Another advantage of this representation is in that although the Conservative Party is exclusively White, the other two parties are open systems that draw membership from all race groups. Figure 8 below gives a visual picture of this continuum representation.

Figure 8

# DIAGRAMMATIC LINING UP OF POLITICAL PARTIES

<u>Right wing</u>	<u>Centre</u>	<u>Left wing</u>	
...../...../.....	...../...../.....	...../...../.....	
Conservative	National	Inkatha	African
Party	Party	Freedom	National
		Party	Congress



The Inkatha Freedom Party is included in the above list of representatives to overcome another problem which stems from the location of the headquarters of the political parties. The assumptions here are that, if the political party is located in the larger region of Natal/Kwa-Zulu its primary concern on regional matters and the JEA issue is the region itself, and the implications of regionalisation in the country as a whole come second. On the other hand, if the headquarters of a political party are located outside the Kwa-Zulu/Natal region the tendency is to make political policies that are primarily directed at the regionalisation of the country, and the region of Natal/Kwa-Zulu and the JEA as issues become incidental to the regionalisation political policies.

Therefore, parties like the Inkatha Freedom Party, the Solidarity Party, the People's National Party and others whose headquarters are in Natal and Kwa-Zulu would on the JEA issue approach it differently from parties like the Labour Party, the African National Congress, the National Party and others whose base is outside the region of Kwa-Zulu/Natal. Consequently, apart from selecting the parties on the left, centre and right on the continuum it is also important to include parties based inside and outside Natal/Kwa-Zulu region to have a fair idea of political policies on the issue of the JEA. For purposes of this discussion selected organisations are: the Conservative Party, the National Party, the African National Congress, and the Inkatha Freedom Party.

### 6.1.1 Conservative Party

The headquarters of the Conservative Party are outside the Region E. It is natural, therefore, to expect its political policies to put the regionalisation of the country first and make the Region E incidental to that national regionalisation.

The Conservative Party advocates political policies of self-determination. The self-determination structure breaks the country into small racial and (with Blacks) ethnic units which by their size may only be provided with the central government and local government structures in the pattern of the TBVC Independent States (Daily News January 28, 1992: 11).

Naturally this self-determination policy does not accommodate Kwa-Zulu self-governing region and Natal as a regional unit. Instead, it provides for the former to develop as a Zulu State. It is not clear what the Conservative policies are for Natal where there are Whites, Indians, Coloureds and Urban Blacks. However, it would not be surprising if Natal would still be subjected to a further division into the White area that will be part of South Africa, the Indian Natal and the Coloured Natal, and the logical place for the Natal Blacks in this political party's scheme of things would be their respective places of ethnic origin. In short, the issue of the JEA is not on the agenda of the right wing political policies.

### 6.1.2 National Party

In the forties, the National Party came into power on the ticket of self-determination which is the political policy currently upheld by the Conservative Party. Initially, the self-determination policy did not accommodate the second tier level of government, and its implementation divided the Natal Province and other provinces into White and Black areas.

However, modifications of this self-determination policy has caused the National Party to regard the Kwa-Zulu self-governing region and Natal as a regional unit. During the President Botha era these modifications took the form of reforms. "Petty apartheid" was denounced and the stay of Blacks in White areas was accorded a permanent status. In the President De Klerk Administration, these modifications made the National Party's political policies swing further away from the self-determination policy of old. This enables the National Party to generate completely overhauled political policies. The party itself is no longer reserved for the White race-group, as before. Now it is opened for membership to all race groups including Blacks. Its political policies are now directed to a new constitution for a new South Africa (Miller 1991).

The National Party's base is also outside the Region E. However, through the recommendations of the Buthelezi Commission, the Natal/Kwa-Zulu Indaba, and individual proposals from Kwa-Zulu and NPA, the elected and/or appointed executive office bearers of the National Party in Government offices have had enough contact with this regional unit to appreciate the aspirations of its inhabitants and the problems facing the region.

Therefore, it is not surprising that inspite of the location of its base outside Region E, the National Party political policies support the idea of the KwaZulu self-governing region and Natal as a strong regional unit. This party political policy approach was instrumental in the Central Government's final approval of the establishment of the JEA in this larger region (Miller 1991).

#### 6.1.3 African National Congress (ANC)

The unbanning of the ANC and the freeing of its leaders from prison in 1990 happened when the JEA was already in place. At the return of its members in exile the ANC established its base outside Natal and Kwa-Zulu. However, this does not in any way suggest that the ANC has no political views about the JEA, because it does have political policies in regard to this issue.

Professor Michael Sutcliffe, a prominent ANC member presented a paper entitled: The ANC's approach to Regional Government Restructuring. He presented his party political policies as favouring government policies that are set at national level and passed down to the second and the third tier governments for implementation. In these nationalisation policies, the regions would certainly have the flexibility to carry out those tasks of government in a way which is responsive to the needs of the region.

Therefore, the ANC political policies provide for powers, functions and even boundaries of regional government in the proposed constitution of the new South Africa. They provide for elected local and regional governments on the basis of the universal franchise without regard to race, gender, ethnic origin and such other discriminatory factors (Sutcliffe 1991).

According to these political policies, the local and regional governments should exercise delegated powers in which they have a wide discretion as to the priorities to be pursued at these levels, on provision that these priorities do not conflict with government policies. The functions currently vested in the provincial administration should according to these political policies be vested in regional government. Districts determined with due regard to economic and development considerations and without regard to race, ethnic groups or language are according to these political policies indicators of regional boundaries (Sutcliffe 1991).

In other words these political policies accept the second tier of government, but reject the notion of an autonomous regional government. Therefore, the ANC argues that the JEA is a structure which is devised as a means of perpetuating privilege, ethnic or racial divisions within the Natal/Kwa-Zulu territorial zone. According to its political policies this JEA structure promotes what the party calls "Natalism" which is some sort of regional autonomous government that the ANC totally rejects (Sutcliffe 1991).

#### 6.1.4 Inkatha Freedom Party (IFP)

The IFP's base is inside Region E. Its political policies on the issue of the second tier government are enshrined in the Natal/Kwa-Zulu Indaba constitutional proposals agreed between this party and other interested organisations on 28 November 1986 (Mdlalose 1992: 3).

These proposals are primarily addressing issues of the region of Kwa-Zulu/Natal area. They provide a model of the regional legislative authority for this KwaZulu/Natal unit. In terms of this model, the regional legislative authority should be provided with two chambers. The first chamber should be constituted by proportional representation, while the second chamber should grant equal representation to one or more interest groups, ethnic groups, traditional authorities and local authorities (IFP Draft Constitution for Republic of S.A).

Addressing the issue of the second tier government in general terms, political policies of the IFP advocate a strong regional government structure for the new South Africa.

They regard all current homelands including the TBVC Independent states (that is, Transkei, Bophuthatswana, Venda and Ciskei) to be self-governing regions that should remain integral parts of the new South Africa. The IFP calls upon the artificial boundary that separates these homelands from the South African mainstream to vanish. This party was instrumental in the establishment of the JEA as a temporary measure for purposes of co-operation between the two regional Administrations (Mdlalose 1992: 1).

In concluding the political policies, it must be observed that right from the extreme right wing policies to the extreme left wing policies, there are views about the JEA which are expressed by political parties. Some support the JEA as a means to a desired end of a single legislature for the Kwa-Zulu/Natal region. Others reject it totally.

## 6.2 JEA and government policies

Basically it was because of the provisions of the three foundation Acts mentioned earlier that a structure like the JEA was necessary. When Mr Peter Miller - the member of the Executive Committee for Natal Provincial Administration - presented a paper entitled: "Central Government's Perspective on Regional Structuring" he was guided by these three foundation policies.

He argued that the Government believes in essence very strongly that a strongly autonomous system of regional government is a very important building block for a new South Africa. It is so because past centralised decision-making on regional and local issues in this country has proved to be unsuccessful. Besides, from what is happening abroad, constitutionally speaking there is a strong argument in favour of a decentralised form of administration where the rights of regions cannot arbitrarily be overridden by the centre. This trend is always playing itself out around the world (Miller 1991).

Further, the Government policies argue for a strong autonomous regional government because under the direct control of the regional government it is now believed that the executive, administrative and technical co-operation increase the cost-effectiveness and efficiency of services. In other words, the Government is brought closer to the people concerned, so that these people can become more directly involved in matters which affect them (Miller 1991).



From the above Government views about the second tier government, there is every hope that Government policies toward the JEA are positive. Mr Peter Miller in his JEA inaugural speech endorsed this idea of positive Government policies toward the JEA.

According to him the JEA has as its greatest responsibility the need to show beyond doubt that the two second tier governments can work successfully together at administrative and executive levels, and so prepare the way for what, in the opinion of the Government is necessary, and, in fact, inevitable, namely:- the return of a form of legislative authority to the Natal Province which includes the Kwa-Zulu self-governing region.

Mr Miller called upon the JEA to prove to be cost-effective, responsible and efficient, and so make it easier and more acceptable for an executive born out of and responsible to a single second tier legislature to have confidence and trust in that entire electorate.

According to Mr Miller the Government perceives the JEA as a very practical body which has enormous administrative advantages. It has laid the foundations in this region of Kwa-Zulu and Natal for a future form of regional, elected, non-racial, one - person - one - vote type of government. These policy statements by leading executive office bearers are not in vain, because their traces are found in the JEA legislation ( that is, other Government policies) when analysed.

The JEA legislation is made up of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986), the Joint Executive Authority for Kwa-Zulu and Natal Amendment Act, 1991 (Act 74 of 1991), the Proclamation number 119 of 1987, the Kwa-Zulu and Natal Joint Services Act, 1990 (Act 84 of 1990), and various proclamations which set up joint services boards, such as, Proclamation number 49 of 1991 which provides for the establishment, boundaries, powers, duties and functions of the Zululand Services Board.

### 6.3 JEA institutional policies

Generally, the institutional policies are directed to specific functions. In the JEA context these functions should be activities where both Kwa-Zulu and NPA see some common ground on which they seek joint decision-making. Areas of common ground were worked out long before the advent of the JEA and carried over to the JEA as prospective areas of joint decision-making by the Kwa-Zulu and Natal Inter-departmental Liaison Committees mentioned earlier.

At the time of the study only the local government function was already under the auspices of the JEA in as far as regional services are concerned in terms of the KwaZulu and Natal Joint Services Act, 1990 (Act 84 of 1990).

Another function that was in the pipe-line for take-over by the JEA was that of Health Services (Natal Mercury February 3, 1992: 2). At Pietermaritzburg the JEA ran a Pietermaritzburg Roads District Pilot Project vide JEA Resolution number 230 dated 11 January, 1990. In this project the office of the Chief Executive Officer was authorised to supervise road construction in the districts of Pietermaritzburg, Howick, Bulwer, Vulamehlo and Hlanganani which cut across Kwa-Zulu and NPA boundaries.

With regard to re-assignment of additional functions to the JEA, there was already an institutional policy in the form of the JEA Resolution number 280 dated 28 June, 1990. As mentioned earlier, this policy statement discouraged further assignment of functions to the JEA until the constitutional future of this country is determined.

From the above exposition there are clearly two aspects that characterise the JEA institutional policies. First, they are in the form of JEA resolutions. Second, they are not confined to functions that already have been transferred to the JEA through assignment or authorisation. In addition they address activities that are still the responsibility of Kwa-Zulu, NPA, and (some times) the Central Government. When issues of these three super powers are identified by the JEA, these institutional policies take the form of recommendations to the relevant super powers. In the following paragraphs examples of these JEA institutional policies, which are recommendations, are given.

On the 23rd of February 1989 JEA made a resolution on the construction of Main Road 52. The maintenance or construction of this road is the responsibility of NPA. However, JEA resolved:-

- "(a) That in view of the chairman's report that it had not been possible to obtain additional funds from the Central Government for the construction of this road, it be accepted that such construction would have to be financed in accordance with the normal NPA budgetary process;
- (b) That a report be submitted to the JEA regarding the possibility of lowering the standard of the road to be constructed to achieve economies in cost;
- (c) That attention be given to urgent repairs to the existing road" (Minutes of Meeting Number 11, 1989: 5).

In this JEA institutional policy the JEA was not referring it to the office of the Chief Executive Officer for implementation because this function is neither assigned nor authorised to be transferred to the JEA. It was also not passing it up to NPA as an instruction for implementation, because it is a matter of principle that delegation goes down to subordinate structures and not up to super structures. In other words, the JEA is not competent to issue instructions to NPA, Kwa-Zulu and the Central Government. Therefore, the institutional policy would be a recommendation to NPA to provide for the construction and maintenance of this road in its coming budget.

Another example of a recommendation is the JEA Resolution Number 313 dated 27 September 1990 on the Library Services Function. It reads:-

- "(a) ...to applaud the preparation and presentation of the Report of the Advisory Committee by Mr C.J. Fourie, Deputy Director: Library Services: NPA and his Kwa-Zulu colleagues, Mr W. Harper, Deputy Secretary and M/s O.T.N. Zondi, Principal Education Planner (Library Services);
- (b) that publication of the report be held in abeyance pending its consideration by the Natal Executive Committee and by the Cabinet of Kwa-Zulu" (Minutes of Meeting number 30, 1990: 15).

This JEA institutional policy is simply to recommend that the report prepared jointly by Kwa-Zulu and NPA library functionaries be disposed of by the respective Authorities.

The last example to be cited here of the JEA institutional policies which are recommendations is addressed to the Central Government. As regards the rationalisation of development bodies in Natal, the JEA resolved vide JEA Resolution number 355 dated 21 March 1991 that a letter be written by the chairman to the Minister of Administration and Privatisation expressing the JEA's concern at the proliferation of development bodies in Natal/Kwa-Zulu and requesting that a copy of the report on the subject prepared by Dr. Joop de Loor be made available to the JEA on a confidential basis for its comments. In this recommendation the JEA was urging the said Minister to involve this joint authority on matters of development bodies in its area of jurisdiction for proper guidance.

Some JEA institutional policies provide organisational structures for carrying out the JEA activities. For example, through JEA Resolution number 261 dated 26 April 1990, the JEA created the Advisory Committee on the Delimitation of Boundaries of the Joint Services Board. Other structures established by means of these JEA institutional policies are, inter alia: the Standing Committee on Urbanisation and Development; the Standing Committee on Health Matters; the Advisory Committee on Urbanisation and Development; the Advisory Committee on Planning; the Advisory Committee on Library Services; the Advisory Committee on Tourism in Natal/Kwa-Zulu; and various Joint Services Boards.

Other JEA institutional policies are meant for implementation by the office of the Chief Executive Officer. For example, in the updating of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986) the JEA Resolution number 292 dated 26 July 1990 and JEA Resolution number 301 dated 29 August 1990 provided guidelines to the Chief Executive Officer on what was necessary to be amended in the principal Act. Once that was done to the satisfaction of the JEA, the proposals were accepted and the Chief Executive Officer was authorised to process them further. The final product is the Joint Executive Authority for Kwa-Zulu and Natal Amendment Act, 1991 (Act 74 of 1991). This procedure applies also to the various proclamations and other Acts initiated by the JEA.

It should suffice to say here that in all management functions which include policy-making, planning, decision-making, setting standards, evaluation, control and accounting, the office of the Chief Executive Officer is guided by the JEA institutional policies.

#### 6.4 JEA administrative policies

At this last policy level the concern is on the problems encountered in devising the policies that, in the means - ends chain, are means to the attainment of the political ends to which political, government and institutional policies discussed earlier relate. Taking into consideration the peculiarity of the context in which makers of administrative policies operate, they all make their policies within the confines of political, government and institutional policies (Cloete 1989: 74).

Their operation being less subjective than those of the legislators and elected or appointed executive office bearers who have a certain ideology to defend, the makers of the administrative policies in general and the office of the Chief Executive Officer for the JEA in particular, set out to advise on modifications of institutional policies so as to secure administrative advantages which may result in greater efficiency or economical use of resources (Hanekom 1987: 23 - 28). However, in this situation, it is for the JEA to decide where other considerations outweigh administrative advantages.

Therefore, at the JEA administrative policy level decisions are taken within the office of the Chief Executive Officer - the administrative arm of the JEA charged with the management functions. These decisions are taken in relation to every facet of administration. For example, they are framed in regard to the organisation of the institution, its financing, its personnel, its method of work, supervision and the like. Further clarification is given in the next Chapter on organising and subsequent Chapters on remaining generic administrative processes.

## 7. SUMMARY

Policy-making and other generic administrative processes, irrespective of where they are being applied, are inter-related, inter-dependent and mutually inclusive. The JEA context is no exception to this rule.

The JEA policy-making can be determined through the evolutionary phases which led to the establishment of the JEA. These phases normally start with the identification of a goal or problem and continue until the impacts of the policy are evaluated. This study, however, coincides with the first five years of the JEA when its impact could hardly be evaluated. Therefore, the analysis ends at the implementation phase of the process of policy-making.

This JEA policy making is divided into two:

- (i) the legislative policy-making where the deliberations are made public for the benefit of the communities of South Africa; and



(ii) the JEA policy-making which takes place in the JEA sittings, JEA committee sittings and in the office of the Chief Executive Officer.

These executive and administrative policies have the benefit of the privacy factor which allows the policy makers to deliberate freely with alternative courses of action on any matter before them. The disadvantage to them and the communities they serve is that the JEA instead of being a regional structure that brings the government to the people, channels of communication via the super powers takes it even further away from the people. As such, these policy-makers may easily dissociate themselves from the views of the Kwa-Zulu and Natal communities.

There is no universally agreed upon type of public policy. However, in this discussion two approaches are advanced to advocate certain specific types of public policies. The first one is the approval which highlights policies in terms of their being prescriptive, distributive, and so forth. The second example is the approach which determines types of policies from the scope of participation in policy-making from micropolitical magnitude to macropolitical magnitude.

Lastly, levels of policy-making are exposed. They stem from the hierarchical level of government at which policy-making takes place. Such levels of policy-making which involve the organisational arrangement lead the discussion to organisation.

## CHAPTER FOUR

## ORGANISATIONAL STRUCTURES AND PROCESSES

## 1 INTRODUCTION

In this study, the organisational structures of public institutions and processes thereof refer to the generic administrative process of organising. In other words, various structures of government and corresponding functions are seen as the end-result of the process of organising.

At macro or global level, this process of organising has brought about the following governmental structures:

- \* the legislature - judiciary - executive;
- \* the legislature - executive - administrative;
- \* the national - regional/provincial - local government structures. At micro or internal level it has produced the department - branch - division - section - office - workstation/post structures; the head office - regional office - district/local office structures; as well as the legislator - political office bearer - public official units.

At both these levels, the process of organising breaks down the whole government into many smaller government

components, and, at the same time, co-ordinates the efforts of these smaller units to serve a singular purpose. This singleness of purpose for these multiple parts of government makes the process of organising without prior planning difficult and unproductive.

However, as to what should come first between organising and planning remains a puzzle. Any planning done without due consideration of an organisational framework loses touch with reality and runs the risk of being unworkable. On the other hand, organising without a definite plan guiding the organising process, lacks the necessary foresight for providing durable government structures. This makes planning and organising two sides of the same coin.

Therefore, the organisational analysis in this study has three basic concerns, namely:-

- \* to describe (and not to prescribe) the organisational arrangement in and for the JEA;
- \* by means of social scientific methodology, to search vigorously for causes and consequences of the joint authority ; and
- \* to examine the dynamics of organising in the JEA against the background of the JEA basis for organising.

## 2 BASIS FOR ORGANISING

The basis for organising is mainly concerned with co-ordinating activities in the institution. As such, it is "mechanistic" in character in that it is less "human" oriented and it mostly streamlines administrative requirements. With this basis for organising the need for internal co-ordination "appears so basic, so inevitable and so capable of self-evident proof that its human implications are less apparent" (Lyons 1978 : 12).

For the JEA the basis for organising includes:-

- \* JEA mission, goals and objectives;
- \* JEA management plan;
- \* the client definition; and
- \* identified strategies.

### 2.1 Mission, goals and objectives

A mission - goals -objectives continuum ranges from a very broad and distant signpost through achievable goals and finally to specific objectives that are achievable within a short time frame.

### 2.1 Mission

For any institution a mission is a description of the goals, and it is derived from the institution's mandate.

It provides a vision towards which the institution strives. For it to be valid, it must be unachievable, because once it is achieved that would mean the end of the reason for the existence of the institution (Comcon 1992 : 9 ). Therefore, seen in this light, the JEA's mission is:-

"the unification of Kwa-Zulu and NPA to be a strong single regional government" (Chairman's Report 1991/2).

It is quite evident that once this mission can be achieved by the new constitution of the country, there will no longer be any need for the existence of the JEA in this region.

#### 2.1.2 Goals

The above stated mission is supported by many goals that are grouped into Prime Goals and Supportive Goals (Comcon 1992 : 10 ).

##### (a) Prime goals

The Prime Goals are directly targeted at the community which is served by the JEA (Comcon 1992 : 10). A classical example is the unification of Health Services in respect of NPA and Kwa-Zulu which is presently in the pipeline (Chairman's Report 1991/92:3).

The second visible prime goal is the co-ordination of Local Authorities' services through the Joint Services

Boards in Region E (Act 84 of 1990).

The third known prime goal is the administration of the Roads Minor Works Pilot Project on district roads connecting Natal districts, namely: Pietermaritzburg, Howick and Bulwer, and Kwa-Zulu districts, namely; Vulamehlo and Hlanganani (Dube 1991:interview).

Other intended prime goals such as the administration of planning, computers, libraries, museums, personnel, finance, organisation and work study, traffic control and anti-shark measures were shelved for the outcome of the current CODESA negotiations (Dube 1991:interview).

#### (b) Supportive goals

The Supportive Goals are directed internally and they aim at making the Prime Goals achievable (Comcon 1992 : 11). Following is an example of a Supportive Goal for the JEA.:

".....to provide that money accruing to the joint authority by way of any grant, donation or loan or from any other source, be paid into the joint revenue fund for the joint authority;...."( Act 74 of 1991). This Supportive Goal is directed to the JEA administration with the aim of supporting community oriented goals such as the afore-mentioned unification of Health Services.

This supportive goal of finances is discussed at length in the next Chapter on Financing.

The second supportive goal is the provision and utilization of personnel which is discussed in Chapter 6 on Staffing.

The third supportive goal is the provision of an adequate infra-structure. This includes the office space provided for the JEA at NPA's Bourquin Building, the furniture and the equipment like the word-processor, photostat machine, calculators and fax-machine, as well as transport. The JEA Secretariat budgets for all such items annually.

### 2.1.3 Objectives

The above stated goals have objectives that are classifiable according to long-term objectives and short-term objectives.

#### (a) Long-term objectives

As the name signifies, long-term objectives have a longer time frame within which to be realised (Comcon 1992 :13). At the JEA, they centre, inter alia, on the undermentioned four standardised strategies that are common to all public institutions, namely: workstudy, training, public relations, and up-dated legislation.

#### (i) JEA organisational structure investigation

As far as the JEA office is concerned, workstudy

investigations are built into the responsibilities of the management services of both the Efficiency Branch in Kwa-Zulu and the Work Study Division in NPA. They are carried out on a continuous basis.

(ii) Internal manpower development

The initial intention of keeping a skeletal staff for secretariat services is still honoured. However, even the secretariat personnel need to be abreast of developments. The responsibility for this internal manpower development is vested on the Deputy Chief Executive Officer, who affords his personnel an opportunity to attend training courses, seminars, workshops, conferences and meetings. The Training Divisions in both Kwa-Zulu and NPA also include seconded JEA officials for their respective training programmes carried out annually.

(iii) Creation of public awareness

The JEA uses various ways to make the public aware of its activities. Examples are: annual functions in which chairmen's annual reports and incoming chairmen's addresses are heard; publication and distribution of annual reports; and the reading of papers by the Chief Executive Officer in workshops, seminars or conferences.

(iv) Revision of legislation

The JEA has since amended the principal legislation of 1986 with an amendment of 1991. This is an on-going process which in the Secretariat office of the JEA



extends to other laws for Kwa-Zulu and NPA, particularly in relation to services that are ear-marked for transfer to the JEA.

(b) Short-term objectives

These include:

- \* allocation of responsibilities to each post which in the JEA is reflected in the dutysheets;
- \* compilation, presentation and approval of implementation plans which in the JEA is in the form of work programmes, diarised meetings and other office time-tables;
- \* execution of plans; and
- \* monitoring of progress which is evident in written reports on meetings attended.

## 2.2 Management plan

The management plan includes: the aim, the scope, the applicability, the validity, the approval and the confidentiality of a management plan (Comcon 1992:4).

### 2.2.1 Aim of the management plan

The aim defines the future direction of the institution in terms of its mission, goals and objectives. As such, the Management Plan serves as a reference point for any future action plans and strategies (Comcon 1992 : 7).

### 2.2.2 Scope of the management plan

The scope covered by the Management Plan of the JEA should be:

- \* the JEA mission;
- \* the Prime and Supportive Goals in support of the mission;
- \* a definition of the service rendered by the JEA; and
- \* strategies that need to be implemented to improve the level of service rendered by the JEA and community awareness about such services.

Except for the strategies, all these other aspects of the scope of the management plan have been dealt with earlier in this study. With regard to the strategies, the most current strategy of the JEA accommodates the CODESA proceedings. It has suspended further transfer of functions to the JEA and urges closer co-operation between the Kwa-Zulu and NPA functionaries (JEA Resolution 280).

### 2.2.3 Applicability of the management plan

The applicability of the JEA management plan depends on the nature of the transfer of powers, duties and functions. If they are transferred on assignment basis, the management plan is applicable to the Chief Executive

Officer and his management team transferred with the project. At the local government level, the Secretariat office teams up with NPA's Local Government Directorate which administers the Joint Services Boards on behalf of the JEA.

If on authorisation, the responsibility is shared by the JEA Secretariat, Kwa-Zulu and NPA. The team consists of Heads of departments and other public managers who in the opinion of these Heads are affected by the management plan in their day to day operations. Such procedure is evident in the administration of the Pietermaritzburg and District Roads Pilot Project already mentioned where the Secretariat office shares the responsibility of managing maintenance work with the Works Department of Kwa-Zulu and the Roads Branch of NPA.

#### 2.2.4 Validity of the management plan

Management Plans are valid from the date of acceptance. They are reviewed annually and should there be some major direction change in the course of the year, these management plans are reviewed immediately (Comcon 1992:8).

From the inception of the JEA in 1986 management plans were for the transfer of functions from both NPA and Kwa-

Zulu to be administered by the JEA. As pointed out earlier these plans crystalised in three areas, namely; the pilot project, the Joint Services Boards, and the Health services. Management plans for these three functions became valid the day they were sanctioned by the JEA. In the wake of CODESA proceedings, these management plans had to be reviewed (Dube 1991:interview).

#### 2.2.5 Approval of the management plan

Whereas it would be logical to expect the approval of the JEA Management Plan to be vested in the Chief Executive Officer, it appears that on assigned functions and in internal Secretariat operational plans, it is so. However, for authorised functions, depending on the wording of the authorisation clauses, he teams up with Heads of Departments in NPA and Kwa-Zulu in approving management plans, as is the case with the pilot project, mentioned above.

#### 2.2.6 Confidentiality of the management plan

Once approved, the Management Plan becomes a confidential document intended only for internal use (Comcon 1992:8). In the JEA set-up it is evident that the internal use extends to include use also by the relevant NPA and Kwa-Zulu departments.

### 2.3 Client definition

The client of the JEA is the community it serves. This community can be broken down by age group, such as: the youth and the adult; or by other qualities, such as, the productive group and the welfare group. In defining each group, the size of the group, the behaviour of the group, and the threats faced by the group, are used as three criteria for understanding it (Comcon 1992:14). The adult group served by the JEA is taken as an example.

These are adults of Natal and Kwa-Zulu. They include the employed and unemployed; married and single parents; migrant workers; literate and illiterate; and Christians and non-Christians.

#### \* Size

Although fairly substantial in size, this segment of the client group is not growing as fast as the youth. It represents approximately 20% of the community of Region E with an anticipated growth of 5% (Comcon 1992:14).

#### \* Behaviour

This group is less susceptible to outside pressures, but their needs are as great as the youth group. These needs include employment, housing close to work, skills training, cultural facilities, sporting and recreation facilities, and education - both basic and advanced (Comcon 1992 : 14).

#### \* Threats

This group is threatened, inter alia, by unemployment, lack of suitable housing, poverty, political unrests, and AIDS (Comcon 1992 : 14 ).

#### 2.4 JEA services / products

Following on the decision to unify Health Services the JEA has also resolved that in the interest of a strong regional government for a single Natal/Kwa-Zulu Region in any future constitutional dispensation, it recognises the urgent need for closer co-operation between Kwa-Zulu and NPA on the basis of transferring the undermentioned services to the JEA:-

- \* Roads,
  - \* Motor Licensing and Road Traffic,
  - \* Civil Protection,
  - \* Spatial Planning, and
  - \* Welfare and Pensions (Chairman's Report 1991/92:5).
- All these services are directed at benefiting the community.

#### 2.5 Identified strategies

Strategies are defined in terms of the objectives. They outline the direction and actions necessary to achieve the goals (Comcon 1992 :14) For each strategy three criteria are necessary. Below is an illustration of these

criteria for the strategy of unifying the Health services.

#### 2.5.1 Unification of the health services

These three criteria are: the steps, the approach, and the expected results.

##### (a) Steps to achieve the strategy

The undermentioned steps are followed to achieve the strategy.

##### (i) Determination of needs and priorities

The need to unify health services was determined before 1986 by the Kwa-Zulu/Natal Strategic Policy Group. Priority areas were set at that time (Chairman's Report 1991/2 :3).

##### (ii) Determination of tasks for reviewal

The JEA determined the following tasks for reviewal:

- \* ambulance and emergency services,
- \* laundry services,
- \* procurement of surgical sundries,
- \* regional burns unit,
- \* AIDS control,
- \* primary health care services,
- \* health information services, and
- \* laboratory services (Dube 1991:interview).

##### (iii) Liaising with relevant departments

In anticipation of the merging of NPA and Kwa-Zulu Health services, a Joint Health Services Management Committee, comprising of top officials of both

Administrations was established, and it meets regularly (Chairman's Report 1991/2:4). To broaden this liaison an approach was made to the Administration: House of Delegates which also provides a health service in the Region E. Although this Administration is not part of the JEA system, its Minister of Health Services and Welfare gave his support to the concept of the provision of health services being a function of the regional government (Chairman's Report 1991/2 : 4).

(iv) Formulating a concept legislation

At present both NPA and Kwa-Zulu Health services are regulated by the Republican Health Act, 1977 (Act 63 of 1977), which was adopted by Kwa-Zulu at the inception of its Health Department in 1977 (Schedule 1 of Act 21/1971). As a result, there was no need for the formulation of a concept legislation specifically for this unification (Hackland 1992:interview).

(v) Submitting through the usual channels

From (iv) above, it is clear that this step could not be undertaken.

(b) Approach

To make progress in the unification of these health services, the secretariat office has introduced co-ordination and co-operation in the undermentioned sub-fields of the Health service.

\* ambulance and emergency care services,



- \* laundry services,
- \* procurement of surgical sundries, and
- \* establishment of a regional combined burns unit at Prince Mshiyeni Memorial Hospital at Umlazi (Chairman's Report 1991/2 :4).

Positive progress is also made towards:

- \* AIDS Control Strategy,
- \* Joint Primary Health Care Strategic Plan,
- \* Joint Health Information Services, and
- \* Co-ordinated Regional Laboratory Services (Chairman's Report 1991/2 : 4).

(c) Expected results

The JEA resolved that in the interests of a strong regional government for a single Natal/Kwa-Zulu Region in any future constitutional dispensation it urges both Kwa-Zulu and NPA to co-operate very closely on the basis of the transfer of powers and functions to the JEA (Chairman's Report 1991/2 :5).

This JEA basis for organising forms the foundation for the institution upon which the dynamics of organising take place.

### 3. DYNAMICS OF ORGANISING FOUND IN THE JEA.

The organisational theories discussed above, highlight structural (formal), human (informal), and environmental (external) variables in organising. In practical situations they point at the need to strike a balance between these variables in order for the service rendered to be effective. To maintain this balance, the managers in the public sector, should consider the undermentioned dynamics of organising.

These dynamics are, amongst others: division of work, allocation of authority and delegation, lines of communication, and co-ordination (Roux 1991:30). To perform their administrative and managerial tasks effectively, managers must not only consider these dynamics of organising in their daily activities, but should also consider them in their medium- and long-term planning. This makes organising complicated and comprehensive, and also, very closely connected with the daily management functions (Roux 1991:30). Figure 9 in page 164 is a visual testimony to the last statement.

#### 3.1 Division of work

In the previous chapter the JEA system came out clearly

Figure 9

## SCHEMATIC REPRESENTATION OF THE DYNAMICS OF ORGANISING

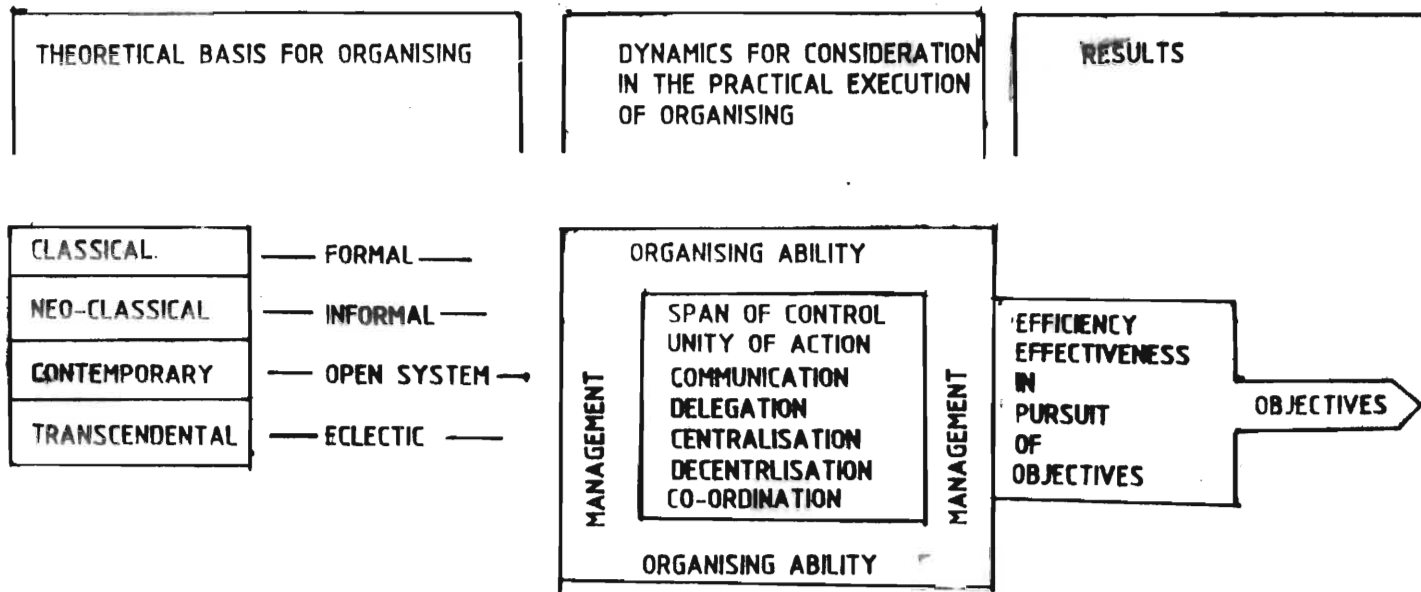
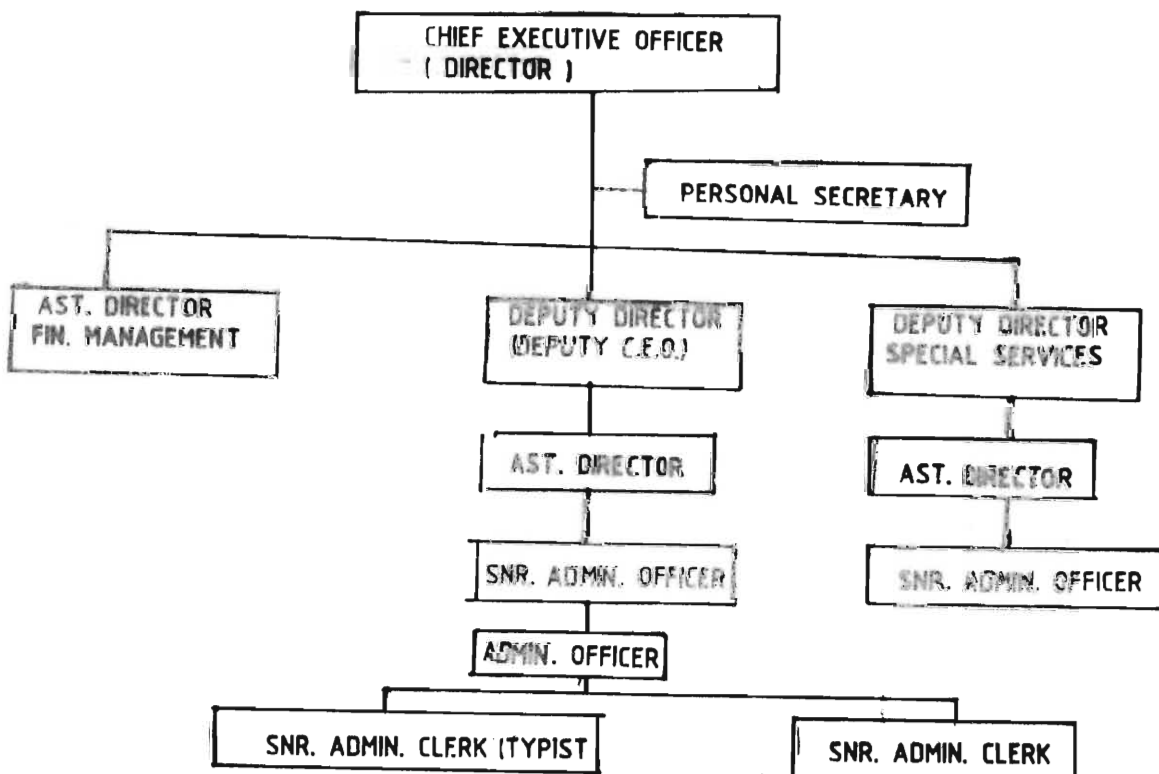


Figure 10

## JEA SECRETARIAT ORGANOGRAMME



as a separate entity from the office of the Chief Executive Officer: the former being a policy-making body and the latter, an administrative arm. In addition, organising for policy-making has brought about JEA committees.

\* Standing committees

In terms of the legislation, membership to the standing committees is confined to the JEA members. These committees are as follows:

Standing committee on Health;

Standing committee on Urbanisation and Development; and

Standing committee on Roads (Chairman's Report 1991/2 : 2 - 3 ).

\* Advisory committees

Advisory committees are for the following fields:-

Health services;

Urbanisation and development (including Joint Services Boards);

Library services;

Civil protection;

Planning; and

Heritage (Chairman's Report 1991/2 2-3).

\* Liaison committees

These are inter-departmental committees in the functions of Roads, Welfare and Pensions, Computerisation, Tourism, Personnel, Environmental

Conservation, and Finance (Chairman's  
Report 1991/2:2 - 3).

However, these policy structures are beyond the scope of this chapter. For the division of work in the JEA, the subject matter is the office of the Chief Executive Officer. Figure 10 on page 164 gives a visual picture of this administrative arm, from which one immediately has an idea of this office's span of control, its unity of command, its centralisation and decentralisation of powers, and its line, domestic and staff functions.

### 3.1.1 Span of control

Like most public institutions, the division of work in the administrative arm of the JEA is characterised, amongst other things, by the administrative rungs which range from the lowest rank to the topmost post. In large institutions these rungs are in the form of offices, sections, divisions, branches, and departments. They spread out at the bottom and taper at the top, like a pyramid. In a small institution like the JEA, they are arranged in linear or a flat shape. Whether tall or flat, the span of control plays an important part in the division of work, because, through it, the ability of an individual to exercise supervision over a specific number of subordinates is determined.

Usually, in determining the number of subordinates, care is taken to accommodate the intensity and complexity of mutual relationships between the supervisor and subordinates. The more the work is complex and the relationships intensive, the fewer subordinates the supervisor should have. When the nature of work is predominantly routine, and the work-force is within sight of the supervisor, a supervisor can control many subordinates. However, Graicunas as cited by Roux advanced the following formula for determining scientifically a suitable number of subordinates for each supervisor:-

$$c = n (2n + n - 1)$$

\* c means possible relationships; and

\* n represents a number of subordinates (Roux 1991 : 31)

In spite of figures that are produced from the use of the above formula, or any other method (even thumb-sucking) for working out a suitable number of subordinates, there is no guarantee that the span of control determined will provide the number of subordinates that particular supervisor will be capable to control and supervise effectively. Figures are worked on the basis of an average supervisor's capability.

For an individual supervisor other variables,

like personality traits, supervision skills, leadership qualities, management style, etc., also influence the capability of a supervisor to control and supervise effectively (Roux 1991 : 31).

However, in the office of the Chief Executive Officer for the JEA, the capability of the supervisor does not seem to be an issue. One just looks at the organogramme to be convinced that none of the supervisors is overloaded with subordinates. The average supervisor supervises one supervisee. This is probably because this administrative structure was never intended to be another bureaucracy in addition to the Kwa-Zulu and NPA departments. From this organogramme one rightly concludes that the span of control is minimal.

The Chief Executive Officer controls only two Deputy Directors and one Assistant Director (Financial Management) (JEA 1992 organogramme). This falls within the norm of the span of control in both Kwa-Zulu and the Republican Government, where the Director is expected to supervise a minimum of two and a maximum of four Deputy Directors (Vocational Class: Administration Officer 1991:4). The situation in regard to the post of the Chief Executive Officer is that it is an open post which can be occupied by the Director, the Chief Director, the Superintendent Director, the Deputy Director - General

and the Director - General.

The Deputy Director(Specialised Services) supervises one Assistant Director and so does the counter-part in the post of the Deputy Chief Executive Officer. In terms of the PAS, the post of Deputy Director should supervise a minimum of two and a maximum of four Assistant Directors. These two each supervise only one Assistant Director, which means a light supervision load.

Each of the respective Assistant Directors is in charge of one Senior Administration Officer, when the norm sets a minimum of two Senior Administration Officers for an Assistant Director. Both respective Senior Administration Officers also operate below the norm for supervising seeing that the first one supervises one Administration Officer, and the second one supervises none. The norm sets a minimum of two Administration Officers for a Senior Administration Officer (Vocational Class Administration Officer).

The Administration Officer, however, meets the minimum requirements of supervising as there are two Senior Administration Clerks under the supervision of that post. The Assistant Director(Financial Management) has no supervisees. Normally this post supervises no less than two Chief Accountants (Vocational Class: Accountant).



The personal secretary to the Head of Office receives supervision directly from the Chief Executive Officer (JEA 1992 organogramme).

With the coming joint projects as a result of assignment or authorisation, it is anticipated that the span of control of NPA and Kwa-Zulu functionaries be transferred to JEA as is. As such, there will be no need to introduce corresponding changes in the office of the Chief Executive Officer because the workforce will be managed by its Kwa-Zulu/NPA managers.

However, for this office to re-organise the work in order that joint projects can spread out services evenly in the whole Kwa-Zulu/Natal region, it will be necessary to manipulate the span of control in the line functionaries of these joint projects. Without doing that it will not be possible for this office to redistribute expertise, manpower, and other resources for the benefit of the entire region. When re-assigning work to line functionaries, this office will have to consider:-

- \* the diversity of the work;
- \* the geographical distribution of personnel;
- \* the degree of complexity of the work;
- \* the capabilities of the supervisors; and
- \* the level of training of subordinates (Roux 1991:31).

### 3.1.2 Unity of command

The unity of command assumes that the office of the Chief Executive Officer should be under the leadership of one official, which is the case. It also assumes that a supervisee should at any given time be responsible to one supervisor. This is not always the case because of the existing practice of secondment of staff by both NPA and Kwa-Zulu. A seconded staff member retains supervisory ties with the office of origin.

It is also quite interesting to note some difference in the unity of command in this JEA setting if compared to a normal public institution setting where the Administrative Head is a junior partner of the Political Head (Hanekom 1987:23). The Chief Executive Officer is the sole leader in this administration. Therefore, when powers, duties, and functions are transferred to the JEA, in reality, it means that services which in the past were a responsibility of respective Ministers as assisted by Director-Generals or Secretaries of Kwa-Zulu Departments are, after the transfer, only a responsibility of the Administrative Head. That has certain implications for the principle of public accountability.

The impact of these implications will be felt when joint projects are run by the JEA, because at that time the

line functionaries, though under the JEA management, will retain their unity of command to their respective line functions. Heads of these line functions, as junior partners, will still be expected to report the position of these services to their respective Ministers or respective Executive Committee Members, their senior partners. When errors occur these senior partners cannot, simply blame the Chief Executive Officer. They would have to effect corrective measures. This may, therefore, lead to conflicting instructions to the line functionaries coming from, on one hand, both NPA and Kwa-Zulu, and, on the other hand, the office of the Chief Executive Officer. From this analysis, it is evident that there is a potential conflict in the unity of command in the JEA setting.

### 3.1.3 Centralisation and decentralisation

Centralisation of powers presupposes the concentration of authority and also the final decision-making power in the Chief Executive Officer. Decentralisation implies that authority is delegated by the Chief Executive Officer to persons or offices at a lower level. Both these conflicting organisational forces are evident in the organogramme of this office. For example, as an Accounting Officer in terms of the Joint Executive

Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986) the organogramme shows clearly that decision-making powers are centralised at the post of the Chief Executive Officer. At the same time, to demonstrate decentralisation, the organogramme shows lower levels, such as the financial management level with accountancy powers, duties and functions delegated to it.

Once joint projects are undertaken by the JEA, the office of the Chief Executive Officer will be placed in a position of responsibility for regional offices, branch offices and district offices which will be part of the transferred line functionaries from NPA and Kwa-Zulu. Although this will be decentralisation in some sense, it may also simply mean that structurally, there is decentralisation, whilst the decision-making powers are highly centralised in the Chief Executive Officer.

#### 3.1.4 Line, domestic and staff functions

The work in public institutions is also divided according to line, domestic and staff functions. Line functions are those activities performed in order to reach primary goals of an institution. They are closely related to the functional activities mentioned in chapter three. For example, the functional activities of the Kwa-Zulu Department of Welfare and Pensions are welfare services

and social pensions. The line functions of this Department include all those activities directly concerned with the performance of welfare services(e.g.interviewing clients, placements at foster homes,etc.,) and pension services(e.g. processing pension applications, paying out pensions,etc.) Apart from the running of the JEA office as a line function to the Chief Executive Officer, more line functions will come his way as he takes over transferred powers, duties and functions from NPA and Kwa-Zulu.

Staff functions originate from line functions in that the former are meant to serve the latter. In their co-existence, the decision-making authority for functional activities remains with the line function. Examples of staff functions are: departmental accountancy work, work study function, training function, auditing, etc. These functions can either be provided for in the staff establishment of the public institution, or use can be made of outside agencies to perform them in a public institution. Save for the financial management services the Chief Executive Officer uses the staff structures of NPA and Kwa-Zulu for most of these staff services.

The domestic functions are also meant to serve line functions. These refer to the supply and maintenance of offices, transport, official living quarters, furniture

and equipment, stationery, etc. In order for the JEA to continue with its skeletal staff after the assignment or authorisation of certain powers, duties and functions, existing domestic functionaries in Kwa-Zulu and NPA should be made to extend their services to the office of the Chief Executive Officer.

### 3.2 Allocation of authority and delegation

Delegation refers to the allocation of authority (power) to act on behalf of someone and / or the process of transferring authority (power) from one person to another. In the public service delegation may be in the following ways:- First, the person delegating is empowered under the law, or otherwise, that he has authority to delegate. Second, the delegatee may act and complete delegated tasks without reference to the delegator. However, the delegator is held responsible for the completed tasks.

In the JEA set up the transfer of powers, duties and functions by Kwa-Zulu and NPA to the JEA may be done through assignment or authorisation. This may mislead others to view assignment and authorisation to be delegation. In the following paragraphs, a distinction is made between all these concepts.

As mentioned earlier in the case of delegation, the person who is empowered or required to exercise or perform the relevant powers, duties and functions (the delegator) by his own act empowers or requires the delegatee to exercise or perform the relevant powers, duties and functions. The act of the delegatee is deemed to be the act of the delegator and has the same legal effect as that of the delegator (Cuff 1986 : 9).

During the currency of a delegation, the delegator is not deprived of the relevant powers, duties and functions and can at any time on his own volition resume those powers, duties and functions (Cuff 1986 : 9). For example, he can terminate the delegation or he can even exercise or perform those powers, duties and functions during the currency of the delegation.

The assignment of powers, duties and functions is, on the other hand, not the act of the person empowered or required to exercise or perform the relevant powers, duties and functions, but, is the result of the actions of a third party, who in this case, is the State President. During the currency of the assignment, the person originally so empowered, cannot exercise the assigned powers, duties and functions, and, also cannot, by his own act, achieve the reversion of the said powers, duties and functions to himself. This

reversion requires the intervention of the outside third party (Cuff 1986 : 16).

During the currency of an assignment of powers, duties and functions, the person originally empowered or required to exercise or perform the relevant powers, duties and functions is not capable, as in the case of delegation, of exercising or performing the relevant powers, duties or functions. He also cannot interpose in matters which have not been finalised by the assignee ( Cuff 1986 : 16).

The case of authorisation again shows similarities to and variations from both delegation and assignment in the sense that authorisation is effected by a third party and not, as in the case of delegation, by the holder of the original powers, duties and functions. Unlike in delegation, the action of the person authorised is not deemed to be that of the person originally empowered or required to exercise or perform the relevant powers, duties and functions. Unlike the situation of an assignment, in authorisation the person originally empowered, or required to exercise or perform the relevant powers, duties and functions can during the currency of an authorisation also exercise or perform the relevant powers, duties and functions if the terms of the authorisation so stipulate (Cuff 1986 : 16).



Therefore, if the terms of the authorisation do not permit concurrent exercise or performance of relevant powers, duties and functions by both the original and the new holders of powers, and if it is an assignment of powers, duties and functions, these powers, duties and functions are not delegated to a delegatee. Rather, they are transferred to a new holder. On such projects, Kwa-Zulu and NPA cannot be construed to be delegators who are still responsible for the completed JEA acts on these assigned or authorised tasks.

However, JEA, in terms of the Joint Executive Authority for Kwa-Zulu and Natal Amendment Act, 1991 (Act 74 of 1991) may delegate to its Chief Executive Officer, officer of Kwa-Zulu, officer of NPA, and officer of another statutory body. This statutory provision opens another dimension of delegation, which is that, apart from delegating within a system from top to bottom rungs, it is also possible to delegate outside the supervisory hierarchical structures. Within the JEA administrative arm, delegation is in the form of written instructions and duty sheets for each work station. Further delegation trends will be evident once this office runs joint projects.

### 3.3 Lines of communication

Seeing that in the office of the Chief Executive Officer there are persons who work together in an organised manner in order to achieve common objectives, communication is of utmost importance Roux (1991 : 37) sees communication as a "binding factor" which unites a large number of fragmented activities into one meaningful whole. It is a two-way process in that, on one hand, verbal or non-verbal information, on the basis of which decisions are taken for performing activities, is transmitted. On the other hand, this information is received and reacted upon. In the office of the Chief Executive Officer one identifies two levels of communication, namely:- the internal and the external communication levels.

#### 3.3.1 Internal communication

This refers to the communication which happens within the office of the Chief Executive Officer. Between the Chief Executive Officer and the rest of his staff the communication is vertical in that its movement is downwards and upwards. The same situation is found between supervisors and supervisees at various levels.

In this office this vertical communication manifests itself in the handling of correspondence. For example, all out-going correspondence is signed by the Chief Executive Officer. It is also evident in these other traditional communication practices of memoranda from the Head of office to the rest of the staff, or vice versa, or from supervisors to supervisees, or vice versa, and circulars flowing from the Head of office.

Further, it is evident in reports that are submitted by officials after attending outside meetings on behalf of the Chief Executive Officer if the office has to respond without delay. Lastly, it is evident in policy directives passed down by the Chief Executive Officer at meetings between himself, on one hand, and his Deputy Directors and the Assistant Director (Financial management), on the other hand.

Horizontal communication seems to be the most favoured form of communication at this office. It takes the form of informal communication, as if this office has a flat structure, where everybody is at liberty to communicate as a peer with everybody else. An obvious advantage of this informal kind of communication is in that it promotes a relaxed working atmosphere, and it is made possible by the small size of this office. There are also staff meetings chaired by the Chief Executive Officer

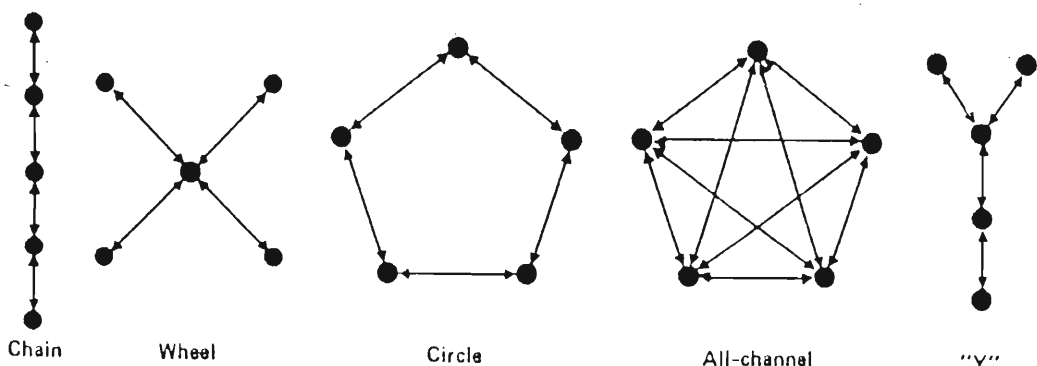
where all staff members attend and are required to contribute freely as equals. Another horizontal communication takes place during tea and lunch breaks.

In this office there is no diagonal communication evident, probably because it is a small office with no section, division, branch and department layers, to foster communication between a member of one section with a member of another section, or division, or branch, or department. This small office is just made of work-stations.

Of the five communication patterns, namely: chain communication, wheel communication, circle communication, all-channel communication, and Y communication; the communication pattern within this office is better represented by the all-channel communication pattern. For a visual picture see Roux's (1991:37) patterns of communication in Figure 11 below.

Figure 11

SCHEMATIC REPRESENTATION OF COMMUNICATION PATTERNS.



### 3.3.2 External communication

Outside itself this office must communicate with the JEA policy-making body, Kwa-Zulu, NPA, Joint Services Boards, Central Government Departments, etc. The Chief Executive Officer is the link between this office and these outside agencies. In the JEA policy-making body the Chief Executive Officer attends all meetings providing secretarial services. As the custodian of the JEA legislation he is required to administer it and at JEA meetings he must guide the JEA deliberations to fall in line with the provisions of the JEA Acts. Providing this guidance involves him in participating actively at these meetings by way of making inputs at meetings and supervising the implementation of JEA resolutions outside meetings.

The office of the Chief Executive Officer does a lot of communication with Kwa-Zulu. At the beginning this communication was channelled through the office of the Secretary for the Chief Minister, but that delayed results when a response was expected in another Kwa-Zulu Department. Now the communication is directly with the department concerned. The Secretary for the Chief Minister is supplied with copies of correspondence to be abreast of developments.

With NPA the office of the Chief Executive Officer communicates directly with the Branch or Department which must respond. The Provincial Secretary is not furnished with copies of correspondence between the office of the Chief Executive Officer and various parts of his Administration.

When NPA and Kwa-Zulu departments that render the same services meet in inter-departmental liaison committees, the office of the Chief Executive Officer is always represented. The JEA representative guides meetings on areas of duplication of services, and helps these sister departments to understand clearly the envisaged areas of co-operation between them, and what is required in terms of the JEA legislation and resolutions to transfer overlapping services for administration centrally by the JEA.

Between this office and the Central Government, communication is direct. For example, as this office was negotiating about the funding of joint services boards, it was communicating directly with the Department of Finance.

To enhance communication between the Kwa-Zulu/Natal regional structures with the Central Government, the JEA has established a Natal Co-ordinating Minister's Forum

and vested the secretarial services of this forum on the office of the Chief Executive Officer. These secretarial services are rendered by the newly created post of the Deputy Director(Specialised Services). This forum is constituted by three Ministers representing the Central Government, three Ministers from the Kwa-Zulu Cabinet who are JEA members and three Members of the Natal Executive Committee, who are also JEA members.

This office is also the custodian of the legislation controlling the establishment and the functioning of the joint services boards. However, the administration of the joint services boards was, through a JEA resolution, delegated to the Local Government Division of the NPA Community Services Branch. As such the communication on matters affecting the joint services boards by this office is directed to this Division, and the communication between the Division and the various boards is supplemented with copies of correspondence to this office of the Chief Executive Officer.

As an open system, this office's communication within and outside itself is not confined to the work it must do in the line of duty. It also attempts to inform the public by various means about its work. Its public relations work is vested in the Kwa-Zulu Bureau for Communication which from time to time makes publications about this

office and the activities of the JEA. Some of its public relations work is also undertaken by the NPA Public Relations Division. When it becomes necessary for a press statement to be made from this office about certain activities, this has to be cleared by the JEA policy-making body, Kwa-Zulu Cabinet, and the Administrator-in-committee.

There is also a record to the effect that the Chief Executive Officer on invitation delivered a paper in a seminar on regional structures, presenting the role played by the JEA. Here, he was communicating about the potential of this public institution to members of various disciplines coming from far and wide.

The last form of communication evident in this office is the annual report. Every year, the annual report is tabled before the Kwa-Zulu Legislative Assembly and Parliament.

Although examples of internal and external communication evident in this office have been given in the above paragraphs, it must be noted that these examples do not cover the entire JEA communication network. The communication between this office and the Durban City Council is an example of one area which is not covered, and there are still many others.



### 3.4 Co-ordination

The disivion of work, and delegation discussed above leaves an impression of a very disjointed service within the JEA. The communication that was said to be taking place begins to show some thread that pulls together the work that has been divided and delegated. This co-ordination further confirms that at some point in this institution these activities are co-ordinated to ensure unity of action. Therefore, the primary aim of co-ordinating institutional activities is to harmonise and synchronise a diversity of institutional activities in order to improve efficiency and effectiveness, and also to minimise duplication and overlapping of services (Roux 1991: 46).

In this office co-ordination is evident at two levels, namely: the micro (that is, internal) co-ordination level; and the macro (that is, external) co-ordination level. The micro co-ordination is determined by the organogramme of the institution. For example, Figure 10 shows that all communication channels lead to the Chief Executive Officer for co-ordination. The Chief Executive Officer is the spokesman for the Secretariat office and is also the Accounting Officer for JEA and, therefore responsible for financial matters.

He uses meetings to co-ordinate the activities of his staff members. He prepares and places at the disposal of

his staff members circulars, office instructions, procedures, and manuals to ensure a uniform performance of work. All these instruments promote micro co-ordination in this office.

At macro level co-ordination is enforced primarily by both super-powers of Kwa-Zulu and NPA. Take the function of personnel provision in this office. Both these super-powers provide in their respective staff establishments posts required by this office. They both advertise this office's vacant positions, and invite applicants from both Administrations. They, thereafter, supply this office with a short list of candidates from which to select and make an appointment for a vacant position. If the appointed candidate comes from Kwa-Zulu, to harmonise the appointment, he will first be appointed in the Kwa-Zulu staff structure then, seconded to the JEA. The same procedure for macro co-ordination is used in respect of the NPA candidate.

Macro co-ordination is also evident in the funding of JEA projects which is strictly controlled by the Treasury Instructions and the Financial Regulations expounded by the Central Government.

## 4 SUMMARY

In summarising it is emphasised that this process of organising produces a framework for the institution. Two aspects of this framework are evident in this study. These are the JEA basis for organising and the dynamics of organising (or the organising processes) in the JEA.

The basis for organising sets the direction to be followed by the institution. It does that through certain activities. It defines the mission, goals and objectives for the institution always to be on course and to know when it moves off course. It provides a management plan. It describes the client who is served by the institution. Lastly, it identifies the strategies which are used by the institution to achieve set goals and objectives.

The dynamics of organising are implemented within the parameters set by this basis for organising. One of their prime functions is to divide the work within the institution. This entails a number of activities. The span of control is worked out. The unity of command is provided. Some duties are arranged in such a manner that they are controlled at a central point and others are delegated to various decentralised positions. Lastly, the

services are grouped according to line, domestic and staff services.

There is also the function of allocating authority(power) to each relative responsibility or duty. Another function is that of providing the communication network within the institution, as well as with the outside systems. Lastly, there is the function of co-ordinating the efforts of every unit to make it a team effort for realising set goals and objectives.

## CHAPTER FIVE

## FINANCING

## 1 INTRODUCTION

When public policies are in place and organising has been done, financing comes in as a muscle to ensure that there is money to enable these organisational structures to provide services for general welfare. Therefore, in the administrative process of financing, the public managers grapple with challenges imposed by money - a very much sought after commodity that can be earned, saved, spent, stolen and even embezzled; and a commodity which is, and will always remain, scarce.

This chapter studies public money as it is procured, handled and controlled by the JEA. In itself this analysis has three basic concerns, namely:-

- (a) to portray financing in this institution as it is, and not as it should be;
- (b) to search vigorously, by means of social scientific methodology, for causes and consequences of this financial situation; and
- (c) to confine the analysis in the areas of:-
  - \* revenue sources to the JEA,
  - \* financial planning and budgeting,
  - \* execution of the budget by the JEA, and
  - \* financial control exercise in the JEA.

## 2 REVENUE SOURCES

Being a public institution, the JEA is funded by the State. Therefore, in the analysis of the JEA sources of revenue, it enhances the understanding to first study the sources of the State revenue, the mechanisms of the safe-keeping of State money, and the classification of revenue by the government.

### 2.1 Sources of State revenue

Contrary to the usual commercial practice where revenue determines expenditure, in the public service it is the expenditure which the government must incur that governs the amount of revenue to be raised. Consequently, in most budget speeches the tendency is to pay a lot of attention to the expenditure side of the budget. The demands usually made by the opposition parties when debating the budget in Parliament, and those demands usually made by extra-parliamentary group members when commenting about the budget in the media and at meetings, focus so much on the expenditure side that one is led to believe that these State expenditures are paid out of a proverbial bottomless pit, when in reality it is not so.

Government revenue sources are limited, and in this country according to the Durban-based Welfare Policy

Group analysis of the 1992/93 budget, the heaviest burden in the form of VAT and other taxes is carried by individuals. This Welfare Policy Group analysis reveals less than ten revenue sources for the State which contribute differentially according to the under-mentioned percentage:-

" Mining Companies	1,6%
Non-mining Companies	15,8%
Individuals	40,3%
VAT	23,9%
Customs and Excise	9,3%
Fuel Levy	7,8%
<u>Other</u>	<u>1,3%"</u>

(Welfare Policy Group Analysis  
1992 : 1).

## 2.2 Classification of revenue

Fourie (1991 : 20-21) classifies the above mentioned source of State revenue into eight categories.

### 2.2.1 Revenue derived from government enterprise

Revenue derived from government enterprise is according to Treasury Circular No T L 1/1 dated 30 July 1986 cited by Fourie (1991:20), divided into two categories.

(a) Category 1 Business Accounts

These business accounts cater for revenue that is generated by the Government Printer and the production of vaccine.

(b) Category 2 Business Accounts

The Computer Services and the State Motor Transport generate money into these accounts.

2.2.2 Interest and dividends

The loans given by the Public Investment Commissioners for capital works to local authorities generate interest which is paid into the State coffers. Dividends on invested funds, such as, the pension funds, form income for the State.

2.2.3 Levies

The levies charged by the government in the form of registration fees, tariff charges, toll fees, and rent are also a source of revenue to the State.



#### 2.2.4 Licences

The licence fees are paid to secure rights to exercise certain businesses. These fees are paid into the State coffers.

#### 2.2.5 Fines and forfeitures

Fines, which serve as a deterrent to crime, and the bail forfeited because of non-appearance in court on the specified date, are paid into the State revenue account.

#### 2.2.6 Special funds and accounts

Special funds are accounts into which moneys collected as levies on certain services are paid into the State coffers for a specific purpose. Examples of these accounts are:

- \* Unemployment Insurance Fund
- \* Workmen's Compensation Fund, and
- \* Motor Insurance Fund.

#### 2.2.7 Taxes

Taxes which include income tax, customs and excise, VAT, Tax on foreign shareholders, Tax on unpaid profits, Perks Tax, Wages Tax, etc., are paid into the State coffers.

### 2.2.8 Loans

The State also raises loans with international commercial institutions particularly for development work inside the country. The interest on these loans are paid into the State revenue account.

### 2.3 State coffers

The moneys received from these sources are paid into the Consolidated Revenue Fund established by section 81 (1) of the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983). The cash account of this Fund is the Exchequer which is the Receipts and Payments Account, out of which comes all Parliamentary appropriations. The "Revenue Services", on the payments side of the Exchequer Account comprise what is known as the "Revenue Votes" out of which each Department is financed by a vote of Parliament covering a single financial year (Rogers 1961 : 2).

Once the annual Appropriation Act is passed by Parliament and the State President has authorised the issue, each Department opens the "Exchequer Grant Account", commonly known as the General Account of the vote, in its books, and this General Account is debited with the amount of

the vote. At the same time each Department opens the "Paymaster General's Account" which is debited with the sum granted and the "Exchequer Grant Account" credited. This debiting and crediting makes the "Paymaster General's Account" show the amount still available to the Department, and the "Exchequer Grant Account" to reflect the amount of the vote still available. Therefore, a Department's sources of revenue are these two accounts: the General Account of the vote and the Paymaster General's Account.

Every month a Department requisitions to the Treasury for its estimated requirements for the month and on receiving the approval of the Treasury the Controller and Auditor - General, on being satisfied that the amounts are within the sum authorised by Parliament, grants a credit on the Exchequer account kept by the bank. Requisitioning money every month is designed for two purposes, namely:

- (a) the economising of balances, and
- (b) the limiting of sums of money in the hands of a Department to immediate requirements.

At the close of the financial year, the General Account of the vote, which was credited in the first instance with the voted provision, is debited with the net debit of each of the sub-heads of the "Vote Accounts". The

balance thereof is either an amount to be surrendered or the deficit to be voted.

This General Account of the vote is also the source of revenue for Kwa-Zulu and NPA, and the above stated procedure applies as well to these two regional governments. However, Kwa-Zulu handles its financial matters through its own Treasury. In terms of section 9(1) (a) and (b) of the Joint Executive Authority for Kwa-Zulu and Natal, Act 1986 (Act 80 of 1986), there is a provision for these two regional governments to contribute out of their respective allocations to a Joint Revenue Fund established by the JEA as its source of revenue.

#### 2.4 Joint Revenue Fund

The expenditure incurred by the JEA in the exercise and performance of its powers, duties and functions is defrayed from the Joint Revenue Fund. As the name signifies this Fund is comprised of annual contributions from both Kwa-Zulu and NPA. Up to the present time both Kwa-Zulu and NPA each contributes yearly an amount of R222, 500. See Figure 12 for total revenue items.

These contributions are made subject to, in the case of NPA, the provisions of section 81(2) of the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983),

and, in the case of Kwa-Zulu, the provisions of section 8 of the National States Constitution Act, 1971 (Act 21 of 1971). These sections prohibit the payment of moneys out of the Consolidated Revenue Fund in the case of Natal otherwise than in accordance with an Act of Parliament, and in the case of Kwa-Zulu the payment of moneys out of the Kwa-Zulu Revenue Fund otherwise than in accordance with an Act of the Legislative Assembly of Kwa-Zulu.

Figure 12

SUMMARY SHOWING ACCOUNT FOR THE JEA IN RESPECT OF THE  
FINANCIAL YEAR ENDING 31 MARCH 1993

Items	R
Revenue 1992/93	444000
* NPA Allocation of Income = R222000	
* Kwa-Zulu Allocation of Income = R222000	
Surplus brought forward - 1991/92	491000
Expenditure Provisions for 1992/93	935000

As a result, the Chief Executive Officer appointed as the Accounting Officer for the JEA in terms of section 10(1) of the Joint Executive Authority for Kwa-Zulu and Natal

Act, 1986 (Act 80 of 1986), submits yearly the JEA estimates to NPA and Kwa-Zulu, and the former includes these estimates as an NPA item and figures to be tabled before and approved by the Parliament through the Department of Local Government and National Housing as the NPA budget. The latter is included as a Chief Minister's Departmental item and figures to be tabled before and approved by the Kwa-Zulu Legislative Assembly.

In addition to yearly contributions as a source of revenue, the Joint Executive Authority for Kwa-Zulu and Natal Amendment Act, 1991 (Act 74 of 1991) has made provisions for loans to be raised by the JEA and donations and other income to be received by the JEA. Moneys from these additional sources are also paid into the Joint Revenue Fund.

This Fund is not operated in terms of the Exchequer Grant Account and the Paymaster General's Account discussed earlier. Instead, it is operated on an ordinary cheque account at the bank. Therefore, once the money is in the account the Chief Executive Officer uses it without having to make monthly requisitions to Treasury. However, when the Chief Executive Officer has to exceed his approved budget for a financial year, the Joint Executive Authority for Kwa-Zulu and Natal Act,

1986 (Act 80 of 1986) provides that he should seek RSA Treasury Authority. When this happens it is expected that the Kwa-Zulu Treasury Authority must also be secured because Kwa-Zulu and NPA contribute equally to the Joint Revenue Fund. Expending more than approved estimates is possible because of these additional sources of revenue and also because of the fact that at the end of a financial year any moneys standing credit to the Joint Revenue Fund are not surrendered, as in Government Departments, but are carried forward to the immediate succeeding financial year.

Moneys in the Joint Revenue Fund which are not required for immediate use or as a reasonable working balance are, in terms of section 9(4) of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986), required to be invested **mutatis mutandis** in accordance with the provisions of the Public Investment Commissioners Act, 1984 (Act 45 of 1984), and the Corporation for the Public Deposits Act, 1984 (Act 46 of 1984). Interest accruing from deposits in terms of these Acts are paid into the Joint Revenue Fund as an additional source of revenue to the JEA.

### 3 FINANCIAL PLANNING AND BUDGETING

The financial planning is mainly based on three aspects of financial management, namely:-

- \* the scarcity of resources;
- \* the allocation of resources; and
- \* the re-distribution of resources.

With regard to the first aspect, it is common knowledge to public managers that societal needs far outnumber available resources. Therefore, in financial planning public managers must have a sound knowledge of societal needs and their impact, as well as a sound knowledge of available resources and their full extent of elasticity.

The second aspect requires that the public managers should appreciate the weight and urgency of these societal needs as they change over time in emphasis. They should also appreciate the value of resources as they also change over time with changing values. What is important is that they should build these changes into their financial planning.

The last aspect requires the public managers to realise that allocations made should not be inflexible. They should be reviewed tirelessly to respond to the changing



societal needs. This requires public managers to make the necessary adjustments in their financial planning according to merits and priorities emerging from these changes.

Therefore, financial planning is just not a one-time exercise for a specified period. For example, with a fiscal year plan, the evaluation continues throughout the fiscal year, and with a multi year plan, the evaluation and the changing of estimates continue every year to such an extent that by the fifth year, the figures estimated are completely different from those submitted during the first year of the multi-term period.

From the above, it is clear that financial planning is another word for budgeting, and that there is an annual budget and a multi year budget. In this study more attention is paid to the annual budget, and the under-mentioned aspects of the budget are explored:-

- \* Budget systems - an overview
- \* Institutions entrusted with budgetary responsibilities
- \* Types of the budget tabled annually, and
- \* Budget - by - objectives

Information collected from these topics is used to analyse financial planning in the JEA situation.

### 3.1 An overview of budget systems

Budget systems are technically different in that although the same information for a budget is used, different aspects of the information are emphasised. This overview of budget systems gives an idea of each budget system without addressing details regarding these differences.

#### 3.1.1 Item budget

The item budget system, as the name suggests, emphasises items adopted by the government in budget estimates. These items remain permanent items for which money is provided each year irrespective of whether or not some of the items are dormant at the time of financial allocation. The "dead-wood" nature of some of these items makes them perfect areas for public managers to "hide" money they will require at a later stage for vibrant items which are provided with inadequate funds because of limitations imposed by the growth percentage applied in item budgeting across the board for all items.

#### 3.1.2 Performance budget

The performance budget as the name signifies, bases funding on the performance of items in the previous

budget. Money is taken away from redundant items, although these items still remain part of the budget document.

In items where performance in terms of rands and cents was low during the previous year that low figure becomes the starting point for negotiating the amount to be allocated those items in the current year. In items where performance was high, perhaps so high that there was excessive expenditure during the previous year, that high figure is the starting point for negotiating the current allocations to those items.

### 3.1.3 Programme budget

In other countries programme budgeting is termed Planning Programme Budgeting. In this country it is known as Budgeting - by - objectives. Here, the emphasis is on programmes that are designed to achieve specific government objectives. These programmes are arranged, reviewed annually, and funded according to stipulated priorities.

### 3.1.4 Zero-based budget

Whereas in programme budgeting and item budgeting, programmes and items respectively remain permanent

features in the budget document, in zero-based budgeting the first day of the new financial year begins with a "clean slate", and "old" and "new" programmes enjoy the same status of being current programmes that are arranged and financed according to priority stipulations. Such a system makes it compulsory for the public managers to review their programmes annually, and be honest about the exercise, because, if not, favoured programmes tend to fail the acid test of survival in the melting pot where "new" and "old" programmes compete for positions in the priority ladder of limited resources.

No doubt, zero-based budgeting is in this country still viewed as a distant ideal system, because institutions within the country vested with budgeting responsibilities are still shaping programme budgeting to suit the country's needs and its position in the international world.

These institutions are discussed below.

### 3.2 Institutions entrusted with budgetary responsibilities

At the national government level, institutions entrusted with budgetary responsibilities are:

- \* Parliament;
- \* State President;

- \* Ministry of Finance;
- \* South African Reserve Bank;
- \* Accounting Officers; and
- \* Departmental Accountants

### 3.2.1 Parliament

Parliament is the highest legislative authority in this country. As such, it has the final say on imposition of taxes and allocation of expenditure. Every year the Minister of Finance tables his budget as an Appropriation Bill at a joint session of all three Houses of Parliament and reads his budget speech.

Thereafter, the budget is divided into "own" and "general" affairs and referred to the Standing Committee on Budgetary Affairs for closer scrutiny. As the budget is debated, the Opposition Parties get an opportunity to criticise the portfolios of various Ministers.

In spite of fierce criticisms against the budget by the Opposition Parties, the Parliament seldom ever changes the details of the budget. After the third reading when the debate is over, the Appropriation Bill is passed by the Parliament to the State President for attention. The State President assents to the Appropriation Act. Thereafter, the Act is published in

the Government Gazette and registered in the Appeal Court in Bloemfontein. At the end of this process, the Appropriation Act becomes the government financial policy for the implementation by the executive branch of the government.

### 3.2.2 State President

In public financial management, assenting to the Appropriation Act, is not the only function of the State President. He also has a vital role in making provisions to meet unforeseen expenditure. This is either expenditure which is not provided for in the budget and cannot be postponed, or provision to cover an anticipated excess on a Vote. "In these cases the State President issues a Special Warrant" (Rogers 1961:8). This provision is important as a deviation from the principle of political supremacy which requires that only moneys first appropriated by Parliament for a purpose must be expended by the executive branch of government for that purpose.

### 3.2.3 Ministry of Finance

The Ministry of Finance is composed of two fully fledged departments, namely: the Department of Finance, and the Office of the Auditor-General. Apart from being the

Political Head of his Department, the Minister of Finance is also the Treasury. His function is to co-ordinate and control the financial affairs of the State.

(a) Department of Finance

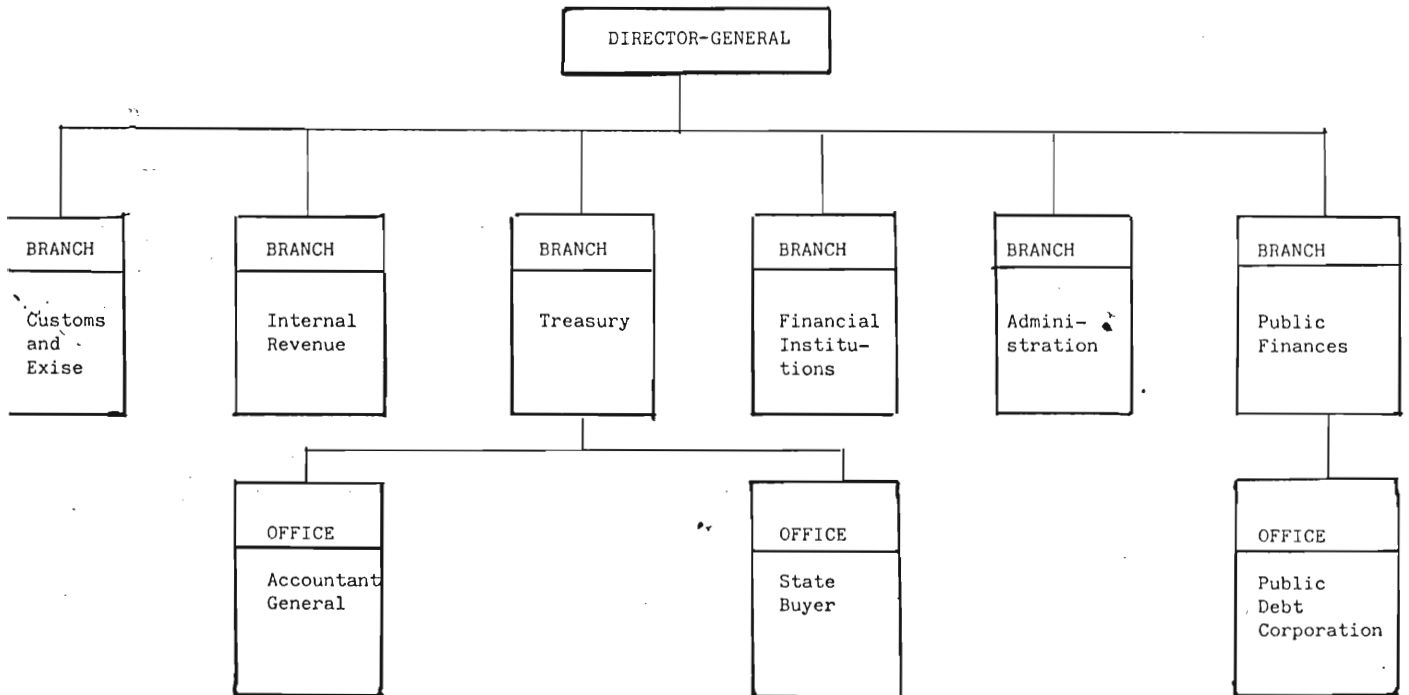
Since 1954 the Treasury has had two Administrative Heads, namely: the Director-General for Finance and the Secretary to the Treasury. The function of authorising expenditure falls to the Secretary to the Treasury (Rodgers 1961:54). This is inspite of the organisational chart dated 1 September 1986 cited by Fourie (1991:12) which accords the status of Head of Department to the Director-General and the status of branch of Department to the Secretary to the Treasury. See Figure 13 on page 209. It is so, because all matters which have a direct or indirect bearing upon finance must be referred, even by the Director-General for Finance as Accounting Officer, to the Secretary to the Treasury for authority.

In short, the Secretary to the Treasury is the one who, on behalf of Treasury,

- \* brings equity to bear where such action is warranted,
- \* meets minor emergencies in the administration,
- \* co-ordinates and controls the financial affairs of Departments, and
- \* authorises financial procedures (Rodgers 1961:60).

Figure: 13

## ORGANISATION CHART: DEPARTMENT OF FINANCE 1-9-1980





## (b) Auditor-General

In terms of the Auditor-General's Act, 1989 (Act 52 of 1989) an Auditor-General responsible for the auditing of all accounts of government departments and other public institutions is appointed. He reports to Parliament through the Minister of Finance.

The Auditor-General is perceived to be an officer of the Legislature. As such, he occupies a very important position in the ranks of public institutions and he cannot be disposed of easily. "Only after a petition of Parliament to the State President can the State President suspend his services on specific grounds" (Fourie 1991:14).

## 3.2.4 South African Reserve Bank

The South African Reserve Bank is the "bank" for the government, where the Exchequer Account for the Republic of South Africa is kept, while the Treasury keeps an account called the Paymaster-General's Account.

Briefly the functions of the South African Reserve Bank are to:-

- \* be responsible for making monetary policies in this country;

- \* issue bank notes and coins for this country;
- \* be a banker for the commercial banks in the country;
- \* be a financial adviser for the government and other public institutions, and
- \* be a guardian and regulator of this country's gold reserves and foreign exchange (Fourie 1991:12).

### 3.2.5 Accounting officers

Usually Directors-General and other Heads of public institutions are appointed as Accounting Officers for their respective departments or institutions. As Accounting Officers, these public officials are assigned authority to spend the money voted by Parliament for their respective departments.

The Exchequer Act, 1975 (Act 66 of 1975) defines an Accounting Officer as "Any person nominated by the Treasury and lawfully charged with the duty of accounting for any service provided for in an Appropriation Act, or any person to whom issues are made from the Exchequer Account" (Act 66 of 1975).

The functions of the Accounting Officer are:

- \* to see to it that there is sufficient Parliamentary authority for all payments made by him or on his behalf;

- \* to see that all the necessary Treasury Authority is obtained for all exceptional payments, or payments in excess of the Parliamentary provision in his Vote;
- \* to ensure the accuracy of his sub-accountant's balances;
- \* to report fully to the Treasury and the Auditor-General every loss or defalcation of public moneys or property, even when the loss has been recovered;
- \* to reply to all questions raised upon the accounts of his Department by the Auditor-General;
- \* to furnish the estimates when called upon to do so;
- \* to render to the Auditor-General the monthly cash accounts, the annual appropriation accounts and such other returns as may from time to time be prescribed or required;
- \* to notify promptly the Departmental Accountant about all changes having effect on payments; and
- \* to submit early to the Treasury requisitions for credits from moneys in the Paymaster-General's Account in respect of voted moneys he requires to defray expenditure (Rodgers 1961:30) and (Fourie 1991:13).

### 3.2.6 Departmental accountants

In virtually every government department, there is a

division for financial administration which is manned by one or more departmental accountants. In each of the Administrations for own affairs there is a Department of Budgeting and Auxiliary Services where departmental accountants are located. "The duties of these institutions are to note every financial transaction and keep vouchers for every payment made in order to satisfy the demands of the Auditor-General" (Fourie 1991:13).

In conclusion it must be emphasised that each of the said institutions has a role to fulfill in the various types of budget, and they all act as important gatekeepers in the flow of public funds.

### 3.3 Types of budget tabled annually

To enhance the understanding of the types of budget tabled annually before Parliament, Fourie (1991:16) formulated three classifications.

#### 3.3.1 Classification according to institution

Three types of budget come out of this classification, as follows:-

\* State Revenue Fund Appropriation; out of which

government departments are funded;

- \* Transport Services Appropriation; out of which the South African Transport Services are funded;
- \* Posts and Telegraphs Appropriation; out of which the costs for postal and telecommunication services are defrayed.

### 3.3.2 Classification according to nature

From this classification one finds:-

- \* Revenue Budget,
- \* Current Expenditure Budget, and
- \* Capital Budget.

### 3.3.3 Classification according to period covered

The period covered by the budget is divided into four (4) parts.

#### (a) Part Appropriation Budget

This refers to a "temporary" period from the beginning of the financial year to the date when the Main Budget is approved. Here the principle which is rigidly followed is that no money may be stopped on its way to the State Revenue Fund. In other words, "there can be no expenditure other than that from moneys voted by Parliament" (Rodgers 1961:54). During this "temporary

period" there is a vacuum, and the Part Appropriation Act fills that vacuum for the public service to continue until the Main Appropriation Act is passed by the Parliament.

The Part Appropriation Act contains the following clause: "All sums issued under the provisions of this Act shall be deemed to be advances on account of grants to be made by Parliament in an Appropriation Act for the year ending 31st March 19...., and upon the commencement of such Appropriation Act, this Act shall cease to have effect and issues already made hereunder shall be deemed to be issues under the Appropriation Act, and shall be accounted for in accordance with the provisions thereof: Provided that no services upon which expenditure has not been duly authorised under an Appropriation Act during the year ending 31st March 19...., or for which there is no statutory authority shall be deemed to be authorised under this Act" (Rogers 1961:67).

#### (b) Main Appropriation Budget

This type of budget covers the whole fiscal year and contains all current, capital and transfer costs. It is that kind of legislation which gives "legislative effect to the resolutions adopted by the Committee of Supply as

set forth in the Estimates or any Supplementary Estimates" (Rogers 1961:68).

Even with this Main Appropriation Budget, the appropriation is merely an authority but not an injunction to spend. Like, with other Appropriation Acts, this authority expires at the end of the financial year to which the Main Appropriation Act relates, and unexpended balances must be surrendered to the Exchequer Account.

In this Exchequer Account there are two categories of revenue. There are these moneys which are voted annually, and also the sums authorised in particular legislation as a recurring charge to the Consolidated Revenue Fund. Under this second category one finds three types of Statutory Appropriations, as follows:-

\* Fixed Statutory Appropriations

They include the salaries of the State President and Members of Parliament, and they are not reviewed every year.

\* Sums charged by specific Acts

Some sums of money are charged to the Consolidated Revenue Fund by specific Acts, such as, the cost of raising loans.

\* Standing Appropriations from Revenue

These sums of money represent revenue collected for specific purposes and shown as contra items in the Exchequer Account. The South African Native Trust Revenue is an example of such an appropriation.

(c) Supplementary Budget

The supplementary budget is usually submitted at the end of the session to correct mistakes and also to announce any new taxes, levies or salary changes.

(d) Additional Appropriation Budget

This type of the budget is usually submitted at the beginning of the session to secure Parliamentary approval on discrepancies experienced from the previous financial year.

In conclusion it can be stated that all these types of budget occur within the system of Budgeting - by - objectives which is in force in this country.

### 3.4 Budgeting - by - objectives

Up to 1977 the budget system for this country was the



Item Budget System. This was changed in 1978 and programme budgeting was introduced. This new system was called Budgeting-by-objectives.

From the day of its inception to 1985 the government institutions charged with financial responsibilities grappled with teething problems of the system until new Financial Management Procedures emerged. To some practitioners these procedures marked, in 1985, a shift from the system of Budgeting-by-objectives, to yet another budget system - the current Financial Management System, where the international monetary fund objectives now play an important part in determining programmes in the budget documents (Liversage 1992:interview).

Whether this country's current budget system is Budgeting-by-objectives or Financial Management, what is important is that in its present form the system develops decision-making information required to determine the means and the ends in the implementation of government programmes. "The whole idea behind this approach is to develop some analytical system whereby "value for money" is determined" (Fourie 1991:17). This becomes more clear as the following aspects of this system are discussed:-

- \* principles of the South African Budgeting System;
- \* budget information in this System;

- \* standard item classification in this System; and
- \* budget cycle for this System.

#### 3.4.1 Principles of the South African Budgeting System

Fourie (1991:16) advances the following six principles of the South African budget system:

- \* it identifies purposes and objectives of departments, and clarifies policy aims in order to allocate means to achieve these ends;
- \* it identifies the executive programmes by which aims are achieved;
- \* it emphasises the determination of policy priorities, and provides for alternative methods to achieve aims;
- \* it integrates various purposes and aims with the executive programmes of the budget;
- \* it aims at multiple year financial planning of the executive programmes through the planning of the means to achieve the end; and
- \* it acquires and enhances the development of analytical aids to evaluate the efficiency and effectiveness of the efforts.

These principles are evident in the type of data required in the budget document.

### 3.4.2 Budget information in this system

In each programme structure the following information is required:-

#### (a) Aims of the Appropriation

Firstly under this column, an explanation of the needs which have to be fulfilled must be provided. The emphasis of the explanation should be on the output of the project rather than the input.

Secondly, a complete estimate of the expenditure per purpose must be provided. The total cost must be included in the departmental programme structure.

#### (b) Financial responsibility

Under this column the institution (be it a branch, a regional office or a district office) which is responsible for that expenditure is identified.

#### (c) Expenditure items

Under this column the expenditures are estimated according to the goods and services involved in the fulfilment of that purpose.

(d) Source of Funding

The fund from which a certain expenditure is going to be financed is quoted under this column.

(e) Priority classification

Under this column a distinction is made between a new programme and the extension of an existing programme on one hand, and on the other hand, the maintenance of an approved programme.

All these programmes are placed in five (5) priority categories, namely:-

- \* Absolutely essential
- \* Essential
- \* Desirable
- \* Useful
- \* Dispensable

(f) Further cross control and analysis

In respect of each purpose the responsible agent can be indicated and the expenditures required for each vote, account or fund can be estimated.

In respect of each responsible agent, details about pursued purposes, expenditure items required, the fund from which they are financed, and the extent that each programme is a New, Extension or Maintenance programme are supplied.

In respect of each expenditure item the purpose and the source of funding are furnished.

#### 3.4.3 Standard item classification

Estimates in respect of expected expenditure to finance a specific programme are classified according to the following standard items:-

##### (a) Personnel Expenditure

This includes all emoluments to personnel such as salaries, allowances, bonus and gratuities.

##### (b) Administrative Expenditure

It is expenses for domestic items, such as, transport costs, postal, telegraph and telephone costs, registration fees, advertisements, etc.

(c) Stores and Livestock

These are expenses on consumable items such as chemicals, paint, oil, coal, fertilizer, medicines, fuel, stationery, livestock, etc.

(d) Equipment

These are expenses on non-consumable items such as durable machines, hospital equipment, furniture and labour saving devices.

(e) Land and buildings

This refers to the expenditure on the renting and purchasing of land, buildings and other structures.

(f) Professional and specialised services

This is expenditure for professional persons such as physicians, architects, accountants, auctioneers, etc.

(g) Transfer payments

These expenses are allocated for grants-in-aid, loans, social pensions, subsidies, etc.

## (h) Miscellaneous

These expenses are provided for items not covered by any of the foregoing items, such as, ex gratia payments, repayments, remissions, etc.

## 3.4.4 Budgetary cycle

Up to 31 March 1991 the budgetary cycle for this system basically involved three phases, as follows:-

## \* First phase

This phase involved the preparation of the Draft Estimates of Expenditure which culminated in the passing by Parliament of the Main Appropriation Act.

## \* Second phase

This is the phase for preparing the First Revised Estimates.

## \* Third phase

During this phase the preparation of the Second Revised Estimates which culminates in the passing by Parliament of the Additional Appropriation Act, takes place.

This budgetary cycle was reviewed by the Cabinet. A new budgetary cycle was introduced as of 1 April 1991. This

cycle involves quarterly reporting so as to place greater emphasis on the reporting of expenditure. Therefore, the new cycle has four (4) phases with each phase being a quarterly period, in which the following budgetary activities occur:-

- \* An Accounting Officer prepares a complete report on the Departmental budget vote and submits it to the Minister for approval.
- \* Thereafter, this report is submitted to Treasury.
- \* The Treasury consolidates all Departmental reports to produce a government quarterly report.
- \* On a date determined by Cabinet the Treasury submits the Consolidated report to Cabinet for discussion.
- \* Cabinet deals with the whole report for that quarter including requests for additional funds in that quarter. If such requests are approved, required funds are made available immediately.
- \* Treasury provides a feed-back on Departmental reports and requests after the Cabinet has disposed of that quarter's consolidated report, and this concludes the budgetary cycle for the quarter. The process is repeated until all four quarters of a financial year are completed.



It should be noted that these quarterly reports do not do away with the Bill for the appropriation of Additional Funds. In the past additional funds were only allocated in February, a month before the end of the financial year when time did not permit the use of all the extra money. The advantage of quarterly reporting is that, as indicated earlier, Cabinet now deals with requests for additional funds on a quarterly basis which gives enough time for Departments to use all the money requested as an additional allocation (Kwa-Zulu Treasury Circular No. 5 of 1991: 1 - 3).

All these aspects of financial planning and budgeting form the foundation for the JEA financial planning and budgeting, because, in reality, the approved JEA budget is part of NPA and Kwa-Zulu approved budgets. Nonetheless, the office of the Chief Executive Officer is a unique public institution, and its financial planning and budgeting differs in certain aspects from the pattern in NPA and Kwa-Zulu. These differences are discussed below.

#### 3.4.5 Departure in JEA Financial Planning and Budgeting

After studying the JEA budget, it is still difficult to slot it into a specific budget system. No doubt, from the phase when the JEA estimates are adopted by both NPA

and Kwa-Zulu and presented respectively to Parliament and Kwa-Zulu Legislative Assembly, they are part of NPA and Kwa-Zulu budgets. As that component part the JEA budget is part of the system of Budgeting-by-objectives or Financial Management - whatever one prefers to call the current budget system in this country. However the format used in the JEA estimates and followed in the implementation of the approved JEA budget leads to the conclusion that in the JEA context the item budget system is used.

For JEA purposes, the Kwa-Zulu Legislative Assembly is added to the above list of institutions entrusted with budgetary responsibilities. An interesting finding is that the JEA books are audited by the State Auditor annually and the JEA pays for these services. A point of departure in the appointment of the Accounting Officer is that, instead of being appointed in terms of the Exchequer Act 1975 (Act 66 of 1975), the JEA Accounting Officer is appointed in terms of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986

(Act 80 of 1986). In terms of section 10(3) of the last mentioned Act, the provisions of the Exchequer Act 1975 (Act. 66 of 1975), and the regulations and instructions issued thereunder apply *mutatis mutandis* in respect of the Joint Revenue Fund save to the extent to

which they are inconsistent with a provision of the JEA Act.

Other issues raised in the various aspects of financial planning and budgeting fit in with JEA financial planning and budgeting. What remains to be explored now is the implementation of the budget with specific reference to the JEA budget.

#### 4 EXECUTION OF THE BUDGET BY THE JEA

Whereas financial planning involves mostly the public managers, the execution of the approved budget involves all public officials. For that reason, the execution of the budget is governed by standing Financial Regulations, Treasury Instructions and Official Procedures which are not elaborated upon in this study, but nonetheless, which must be followed to the letter by all public officials as they spend public moneys placed in trust in their hands.

For purposes of this study the execution of the budget by the JEA is analysed against:-

- \* guidelines in public financial administration;
- \* accounting systems;
- \* virements; and

\* regaining of losses.

#### 4.1 Guidelines in Public Financial Administration

Fourie (1991:23) advances three guidelines in public financial administration.

##### 4.1.1 Authorisation of Appropriations

This guideline prescribes that individual appropriations are not to be exceeded without proper authorisation in the execution of the budget. At national government level, these individual appropriations include; the total government allocation for the year, Departmental Votes, and Sub-Votes of Departmental Votes. Consequently one can seek the observance of this guideline at three corresponding levels.

###### (a) Supervisor - supervisee level

This level corresponds with the level of sub-votes within a Department or a public institution. At this level, supervisees may not spend public moneys in excess of what is authorised by their respective supervisors, because requests for *ipso facto* authorisation tend to defeat the very purpose of control in the expenditure.

This level exists in the office of the Chief Executive Officer, and this guideline is observed to the letter.

(b) Treasury - Accounting Officer level

This level corresponds with the level of Departmental Votes. At this level the Accounting Officer may not allow his Department or public institution to overspend in any sub-vote without first obtaining Treasury Approval to incur that excess expenditure. Where this has happened, and Treasury has refused to grant retrospective authority, after the close of the financial year, the excess expenditure is treated as an unauthorised expenditure which requires to be voted in the Additional Appropriation Act.

At this level, the office of the Chief Executive Officer operates differently from the above norm. As long as the Accounting Officer in this office keeps his expenditure within the approved budget, he is able, on his own, to move funds from one sub-vote to the next without prior Treasury Approval. This flexibility in the execution of the JEA budget was designed to enable the administrative arm to respond timeously to programmes prepared in terms of the JEA resolutions that are passed from time to time.

However, when the Accounting Officer must overspend on the approved budget, he must, in terms of the provisions of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986), first obtain RSA Treasury Authority. Administratively, when seeking this Treasury Approval, he simultaneously, must seek the Kwa-Zulu Treasury Approval as well, because NPA (represented by RSA Treasury) and Kwa-Zulu (represented by Kwa-Zulu Treasury) contribute equally on the JEA approved budget.

(c) Legislature - executive level

This level corresponds to the level of the consolidated budget which is the total government allocation for the year. At this level, Treasury may not allow the approved consolidated budget to be exceeded. Where this has occurred through fruitless expenditures by some Accounting Officers or through Special Warrants issued by the State President, Treasury includes such overexpenditure in the Additional Appropriation Act in order to comply with this guideline - a level of higher authority compared with the JEA.

#### 4.1.2 Fiscal year budget validity

According to this second guideline approved budgets are only valid for the financial year. Unspent moneys are

forfeited by Departments, and Treasury re-deposits them into the State Revenue Fund at the end of the financial year.

Although in the execution of the JEA budget, approved budgets are also valid for the financial year, unspent moneys are neither forfeited by JEA nor re-deposited into the State Revenue Fund. Instead, unspent moneys are carried forward and kept in the Joint Revenue Fund.

#### 4.1.3 Funds used only for purposes approved by Parliament

In terms of this guideline, funds should be used only for those purposes identified in the budget and approved by Parliament. Any deviations from this guideline require Treasury Authority in advance.

In (b) above it has already been mentioned that the JEA Accounting Officer is able to move funds from one item to the next. Therefore the JEA is not restricted by this guideline.

#### 4.2 Accounting systems

For purposes of regularity and order, it is necessary in the execution of the budget to maintain proper bookkeeping systems.

In the JEA, maintenance of proper accounting helps the office of the Chief Executive Officer to:-

- \* comply with legal requirements,
- \* enhance future estimates,
- \* facilitate control and auditing, and
- \* keep a record of vouchers for purposes of public accountability.

#### 4.3 Virements

Virement, or the transfer of credits, is the authority given to the Minister of Finance by the Appropriation Acts to utilise savings on a sub-vote to meet other specific expenditure within the same vote (Rogers 1961:72). This virement is possible in the JEA financial administration in the event of the Accounting Officer requesting Treasury Authority to spend in excess of his approved budget.

#### 4.4 Regaining losses

Regaining of losses is provided for in the Exchequer Act, 1975 (Act 66 of 1975). Section 34 of this Act provides that a person currently or previously in the employ of a department of State causes the State a loss or damage if he:



- (a) fails or failed to collect State moneys for the collection of which he is or was responsible;
- (b) is or was responsible for an irregular payment of State moneys or for a payment of such moneys not supported by a proper voucher;
- (c) is or was responsible for fruitless expenditure of State moneys due to an omission to carry out his duties;
- (d) is or was responsible for a deficiency in or for the destruction of, or damage to, State moneys, stamps, face value documents and forms having a potential value, securities, equipment stores or any other State property; and
- (e) is or was, due to an omission to carry out his duties, responsible for a claim against the State.

When these circumstances arise, the Accounting Officer concerned determines the amount of such loss or damage, and, subject to the provisions of Section 34(5), orders, by notice in writing, the defaulting official to pay the State within thirty days from the date of such notice, the amount so determined (Fourie 1991:26). These provisions of the Exchequer Act, 1975 (Act 66 of 1975)

apply *mutatis mutandis* to JEA officials as they go about executing the budget.

#### 4.5 JEA Expenditure

The JEA expenditure is set out in the yearly estimates. Unlike the NPA and Kwa-Zulu estimates which are in terms of standardised items, namely: personnel, administrative, stores and livestock, equipment, land and buildings, professional services, etc., the JEA expenditure items are in a different format, and divided into six (6) votes.

##### 4.5.1 Vote 1 : General Administration

This vote includes the following sub-votes:-

###### (a) Salaries, wages and allowances

There are two items for this sub-vote namely: the basic salaries, wages and allowance, and the service bonus. Both these items are meant to provide for the staff members of the office of the Chief Executive Officer. Therefore, it is clear that on the staff of this office seconded either by NPA or Kwa-Zulu, on appointment to the JEA, these seconded officials cease to draw their salaries from their original Departments and draw them from this sub-vote.

For the current year 1992/93, the provisions made for this sub-vote is R414 000 which is almost double to the figure provided for the previous year which was R269 000. There are two explanations for this sharp increase. First, it provides for the salary adjustments which came into effect on 1st July 1991 for all public servants. Second, the sharp increase also caters for a newly created post of the Deputy Director (Specialised Services) who is in the process of being appointed this year.

(b) Contributions to Pensions and Provident Funds

The provisions for this sub-vote stand to benefit the staff members in the office of the Chief Executive Officer. The sub-vote caters for the following three (3) items:-

(a) The JEA as an employer is required by statute to make a contribution to a pension fund. Consequently, the first item provides for the JEA's contribution to the above Pension Funds. For the 1992/93 financial year this item stands at R84 000.

(b) The second item provides for the payment of advances in respect of officers' arrear contributions.

(c) Last, is a provision for a Stabilisation Account.

## (c) Subsistence and transport

Of the eight items under this sub-vote, it is only the last item which provides for services that benefit the ten JEA members. The reason for this is undoubtedly that for subsistence and transport allowances members of the JEA claim from their respective Departments in NPA and Kwa-Zulu.

These are the items for this sub-vote in their numerical order: subsistence allowances, costs related with travelling by air, rail or road, costs for transporting goods, costs incidental to transfers, subsidised car and travelling allowances, maintenance and repair costs to official vehicles, purchase of official and subsidised motor cars, and costs related to transporting members of the JEA.

## (d) Postal and telecommunication

The office of the Chief Executive Officer is equipped with telephones and it also uses postal facilities, such as, stamps, telegrams, etc. These postal services are necessary for every public institution: hence these provisions are made for the JEA.

(e) Printing, stationery, advertisements and publications

This sub-vote is also of items which cannot be divorced from public administration. Public institutions must be provided with adequate funds for essential items and services, the lack of which can cause the service rendered to grind to a halt. These items are: printing, stationery, advertisements and publications.

(f) Furniture and equipment

From the provisions made in this sub-vote, it is clear that the JEA, although accommodated by NPA in the Bourquin Building Complex, is responsible for buying and maintaining its own furniture, such as, office desks, chairs, etc.; and equipment, that is, typewriters, fax machines, photostat machines, etc.

(g) Miscellaneous expenses

In this sub-vote there are thirteen items. Incidental expenses, such as legal expenses, losses and deficiencies, claims against the JEA, workmen's compensation, etc., are all provided as the first item.

With regard to legal expenses and claims against the JEA, it must be noted that the JEA is a juristic body. The

State Liability Act, 1957 (Act 20 of 1957), is, in terms of section 12 of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986), applied **mutatis mutandis** to the JEA. For the purposes hereof, any reference in that first mentioned Act to:-

- (i) a Minister (of a Department of State) is construed to mean the Chairman of the JEA, and
- (ii) the Consolidated Revenue Fund is construed to refer to the Joint Revenue Fund.

The effect of the application of this Act is to render the JEA liable for any breach of any contract entered into by the JEA, or any delict committed by any person in the service of the JEA while acting in the course of such service. Proceedings are to be instituted against the Chairman of the JEA and, while no execution, attachment or like process may be issued against the Chairman in his capacity as representative of the JEA, the eventual judgement is to be satisfied monetarily from the Joint Revenue Fund.

Items two to thirteen make provisions for the following:

- \* official entertainment,
- \* contribution to the Medical Aid Schemes,

- \* contribution to home owner allowance scheme,
- \* bank charges,
- \* computer charges,
- \* rental which includes cost for lights, water rates and cost for cleaning and maintenance,
- \* payment of joint services board levy,
- \* consultants' fees,
- \* insurance assets,
- \* remuneration of Auditors,
- \* depreciation of furniture, and
- \* maintenance of office furniture and equipment.

(h) Standing and advisory committees

This sub-vote provides for allowances, subsistence, transport and miscellaneous expenses which include printing and advertisements. These expenditures are paid to the members of, and services flowing from, the abovementioned committees.

(i) Grants - in - aid and subsidies

This sub-vote provides for transfer payments authorised by the JEA to support community organisations. At present this sub-vote supports only one community project the Keep Natal and Kwa-Zulu Beautiful Campaign - to the amount of R5,000.

#### 4.5.2 Vote 2 : Hospitals, medical and health services

This vote and the remaining votes reflect nominal provisions of R1 000 under each item during this current and the previous years. "It is deemed desirable to maintain such votes in case projects are embarked upon which may require the incurring of expenditure" (JEA Estimates of Revenue and Expenditure For The Financial Year Ending 31st March 1993).

The sub-votes for this vote are:

Administration, Supplies and Services, and Miscellaneous.

#### 4.5.3 Vote 3 : Roads and bridges

The sub-votes for this vote are:

Construction of Roads and Bridges; Maintenance; Traffic Control; and Motor Licensing.

#### 4.5.4 Vote 4 : Works

The sub-votes for this vote are:

Major Works; Minor Works; and Repairs and Maintenance.

#### 4.5.5 Vote 5 : Joint Services Boards

The sub-votes for this vote are:

Administration; Supplies and Services; and Miscellaneous.



#### 4.5.6 Miscellaneous services

The sub-votes for this vote are:

Libraries, Heritage, and Civil Protection.

In conclusion, it is observed that the nominal sums provided for Vote 2 downwards are carried forward as savings if at the end of the financial year a project provided for in any of these votes is not being transferred to the JEA. Therefore, for the present, these last five votes have been in a sense a source of JEA revenue.

### 5 FINANCIAL CONTROL FOR JEA OPERATIONS

Section 10(2) of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986) requires the Accounting Officer for the JEA to keep such accounting and other records as will reflect the transactions in respect of and the financial state of affairs in the Joint Revenue Fund. This provision provides for financial control measures to the JEA operations.

In terms of section 11(1) of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986), the auditing of the accounting and other financial records of the Joint Revenue Fund is to be carried out by the Auditor - General who is required to report on his audit to:-

- (a) the JEA;
- (b) the Chief Minister, who shall cause the report to be tabled in the Kwa-Zulu Legislative Assembly within a specified period after receipt thereof; and
- (c) the administrator, who shall within seven days of receipt, transmit the report to the Minister of Local Government and National Housing who, in turn, is required to table the report in Parliament also within a specified period after receipt thereof. These provisions enhance financial control in JEA operations.

Section 13(1) of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986, (Act 80 of 1986), imposes on the JEA members a duty to preserve the secrecy of "confidential information" obtained by them in the exercise and performance of the powers, duties and functions of the JEA. This includes information of which the disclosure would prejudice the JEA financially and otherwise.

These and other financial control measures brought into the JEA financial administration by the Exchequer Act, 1975 (Act 66 of 1975), the State Liability Act, 1957 (Act 20 of 1957) etc., read with their regulations and

instructions, render the JEA to operate like any other public institution in handling public moneys.

## 6 SUMMARY

This analysis brings to the open similarities and differences between financing in the JEA and financing in other public institutions. This last part of the Chapter is dedicated to highlighting a few of these similarities and differences.

First, like all public institutions, the JEA source of revenue is the State coffers, which receives its money from government enterprise, interest and dividends levies, licences, fines and forfeitures, special funds and accounts, taxes and loans. However, instead of making use of the General Account and the Paymaster General's Account used by all other public institutions for financial transactions, the JEA uses the Joint Revenue Fund.

Second, institutions entrusted with budgetary responsibilities, such as, Parliament, State President, Ministry of Finance, South African Reserve Bank, Accounting Officer and Departmental Accountant are as relevant to the JEA financing as they are to other public institutions. However, JEA financing requires the

involvement of the Kwa-Zulu Treasury and Kwa-Zulu Legislative Assembly in addition to the above list of institutions entrusted with the budgetary responsibilities.

Third, like all public institutions, the JEA has an accounting officer. However, the JEA Accounting Officer is appointed in terms of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986) instead of the Exchequer Act, 1975 (Act 66 of 1975) as is the case with most accounting officers. The provisions of the latter Act with its regulations, nonetheless, apply mutatis mutandis, in the JEA financing.

Fourth, like all public institutions the JEA budgetary estimates are based on standardised items. However, the format of the item standard classification is different in the JEA financing. Fifth, like all public institutions the JEA budgetary cycle is a fiscal year. However, unlike other public institutions which forfeit unused money at the end of the fiscal year, the JEA financing provides for the carrying over of unused funds into the ensuing fiscal year. There are many other areas of similarities and differences between the JEA financing and financing in other public institutions evident in this study.

## CHAPTER SIX

### STAFFING

#### 1 INTRODUCTION

The generic administrative process of staffing refers to the specialised field of personnel administration. In this field attention is paid to manpower resources in the public service. However, due to the interdependency, inter-relatedness and mutual inclusiveness of all functions in public administration and personnel administration, human resources cannot be analysed in isolation.

They need to be studied against all the functions of personnel administration which are grouped into generic administrative processes and functional activities. See figure 14 taken from Cloete (1991:152). There has been considerable discussion concerning JEA staffing in these other Chapters on policy-making, organising, financing, determining of procedures, and devising of control measures, that it is no longer necessary to analyse JEA human resources against the generic administrative processes here.

In this Chapter the staffing analysis is confined to the functional activities. See Figure 14 on page 247 for a breakdown of these functional activities which are:-

Figure 14  
CLASSIFICATION OF STAFFING FUNCTIONS

Generic Administrative Functions	Auxiliary	Functional activities			
		Personnel Provision functions	Support Functions	Training and development functions	Utilisation functions
Policy-making Organising Financing Staffing Determining work procedures Controlling (checking and rendering	Collection Processing of data Decision making	Creation of posts (jobs); determination of establishment Recruitment: determining personnel needs determining fields of recruitment attraction of candidates selection Placement Probation Promotion Transfer Termination of services	Determining conditions of service remuneration fringe benefits Record-keeping Settlement of grievances Counselling Employer - Employee relations; joint consultation Research Health Safety and Welfare	Induction/orientation Training Development (These functions could well have been listed under one or more of the other headings e.g. personnel provision functions but they are dealt with separately here for the sake of clarity)	Proposal creation of posts On-the-job-training Merit rating Leading (motivation) Conflict solution Counselling Disciplining

- \* personnel provision functions;
- \* support functions;
- \* training and development functions; and
- \* utilisation functions (Cloete 1991 : 152).

For purposes of the JEA, this study has two basic concerns, namely:-

- (a) to project the JEA staffing as it is, and
- (b) to search vigorously by means of social scientific methodology, for causes and consequences of the JEA staffing position.

## 2 PERSONNEL PROVISION FUNCTIONS

The personnel provision functions range from those activities which create new jobs and which disengage existing posts for filling by new incumbents, to those activities of filling vacant positions in the establishment. At all times, such work involves specialists in personnel matters as well as the owners of the staff establishment. In other words, the staff and line functionaries work together in the functions of providing personnel.

In the JEA unique position of being a part of NPA and at the same time a part of Kwa-Zulu, this shared responsibility between the staff and line functionaries is between, on one hand, NPA Personnel Management Directorate and Kwa-Zulu Public Service Commission, and, on the other hand, the JEA Secretariat office.

In themselves, the personnel provision functions are:-

- \* job determination;
- \* recruitment and selection;
- \* placement;
- \* probation;
- \* promotion;
- \* transfer; and
- \* termination of services (Cloete 1991: 152).

## 2.1 Job determination

The term "job determination" refers to the creation of posts and the determination of the establishment. The Work Study Officers of NPA, the Efficiency Officers of Kwa-Zulu, and the Chief Executive Officer are equally responsible for maintaining an up-dated staff establishment for the JEA.

In itself, job determination can be broken down into:-

- \* job analysis;
- \* job definition;



- \* job classification;
- \* job evaluation; and
- \* job specification (Andrews 1991 : 11 - 12 ).

#### 2.1.1 Job analysis

Job analysis entails three related scientific procedures which are:-

- \* the process of gathering information on the duties to be performed by a particular employee;
- \* making decisions on the experience, proficiency, and educational qualifications required to perform a specific task; and
- \* weighing information collected through the first two procedures on the basis of relevant implications and peripheral associations ( Lyons 1978 : 31 ).

In the JEA these procedures are used for purposes of analysing both new and occupied positions. When analysing an occupied post, the incumbent is involved in the exercise as a major contributor of required information on the work of his post. By involving the incumbent a useful element of self-examination emerges, in that, the line functionary finds an opportunity to analyse his/her work.

It was stated that the Chief Executive Officer was a major contributor of required information for his post, which he occupied at the time of advertising (Dube 1991:interview). Such information differs in scope and complexity according to job levels. Following is a brief exposition of these job levels:-

(a) Manual workers' level

If the position is at a manual workers' level, the information required is a simple description of actions that are taken to complete the job. This means that the scope is limited and the work is quite simple. As such, a plain narrative statement serves the purpose of a job analysis. In the JEA set-up this manual workers' level is yet to come with the transfer of functions from Kwa-Zulu and NPA. Manual work at the Secretariat office is negligible at the present moment and therefore not worthy of analysis.

(b) Clerical level

There are clerks in the Secretariat office. Information required when analysing their work covers a wide scope and complex relationships. For example, the duties of the personal clerk to the Chief Executive Officer places her very close to the Head of the office and at the disposal of every staff member, as well as, outsiders

who must communicate with the Chief Executive Officer.

On the other hand, the duties of the Senior Administration Clerks allot them a different position in the JEA network. Their communication is stronger between themselves and their supervisors and with the rest of the JEA personnel. They rarely communicate with the outside world.

Therefore, at this level the information required for analysis cover the role of the clerk, the clerk's place in the institutional network, the implications and effects of the clerk's work on the work of others, namely:-the colleagues, supervisors and subordinates - and outside-institution linkages.

#### (c) Managerial level

At the managerial level, job analysis is more complex and it covers a very wide scope. Consequently, "it is here that its value is most clearly seen and the complexities and difficulties of adequate analysis are most obvious" (Lyons 1978 : 31). The critical areas for job analysis at this level are:

- \* purpose for which the job was created;
- \* responsibilities attached to the post;
- \* constraints under which the job is performed; and
- \* criteria used for recognising a job well done.

## (i) Purpose

The job analysis commences with a brief statement of the purpose of the job. This statement gives in a sentence or two a reason for the existence of the job. For example, the purpose for the post of the Assistant Secretary (Financial Management) in the JEA is that of a Departmental Accountant. The incumbent of the post runs a proper book-keeping and financial accounting system for this institution. He is also a financial adviser to the Chief Executive Officer on all financial transactions. This purpose is indicated in the duty sheet, and, in every JEA duty sheet the purpose for that particular post is stated.

It is important to note that the purpose spells out clearly the need for the post in the institution. In the given example, who can dispute the need for a financial expert as a gate-keeper for responsible spending of government money? The clarity of purpose removes doubt and confusion about the existence of the post that may be speculated. Knowing the purpose in the given example, there is no doubt that this post was not created for the undermentioned reasons, although the incumbent reports directly to the Chief Executive Officer on such a powerful function - the finances. The post is not for:

- \* providing a niche for a successor;
- \* helping out an over-worked Chief; and

- \* providing a primus inter pares of subordinates to deputise in the Chief's absence (Lyons 1978 : 32).

## (ii) Responsibilities

In analysing responsibilities attached to the job, the public manager looks at three items, namely: facts, qualifications, and proportion.

### \* Facts of the job

In analysing facts attention is paid to what the employee does all day and his position in the hierarchy in order to establish the status of the job, the level of superiors, the number of subordinates, and the number of colleagues with whom he reports to one supervisor.

For example, facts about the job of financial management in the JEA set-up are that the Assistant Director (Financial Management) attends to financial issues all day. The post is at the second level of management directly under the supervision of the Chief Executive Officer. The incumbent of this post is at par with two Deputy Directors who are also supervised by the Head of office. There are no subordinates for this post. These facts help to establish " possible overlap, points of continuity and management span " (Lyons 1978 :32 ).

\* Quantification of responsibilities

The quantification of responsibilities attached to the job is necessary to gauge the weight of the post. The items which are quantifiable are, inter alia: money in terms of rands and cents, volume of goods, or subordinates. In the above example, the worth of the position of Assistant Director (Financial Management) is most probably based on the institution's budgetary allocation which this financial year 1991/1992 is R935,000. Should this figure grow over years, the worth of this post will be more and it will be upgraded accordingly.

\* Proportion of quantified responsibilities

Once responsibilities for the job are quantified, it is necessary to put them in perspective to the responsibilities of the entire institution. This helps to establish the extent to which the job incumbent's contribution affects the whole administration. In the example of the position of Assistant Director (Financial Management) the control of the entire budget makes him a very important person in the JEA.

It is for this reason that the position of the Chief Executive Officer is elastic. Up until recently, the actual rank of the Chief Executive Officer was

a Deputy Director. This grade was proportional to his quantified responsibilities seeing that the two Deputy Director positions were not filled and the JEA had not reviewed its staff establishment as to the need for five additional posts.

At present the Chief Executive Officer is a Director. This is also proportional to his quantified responsibilities in that line functionaries from both NPA and Kwa-Zulu have not yet been transferred to the management by the Secretariat office. As soon as the transfers are effected, his grade will have to be revised to be proportional to his responsibilities at that time.

### (iii) Constraints

Jobs are usually subjected to a variety of constraints. It is inevitable for jobs in the JEA institution to be caught up in political considerations, policy constraints, or procedural constraints. In procedural constraints, "dead-line dates are a factor in job pressure and responsibility levels" (Lyons 1978 :33). This is so, because they substantially differentiate one type of job from another.

Take again the example of the Assistant Director (Financial Management) and compare it with the other two posts of Assistant Directors. This post has dead-line

dates for preparing and submitting yearly estimates which have a long chain effect even outside the institution, to the extent that Kwa-Zulu Treasury and Republican Treasury can be halted in their functioning, following poor performance. On the other hand, poor performance by the other two Assistant Directors may at most affect the JEA internally. This must not be construed to mean that other JEA posts have no procedural constraints because they all do.

#### (iv) Criteria

The criteria by which the performance is judged sub-standard, average, good, or excellent helps to evaluate the job and to mete out a corresponding reward for the performance. In the setting of a criteria a norm should be clearly stated as follows:- "The job will be regarded as being done properly when....." stating what, how, how-often and when a task ought to be done. In the JEA, the criteria are spelled out at staff meetings, through memoranda and manuals, and in duty sheets (Dube 1991 : interview).

#### 2.1.2 Job definition

Sometimes the term "job description" is used as both words entail the definition of the organisational connection, the responsibilities, and the particular duties related to a certain job (Andrews 1991 :11). In



this definition the term "job" refers not only to the work itself but also to the style of supervision, procedural constraints, peer relations, and other climatic factors in the work place (Lyons 1978 :35).

Job definitions are common in advertisements for vacancies. In Annexure 3, for example, the description of the vacant post of the Deputy Director (Special Services) covers amongst other things: the status of the position, its location, the salary bracket, the qualifying applicant target group, supervision, organisational connection internally and externally, duties, and other aspects.

At all times a job definition culminates in a duty sheet for the post. As a result, all positions in the JEA establishment have duty sheets (Dube 1991 : interview).

#### 2.1.3 Job classification

The job classification refers to the ranking of various jobs into groups or classes. All jobs having similar functions are placed into a specific class. That class serves as a framework to determine conditions of service as well as salary structures.

In the government service job classification is not the responsibility of public managers. These are "given" to them by their respective Public Service Commissions. The JEA Secretariat uses the job classification provided by the Commission for Administration. See Figure 17 below.

This is confirmed by the absence in this institution of the Chief Administration Clerk post in the undermentioned Vocational Class Dispensations. Whereas in the Republican Vocational Classification the Senior Administration Clerk is supervised by the Administration Officer as is the case in this institution, in the Kwa-Zulu Vocational Classification between these two positions there is a Chief Administration Clerk (Dube 1991:interview).

Figure 17

#### CLASSIFICATION OF POSITIONS IN JEA

<u>Classification</u>	<u>Jobs in the JEA</u>
Vocational Class: Administration	Director;
	Deputy Director;
	Ass. Director;
	Snr. Adm. Officer;
	Adm. Officer;
.. .. Clerk -	Snr. Adm. Clerk;
.. .. Accountant -	Ass. Director;
.. .. Personal Secretary-	Pers. Secretary;

According to Andrew (1991 : 11) each of these classification systems are:-

- \* intelligible,
- \* flexible to allow changes,
- \* comparable, and
- \* a base for extension.

It would appear that the absence of the Chief Administration Clerk post in this institution has certain disadvantages for the Kwa-Zulu Senior Administration Clerks. For instance, they cannot apply for a vacant JEA Administration Officer position like their NPA counterparts in the promotion list, because of the existence of this level of Chief Administration Clerk in Kwa-Zulu.

#### 2.1.4 Job evaluation

In the exercise of evaluating jobs the public manager makes a comparison between various jobs. In most cases this is done to determine salary structures. Andrews (1991 : 11) suggests the undermentioned methods for evaluating jobs:-

- \* ranking method,
- \* classification method,
- \* factor comparison method, and
- \* points allocation method.

By the nature of these methods it is clear that job evaluation is very technical, and it is the field for

personnel trained in work study, organisation and method. Therefore, for the JEA, job evaluation is the responsibility of the NPA Work Study Officers and the Kwa-Zulu Efficiency Officers.

#### 2.1.5 Job specification

Providing a job specification is very important particularly when recruiting personnel. Working out these specifications makes the public manager involved in the exercise decide firmly on the essential and desirable characteristics of the incumbent for the position.

In a managerial job, the specifications include the minimum levels of education, experience and professional qualifications. It is advisable with personal characteristics to confine needed information on education, experience, qualifications, and, in some cases, age and interests. "In more senior posts, it is often useful to point out that evidence of achievement in the field concerned is required " (Lyons 1978 : 47).

In certain types of jobs the following additional qualities should be stipulated: the possession of a valid driver's licence and willingness to travel, current registration with a relevant professional body, working highly irregular hours, and so forth.

At all times, it is important in job specification to follow the simple rule of avoiding the mention of any quality which almost every would-be candidate believes he/she possesses, such as:- "intelligence, initiative, imagination, drive, enthusiasm, a capacity to work hard, acceptability and ambition" (Lyons 1978 :46). It is clear from Annexures 3 and 4 that the JEA observes these job specification details.

## 2.2 Recruitment and selection of personnel

Whereas recruitment nets eligible candidates, selection identifies the candidates most suitable for available positions. In that way, for a placement to be suitable, selection should be based on merit from a wide range of recruited candidates. Both these functions, in this order of recruitment then selection, are vital for the effectiveness (that is, for right people to be placed in right jobs) and progress in the public service.

### 2.2.1. Recruitment

Recruitment refers to having sufficient applicants to select from for a particular vacancy so that the right individual can be selected for the right job (Andrews 1991: 12). Attracting a sufficient number of applicants makes public managers and personnel officers compete for scarce human resources, which makes the

character of recruiting competitive.

Pushed to the limits, this competition unleashes in some public managers and public personnel officers those cut-throat qualities of hard salesmen and entrepreneurial vigour which, if unrestricted, can make "stealing" personnel from one another a common practice detrimental to the very public service it is intended to promote. Professional people and public institutions acknowledge this dilemma and provide solutions. For example, in other parts of the world the engineers "through their employers' federation operate a "no poaching" agreement " (Lyons 1978: 37).

In recruiting for the JEA, one finds built in mechanisms which guard against possible "poaching" in Kwa-Zulu and NPA. First, the JEA vacancy is advertised simultaneously in both Kwa-Zulu and NPA. Second, the Heads of Departments who forward their employees' applications for consideration must at the same time confirm their preparedness to release their candidates should they be selected for the JEA vacant positions.

#### (a) Recruitment and manpower planning

Fundamentally, recruitment is an aspect of planning (Lyons 1978 :38). This shows itself in recruitment programmes, such as: graduate recruitment, holiday jobs,

recruitment of school-leavers, open days, the search system, and lost resources. In most cases these programmes are not designed for filling the immediate vacancies, but are designed to build a manpower pool.

(i) Graduate recruitment

The recruitment of graduates provides a good example of the length of time necessary to plan ahead. In this exercise recruiting officers visit relevant departments in universities to explain to final year students about the public service and what it can offer them.

This is done with a view to attracting some of them into joining the public service as soon as they complete their studies.

Graduate recruitment is also in the form of State bursaries. The Commission for Administration offers bursaries to university students on condition that after completing studies they should serve on a contract basis the number of years paid for by the bursary. In Natal they can serve under NPA. The Kwa-Zulu Public Service Commission also provides bursaries to students who must serve their contract in Kwa-Zulu. To place these students when they have completed their studies requires forward planning.

Other Heads of Departments loath to commit themselves to such an engagement plan. Therefore, they opt for releasing already employed matriculants on full pay or on leave without pay to study full-time at universities and technikons to attain degrees and diplomas. Such released officials retain their positions in the staff establishment and their benefits accrue as though they are at work. On attaining diplomas and degrees they are promoted to higher posts. If senior positions are not available at the time of resuming duties after attaining these new qualifications, they are appointed into a fluid post class to which graduates and diplomates are appointed until they gain the necessary experience.

This post class is: Assistant Administration Officer. It is designed to enable the incumbent to perform wide ranging administrative functions which are not very complex. It requires that incumbents should be trained in more advanced duties. As such, Departments rotate Assistant Administration Officers from one area of work to the next within the Department in order to acquaint them with the administrative functions performed in their Department. This rotation equips them with the necessary background knowledge and skills to perform the duties of the management position of the Administration Officer, or equivalent ranks.



In other words, if vacancies do not correspond exactly with the supply and if graduates and diplomates must still gather field work experience before they can be saddled with management responsibilities this post class helps public managers to place them beyond the establishment. In that way, a steady intake consonant with the long term needs is maintained. However, graduate recruitment is not done by the JEA Secretariat.

(ii) Holiday jobs

There are public institutions which offer holiday jobs to students. In some Departments these holiday jobs are offered by public managers to fill in for their subordinates who are away during that period on maternity leave without pay or on long sick leave without pay. At times, peak moments like the census and certain outbreaks which require additional personnel of a temporary nature become opportunities for students who seek holiday jobs. Working side by side with public officials gives these students a "feel" of what it is like to be employed in the public service, and it may cultivate an interest to join the public service on completing studies. In that sense, holiday jobs become a recruitment effort.

In some professional departments, like the Department of Health and Welfare, an agreement for practical work placements or internships is made between the

universities and the State department. These practicals are prescribed part-fulfillment training requirements, before a degree can be awarded, and students are usually placed in public institutions during university holidays. During such placement it is common to talk the students into taking up employment in the Department after completing studies. In that sense, internships and practical work placements serve also as recruitment forums. However, the JEA Secretariat which uses NPA and Kwa-Zulu for recruiting does not offer holiday jobs.

(iii) Recruitment of school leavers

The most common personnel systems in public institutions are the open and closed personnel systems (Andrews 1991 :12). In the open personnel system, public institutions are free to recruit personnel from all available sources for any vacant job. In the closed personnel system there are statutory measures which prevent institutions from recruiting personnel for specific jobs from outside the public service.

The JEA, Kwa-Zulu, and NPA operate on the closed personnel system, because recruitment for promotional posts is only done if such vacant jobs cannot be filled by the serving officials. As such, recruitment from sources outside the public service is limited to entry ranks, the greatest volume of which is from school

leavers. For that reason, many departments keep close contact with schools in the neighbourhood. Even for the entry grade vacant positions, the JEA depends on NPA and Kwa-Zulu recruiting agents. So, this institution is not directly engaged in the recruitment of school leavers.

(iv) Open day

Some public institutions celebrate open days where the members of the public are free to visit the institutions, have discussions with the personnel about the structure, work and services, and, in the process of which, are encouraged to join the public service. In a way, the JEA's annual function in which there is an exchange of chairmanship between Kwa-Zulu and NPA can be regarded as an open day. The only snag is that this annual function is held at a hotel far away from the Secretariat office. However, listening to both the out-going chairman's report and the in-coming chairman's address, and mixing and conversing with the JEA personnel is quite informative and does arouse interest in some public officials to join the JEA personnel in the event of a vacancy occurring.

(v) Search system

In most cases the search system helps in recruiting high talented officials and professionals referred to in Kwa-Zulu as the "endangered species", such as: medical

doctors and engineers. Because these public officials are essential to have and hard to find, public institutions usually engage consultants to search for and find them.

When this is done, two principles are heeded by public managers. The first principle is "that it is impossible to have too much of a good thing" (Pigors and Myers 1977:249). This principle encourages public managers to recruit even when their Departments are saturated. As long as these recruits are fruitfully engaged, there is no problem. However, if they are kept long in subordinate positions where their major capacities are under-utilised, they become restless and even disruptive.

The second principle is "the desirability of leaving room for advancement from ranks by employees of demonstrated exceptional ability" (Pigors and Myers 1977 :249). This second principle guards public institutions against creating stalemate work situations by recruiting the top-calibre personnel for positions which have no advancement opportunities.

Worthy as the search system seems to be, it has certain short-comings. First, the highly talented officials tend to be expensive to recruit and difficult to keep "because alternative opportunities in shortage occupations are available to them in normal times " (Pigors and Myers

1977 :249). This short-coming comes out very clearly in the Kwa-Zulu Department of Health's recruitment programme of overseas medical doctors. Shipping them into the country is quite expensive yet subject to their visas they cannot stay permanently in this country.

Second, the search system is criticised severely on the grounds of ethics "that one employer is using an intermediary to seduce an executive from a fellow employer" (Lyons 1978 :43). In other words, the search system helps an unscrupulous public manager to by-pass even the "no poaching" agreement. The JEA Secretariat does not use this search system.

#### (vi) Lost resources

The public managers tend to deprive their institutions of the services of many able employees in the belief that old age is synonymous with incompetence (Lyons 1978 :47). As a result, the employees are retired early and due retirees are denied any extension of time. In so doing public managers are "wasting talent and leaving vacancies unfilled because of their obsession with youth" (Lyons 1978 : 47).

In the JEA the retiring age is regulated by the public service legislations applicable respectively to the NPA and Kwa-Zulu seconded officials. However, the JEA is in a

position to engage any retired official. It was revealed during this study that the flexibility of the position of the Chief Executive Officer to appoint from any rank from Director to Director-General originated from the intention of recruiting even from retired senior officials. This intention was part of the recruitment planning for the JEA which both NPA and Kwa-Zulu have to consider when they advertise simultaneously for the JEA vacant positions (Dube 1991 : interview).

(b) Advertising

Advertising in Kwa-Zulu and NPA is separated into internal advertising and external advertising. The latter is usually a press advertisement which appears in newspapers and professional journals. Normally, a press advertisement recruits experienced and older people from outside the public services. External advertisement is not used for the JEA personnel requirements.

For the JEA, internal advertising is usually in the form of circulars issued simultaneously by the Kwa-Zulu Public Service Commission and the Commission for Administration. Even this type of advertising is meant to attract experienced and older serving officials. After the closing date for receiving applications the respective recruiting agents forward the qualifying applications to the JEA Secretariat for selection.

#### 2.2.2. Selection

Personnel selection is a process which begins way back before the recruitment process and runs through recruitment to the confirmation of appointment of the selected candidate.

In the pre-selection stage, one starts the process with job and skills analysis discussed earlier. When the job becomes vacant, an analysis is carried out to review and up-date the job content and the salary package. Skills analysis can be treated as part of the job analysis because it analyses the tasks to be performed and the skills required to perform them, for this information to be used in the advertisement as well as in selection. Therefore, this is the first step in the selection process, which having been done, enables public managers to identify and select the target group from which to recruit. For example, Annexures 3 and 4 state the post class of public officials who could apply for the vacant positions.

The second step is still in the pre-selection phase during recruitment. Whatever recruitment programme is used including advertising, candidates are told about the required qualifications and suitable characteristics. This in itself is an elimination process which selects

the most appropriate individuals within the target group. For example, Annexures 3 and 4 rule out certain unsuitable applicants, who, if they apply, would either be insensitive or just daring (Lyons 1978 :49).

The third step marks the conclusion of the recruitment process and also the beginning of the selection process. This is the compilation of the application, which can either be a letter of application, or an application form, or, even, both.

(i) Letter of application

One advantage of causing the interested applicants to apply in writing is in the layout, legibility and lucidity of the letter itself which indicates the trouble taken "and, therefore, the applied intelligence of the writer and, as such, are legitimate points in his favour or against" (Lyons 1978 :49). From the layout and content of the application letter it is possible to make some assessment of applicant's ability to make out his own case.

Another merit for processing application letters is evident in long delays in answering these application letters. Unwittingly these delays succeed in testing the patience of applicants - that is, impatient applicants who probably were not serious about the job offer eliminate themselves. Letter applications are not used by



the JEA recruiting agents.

(ii) Application forms

Kwa-Zulu and NPA have prescribed application forms the contents of which are the same. These application forms are completed for JEA vacant jobs and they are very important tools in the selection process. The public personnel officers check all application forms on receipt to eliminate applicants who do not comply with the requirements, and also applicants whose departments are not prepared to release them. Thereafter, these are informed that their applications were unsuccessful.

The fourth step involves "short-listing" where the JEA recruiting agents place the names of remaining candidates on a "short-list" and verify the information on the application forms. This exercise includes the checking of certificates and other documents, the verification of references, and causing the respective personnel officers to submit applicants' work records. With all this information about the applicants, the short list is passed to the JEA Secretariat for prioritising.

In some situations selection tests could be regarded as the fifth step. These selection tests include subjecting applicants to job tests, aptitude tests, intelligence tests, and ,even, personality tests. This fifth step is

not applicable in the JEA personnel selection process.

After arranging the short list according to some priority order, the JEA Secretariat proceeds to the sixth and the most commonly used step, namely:- interviewing, which includes any of the following techniques:- personal interviews, or panel interviews, or group selection, or a combination of any of these techniques.

(i) Personal interviews

In personal interviews public managers assess the personal characteristics of the applicant. They add them up to a putative total of required qualities and , therefore, capacity (Lyons 1978 :59). In that sense, these personal interviews provide an opportunity to public managers to study the applicant's behaviour in personal interaction, as well as an opportunity to delve deeper into the realms of fact unrevealed by the applicant's letter and form of application.

Seeing that in personal interviews the central feature is the applicant, public managers talk less during the interview, and allow the applicant to tell his life story and talk more. They probe with questions which can elicit alternative answers, and frame them in such a manner that the applicant has to give reasons for the chosen answers "to ensure a reasonably lengthy and informative response" (Lyons 1978 :62).

It is clear from the above that a personal interview requires a plan, to ensure that it does not prematurely "dry out", and, further, to ensure that all required information is obtained. Consequently, the National Institute of Industrial Psychology worked out a 7-Point Plan which covers:-

- \* physical make-up;
- \* attainments;
- \* general intelligence;
- \* specialised aptitude;
- \* interests;
- \* disposition; and
- \* circumstances (Lyons 1978 :62).

Personal interviews are not conducted by the JEA. Instead, panel interviews are more likely to be conducted when the vacant post to be filled is a very senior position.

#### (ii) Panel interviews

As the name signifies, in panel interviews the applicant is interviewed by a panel of public managers. A chairman is appointed to control questions directed to the applicant, and to allocate long before the interview date, areas of questioning to public managers forming the panel.

The panel interviews are less likely to be revealing than interviews conducted by one public manager at a time.

In the JEA selection, this situation is compounded by the fact that the public managers who ultimately form the panel come from Kwa-Zulu and NPA, outside the JEA management.

(iii) Group selection

The purpose of the group selection technique is primarily to enable applicants to demonstrate their behaviour, capacity for co-operation and personal interaction (Lyons 1978 :65). In using this technique the public manager observes in applicants the undermentioned points:-

- \* willingness to introduce topics, to lead and to be led in discussions;
- \* sensitivity to the re-action of others;
- \* sensitivity to the changing roles of the applicants;
- \* recognition and handling of conflict;
- \* articulateness, tact and influence;
- \* manipulative skill in "mobilising" allies and negating enemies;
- \* capacity to detect an incipient consensus and move it towards a conclusion;
- \* personal acceptability, objectivity, or sense of perspective in relation to the importance of a topic;
- \* and fecundity of ideas and the general application of intelligence (Lyons 1978 : 65).

This technique allows each candidate to meet all other contestants, and, where the candidate is quite obviously outclassed, it helps to prepare him accept the inevitable - his final elimination from the contest. Even this technique is not used by the JEA.

The seventh step in the selection process is the placement for a probation period of a selected candidate. The eighth and last step in the selection process is the confirmation of permanent appointment.

### 2.3 Placement

When a candidate has been found suitable for appointment, the Secretariat offices offer him/her the job through his/her Authority. On acceptance and release by the Department he/she is placed with the JEA.

### 2.4 Probation

Save for the personal secretary to the Chief Executive Officer, in the JEA it is the promotional posts which are being filled when vacancies arise. Even this personal secretary is drawn from available NPA or Kwa-Zulu contingencies of personal secretaries interested in a horizontal transfer. As such, there is no probation period for JEA employees which requires quarterly

reporting culminating in confirmation at the end of the last quarter.

In these JEA appointments confirmation is immediate when the promoted or transferred official reports for duty on the first day. From that day onwards, quarterly reporting is for purposes of assessing whether or not the official is gainfully employed which adds up to his/her future promotion.

#### 2.5. Promotion

The very fact that the vacant positions in the JEA are advertised indicates that promotion to any JEA vacant position is not merely on grounds of seniority. The would-be candidates are evaluated carefully to establish their suitability for promotion to the JEA vacant position. This happened to the Chief Executive Officer who had to see his position, on being upgraded to the Director level, being advertised, and, he being required to apply and undergo the stipulated screening procedure.

In these JEA promotions movements are both ways. There are those promoted into JEA positions and those promoted to NPA and Kwa-Zulu positions respectively from the Secretariat office. It would appear that this in-and-out movement is a mechanism for Administrations of origin to

rescind placements which turn out to be unsuitable, and also a mechanism for obviating bottlenecks in the JEA where, on account of the size of the Secretariat office, chances for upward mobility are very limited.

## 2.6 Transfers and re-assignment

It has been evident time and again in this study that to staff the JEA, public officials are transferred from both NPA and Kwa-Zulu. In the last paragraph it has also been indicated that some transfers are back to the Administrations of origin. What is left to be explained now is that back in the Administrations of origin, the seconded officials need not return to their former Departments or previous jobs. Instead, they are placed anywhere in the Administration where their services are best required at the time of return from the JEA.

As mentioned earlier, each of the Administrations of origin keeps an approved JEA staff establishment replica. Funds are available in the budget of each Administration for each of the JEA positions. This in itself is a safety valve for transferring back "own" seconded officials should the JEA close shop at short notice (Dube 1991:interview).

## 2.7 Termination of services

Here the issue is not the termination of the JEA as an institution, but the termination of any of the seconded officials in the employ of the JEA. Such termination is governed by the legislation which governs the termination of NPA and Kwa-Zulu public officials, respectively.

Without being specific, these conditions include the attaining of the "pensionable age, after having been found guilty on a charge of misconduct, after their health has deteriorated to such an extent that medical practitioners have found them unfit for further service, or after they have proved to be so inefficient that they cannot be rehabilitated by training, transfer or re-assignment" (Cloete 1991 : 166).

Seeing that it is the Minister in Departments who finally terminates services, in the JEA it is the JEA, through a resolution which terminates services of the JEA employee. This happens after extensive consultation with the Administration of origin. After the termination of services, both Administrations are notified to up-date their personnel records (Dube 1991: interview).



### 3 SUPPORT FUNCTIONS

As the name signifies, these functions assist other functional activities in the sense that they provide a conducive environment at work. These support functions are broken down to the following activities:-

- \* determining conditions of service;
- \* maintaining personnel records;
- \* providing simple, clear and effective procedures for redressing grievances and maintaining discipline;
- \* creating sound industrial relations; and
- \* applying effective occupational safety measures to promote the health and welfare of employees at work.

#### 3.1 Determining conditions of service

In the government service, the conditions of service are determined by the legislature. For the JEA, both the Public Service Act, 1984 (Act 111 of 1984) and the Kwa-Zulu Public Service Act, 1990 (Act 5 of 1990) read with the Kwa-Zulu Public Service Act, 1990 (Act 6 of 1990) determine conditions of service for the Secretariat office. In this arrangement, the Kwa-Zulu seconded officials are regulated by the Kwa-Zulu service conditions and the NPA seconded officials by the Republican conditions of service.

The legislature establishes public service commissions to further determine conditions of service within the framework of the legislation. Relevant public service commissions to the Secretariat office are the Kwa-Zulu Public Service Commission and the Commission for Administration.

For other persons employed by the JEA on contract, these conditions of service are determined by the JEA through resolutions (Dube 1991:interview). These conditions of service include remuneration, fringe benefits and certain privileges. As such, the JEA budget provides for some of these conditions of service.

In the JEA annual estimates for financial year ending 31 March 1993 there are a number of items which provide for conditions of service. Vote 1 A provides for basic salaries, wages and allowances. It further provides for the service bonus, which includes the thirteenth cheque to the JEA public officials.

Vote 1 B provides for contributions to pension and provident funds. This vote enables the JEA as an employer to make contributions to these funds and include contributions deducted every month from the salaries of its public officials.

Vote 1 C provides for the subsistence allowance; the cost of transport by air, rail or road when travelling on official business; the transporting of personal effects of personnel and compensation of depreciation of personal furniture of transferred officials; incidental expenses incurred by personnel on transfer; allocation of subsidised vehicles to personnel; subsidised car allowances; and travelling allowances.

Vote 1 G provides for workmen's compensation; official entertainment for use by the office; home owner allowance scheme; and (for those on contract) consultants' fees.

Privileges like vacation leave, sick leave, special leave, lunch and tea breaks which apply to the NPA and

Kwa-Zulu public officials apply equally to the JEA public officials as well. So do prescriptive conditions of service like the minimum official hours to be worked a day, which is 8 hours, and registration with relevant professional bodies when in practice, as in the case of medical personnel (Dube 1991:interview).

### 3.2 Record keeping

Like other public institutions, the JEA keeps a variety of records. Cloete (1991:168) identifies the following essential records which also are kept for the JEA officials:

- \* establishment records;
- \* record of filled and vacant posts;
- \* leave records;
- \* retirement records;
- \* correspondence files;
- \* personal files for individual officials; and
- \* relevant acts, regulations, procedure manuals, codes, circulars, etc. (Dube 1991 :interview).

These records are the responsibility of the Deputy Chief Executive Officer who is in charge of the JEA internal administration (Dube 1991:interview).

JEA shares the responsibility of keeping these records with NPA and Kwa-Zulu which keep records for respective seconded JEA officials. This means that important correspondence on the taking of leave, merit assessment, educational achievements, grievances, disciplinary action meted, etc., is kept in JEA as well as respective Administrations' files.

There are also salary records. In the JEA, the salary records are the responsibility of the Assistant Director (Financial Management). In the Administrations of origin, the salary records are kept by the Kwa-Zulu

Department of Finance and NPA Financial Management Directorate, respectively (Dube 1991:interview).

In respect of all these personnel records, Kwa-Zulu and NPA are at differing levels of upgrading their personnel administrations by means of computerised record keeping. It would appear that the intention in both Administrations is to effect full-scale computerised records. When this happens, the JEA records as an inseparable part of both NPA and Kwa-Zulu, will also be computerised (Dube 1991:interview).

### 3.3 Settlement of grievances

Should the JEA personnel voice grievances, which up to the time of the study they had not done (Dube 1991:interview), the Chief Executive Officer can make use of the grievance procedures provided by both NPA and Kwa-Zulu. Both these procedures give the line management the latitude to settle the grievances of their line functionaries. This means that the Secretariat office has the first chance to settle grievances of JEA personnel. It is only when the Secretariat office fails to resolve the problem that the grievances would have to be settled by NPA or Kwa-Zulu, depending on the origin of the aggrieved.

### 3.4 Industrial relations

In any work situation, whether private or public setting, there are two clearly identifiable groups: the employer and employees. The employer is represented by the management. The relationship between these two groups results in what is called "industrial relations".

Industrial relations is not a term that is confined to industrial settings only, although for all these years this country's labour relations legislation excluded the public sector. It is a term which basically "means the recognition of inter-group relationships and the presence of conflicting interests" (Lyons 1978: 169). Seen in that light, therefore, industrial relations exist even in public settings. As such, it is informative to analyse its existence in the JEA Secretariat.

#### 3.4.1. JEA inter-groups

By itself the JEA Secretariat is a small group of twelve public officials. See Figure 10 on page 164. Save for the personal secretary to the Chief Executive Officer, all eleven personnel members are in the bracket of management. This gives an understanding that the JEA Secretariat structure is basically a management structure.

If this sounds contradictory to the opening statement that in any work situation there is a small group of managers who must represent the interests of the State as employer and a large group of employees, it helps to remember that the JEA Secretariat is just the first phase in a bigger structure of planned joint authority services. Other phases are due to follow when certain NPA and Kwa-Zulu line functions are transferred for joint administration through assignment or authorisation to the JEA. The line structures that come with these functions have a large contingency of employees who render the service. Therefore, once line functions begin to be phased in, what is presently a large management body will change into a small manager's group.

However, the current Secretariat situation does not preclude the diversity of interests internally.

According to the vocational classes discussed earlier, the JEA Secretariat members belong to different groups of staff associations outside the JEA in the Republican public service and the Kwa-Zulu public service, respectively. The NPA seconded officials are members of the Public Servants Association under the chairmanship of Dr. Cameron. The Kwa-Zulu seconded officials could be members of any of the Kwa-Zulu staff associations, namely: the Kwa-Zulu Administration Staff Association, the Kwa-Zulu Clerical Staff Association (KWASA), or the Kwa-Zulu Professional Staff Association (to mention only three) (Dube 1991:interview).

It is interesting to note that groups have a definite impact on industrial relations. There is no denying that public officials are proud of their association with the public service. They want it to be a good Government service. As individuals these public servants are reasonable, likeable, loyal fellows who understand what it takes to serve the general public. As an individual the public servant may even be prepared to accept a situation as far as he/she himself/herself is concerned, because that is his/her privilege as an individual.

However, when grouped together in these staff associations, these very same public servants are different. They may feel less tolerant towards the behaviour of management as it affects their respective groups or vocational classes because this reflects an ethos, that is, "a general outlook which the group cannot accept" (Lyons 1978:170). It is not surprising, therefore, to find that the JEA Secretariat is; from the industrial relations point of view, as much affected by the prevailing fears about the unknown future of the existing public servants in the hands of an incoming Government as is the case with the rest of the public services at this point in time in this country.

### 3.4.2. Common interest and conflict

Belonging to these different vocational classes within the JEA Secretariat and belonging to diverse staff associations outside the JEA setting does not necessarily portray the JEA Secretariat as full of conflict. Whilst there is this area of conflict in this institution, there is also a whole area of common interest.

#### \* Common interest

The very fact that secondment to the JEA Secretariat is by choice of NPA and Kwa-Zulu personnel who apply for vacant positions when advertised, is an indication of an area of common interest in this setting. Although these officers do not sever their ties respectively with NPA and Kwa-Zulu, in the JEA work they are a unit with a totally new culture. Their common interest is in being of service to Region E beyond the political boundaries of the Natal Province and the self-governing region of Kwa-Zulu.

#### \* Conflict

As pointed out earlier, the JEA personnel do satisfy their need to "belong" through their membership to staff associations outside the JEA. This makes the conflict to be concerned with macro events such as, the current burning issue of what will happen to the civil pension when a new Government takes over? These macro events are outside the institution and are in the area of the management of the Central Government.

Within the institution conflict areas may be found in merit assessment procedures prescribed by Kwa-Zulu and NPA for their respective JEA seconded officials as they mete out unequal standards, and promotion opportunities

"back home" which are only opened to respective seconded officials. These are potential areas of conflict mainly because in the current dispensation there is no way in which NPA could consider Kwa-Zulu seconded officials to promotional posts in NPA, and vice versa.

These cited areas of conflict are unique to this institution because they do not demonstrate a conflict between the management group and the workforce. This is probably because the JEA Secretariat is basically a management structure and the work people will only be part of the JEA structure as soon as line functions are transferred to the JEA. It is only at that time that conflict will be between two contending interests, namely: the management and the work-force. That will be the time for tasting trade unionism in JEA Administration.

#### 3.4.3 Trade unionism in the public service

All along, staff associations were the formalised voice of public servants to their respective Commissions. In that communication forum representatives of public officials could make proposals on conditions of service, salary structures; motivating incentives, disciplinary procedures, grievance procedures and such other personnel matters. The Commissions reserved the right to carry out or reject these proposals. Moreover, these staff associations were not permitted to negotiate with individual public institutions, like the JEA, on any of these personnel matters.

These were years of denying public servants the right to join trade unions, the right to bargain with the employer and the right to withhold their services, if dissatisfied with management decisions. From what is happening now in the country it is clear that these years are fast



fading away. In fact, the absence of trade union rights has of late not prevented public servants from joining trade unions of choice, and it has not prevented those trade unions to seek recognition from the relevant public managers. The Health and Welfare Union (NEHAWU) which Health Departments are contending with at various hospitals and the South African Democratic Teachers Union (SADTU) which is now recognised by the Education Authorities as the mouth piece of teachers, are classic examples.

According to Dr. Org Marais, Minister of Administration and Tourism, the absence of trade union rights is now viewed by the Central Government as an aggravating factor in several strikes by State employees in the past (Daily News 15 September 1992:6). For that reason, at the time of conducting this study the Public Service Labour Relations Bill was in the pipeline for tabling before Parliament. This Bill grants public servants the right to organise and new procedures for determining employment conditions in the public service. "The Bill heeded the concept of fairness and equity, and the principle of freedom of association is applied liberally" (Daily News 15 September 1992:6).

According to Dr. Org Marais, all public servants, save for a substantially small group of personnel who must represent the interests of the State as employer, "enjoy the freedom to choose to which staff association or trade union they wish to belong" (Daily News, 15 September, 1992:6). This Bill gives public servants the right to engage in collective bargaining and, also, the right to go on strike. By implication, this Bill extends the right of public officials to communicate with their respective Commissions, to bargaining directly with their individual public institutions.

Naturally, the communication that is opening now in various public institutions (including the JEA) between managers and employees introduces the accompanying new communication structures, such as shop-stewards. The JEA Secretariat should expect to provide for these new structures for communicating with the employees who man the line functions that are transferred from Kwa-Zulu and NPA, even though on transfer these communication structures were still non-existent. In short, the JEA should be ready and prepared to work with trade unions in industrial relations issues in the near future.

### 3.5 Research

In this Region E the responsibility to keep abreast of developments in the field of personnel administration rests with the Commission for Administration and the Kwa-Zulu Public Service Commission. These two commissions conduct research themselves or, alternatively, engage the services of research institutions such as the Human Sciences Research Council to do it for them.

Out of the findings of these investigations, and in the course of implementing whatever recommendations that upgrade personnel administration, the JEA benefits as much as Kwa-Zulu and NPA.

### 3.6 Health, safety and welfare

The JEA takes the necessary steps to safeguard the health, safety and welfare of its staff members at the work-place. For instance, the spaciousness of offices used by the JEA personnel in the Bourquin Building, lighting conditions, air conditioning facilities, canteen facilities on site, parking facilities on site, security measures at the entrance and exit, etc., are all designed to cater for the health, safety and welfare of all

employees working in the Bourquin Building including the JEA personnel (Dube 1991:interview).

#### 4 TRAINING AND DEVELOPMENT

Some writers use these concepts "training" and "development " interchangeably to mean the same thing. Here, it is preferred to divide the training and development function into the following order of three distinct components:

- \* manpower development;
- \* induction / orientation;and
- \* training (Cloete 1991:152).

##### 4.1 Manpower development

The manpower development is at the level of (and inseperable from) manpower planning which addresses the total manpower structure. At that global level manpower development in the JEA concerns three structures, namely: the executive members constituting the JEA,the Secretariat personnel, and the Joint Service Boards. These structures must be seen to be effective and for that reason various manpower development programmes are evolved.

For the executive members there is the guidance programme which is designed to extend their knowledge and insight into their tasks as Executive Officials. This guidance programme covers the functions of an executive body like the JEA, the duties and responsibilities of an Executive Official, relationship between the Executive Official and the Chief Executive Officer, procedures at meetings, leadership, problem-solving, communication such as speeches, interviews, etc., budget, administration, personnel matters, etiquette, and protocol.

For the Joint Services Boards there is the guidance programme which is designed to familiarise councillors of local authorities with municipal government administration. This guidance programme extends their knowledge and insight into the origin, place and role of local authorities within the government hierarchy; the principles of public administration and their applicability in local government; the standing orders or meeting procedures; the laws, regulations and by-laws applicable to local government; their legal powers and duties as local government councillors; budgeting and financial control in local government; public relations, etiquette and protocol.

For the Secretariat there are a number of manpower development programmes designed to match the training needs in the vocational classes of this institution.

#### 4.1.1 Vocational class : administration clerk

The manpower development programmes for this vocational class cater for the following hierarchical levels: administration clerk, senior administration clerk and chief administration clerk. The last mentioned level is only found in Kwa-Zulu. As such, the JEA senior administration clerk is adequately provided for in these manpower development programmes.

#### 4.1.2 Vocational class : accountant

The manpower development programmes for this vocational class cater for the following rungs: accountant, senior accountant, chief accountant, assistant director (financial management) and deputy director (financial management). As such, the JEA Assistant Director (Financial Management) is covered adequately by them.

#### 4.1.3 Vocational class : administration officer

The manpower development programmes for this vocational class cater for the following rungs:

assistant administration officer, administration officer, senior administration officer, assistant director, deputy director and director. In that way they cover adequately the training needs of the JEA Administration Officer, Senior Administration Officers, Assistant Directors, Deputy Directors and Director.

#### 4.1.4 Vocational class : personal secretary

The manpower development programmes for the vocational class of personal secretary cater for the following rungs: personal secretary and senior personal secretary. As such, the JEA personal secretary is well provided for in these manpower development programmes.

#### 4.1.5 Manpower development in transferred functions

As Kwa-Zulu and NPA are joint-architects and executioners of the JEA manpower development activities, personnel transferred to the JEA from Kwa-Zulu or NPA with assigned or authorised functions would have no problem in continuing in training courses.

#### 4.2 Induction / orientation

From what has been said about recruiting, selection and placement it is evident that by the time a candidate is appointed, he/she is already familiar with the functions of the institution he/she will work for and the work

he/she will do. Therefore, the orientation process begins before the first day of reporting for duty.

In the office the officer is shown around and introduced to other staff members to get the "feel" of the place. Thereafter, the officer is not rushed into performing his/her duties, but is allowed time to settle down. He/she is given some reading material which includes instructions on his/her duties, general information on the conditions of service, and guide-lines to be upheld in the public service. The latter is of interest to this analysis.

For the JEA officials guide-lines are very important, because moving into promotional positions, these public officials should be very familiar with the conditions of service under which they work and they should also be ready to draw on their past experiences to carry out their new duties.

In fact, at that promotional level JEA officials, like all other officials of NPA and Kwa-Zulu are no longer subjected to induction courses, that last a week. The reason is that they were inducted when they joined the public service at the entry rank level, and there is no need at this level to repeat the induction course. During the induction course and in the course of their service as junior officers they learnt all there is to learn about the conditions of service and their duties.

It is a different matter with the guidelines in that these promotional positions leave public officials on their own most of the time. These guidelines of public administration provide guidance even where directives and supervision are unavailable. They are derived

from the following sources:-

- \* Rights of individuals;
- \* Body Politic;
- \* Community values;
- \* Statutory stipulations; and
- \* Principles of the Natal/Kwa-Zulu Indaba.

#### 4.2.1. Rights of individuals

The concept of "rights of individuals" was developed in western countries. Nowadays many developed countries have entrenched them in their constitutions as Bills on Human Rights. They serve as guidelines to the government of the day as well as the public officials. In the past this country did not have a Bill of Rights entrenched in its constitution as its constitution based the rendering of public services on differential standards according to race. However, that is now fading into the past.

In terms of the South African Law Commission Act, 1973 (Act 19 of 1973), the South African Law Commission was established to investigate and produce a report with recommendations on group and human rights in this country. In its work the Commission has identified three types of rights which it has recommended for entrenchment in the Bill of Rights to be enacted. Once these rights of individuals are part of the South African legislation

they will serve as guidelines to public functionaries in carrying out public duties.

(a) Blue rights

The blue rights are the first generation rights. They include:

- \* the right to the protection of life;
- \* the right to liberty;
- \* the right to property;
- \* the right to freedom of movement;
- \* the right to freedom of speech;
- \* the right to privacy;
- \* the right to vote;
- \* the right to be represented in government;
- \* the right to assemble and demonstrate;
- \* the right to citizenship;
- \* the right not to be arbitrarily detained;
- \* the right to legal representation; and
- \* procedural rights which operate in the event of arrest, detention, trial and sentencing (S.A.Law Commission Summary Report 1991:11).

From the above it is clear that these blue rights cover as wide a spectrum as possible of civil and political rights. Of particular interest is the prohibition of the public functionaries favouring or prejudicing any person on the ground of race, colour, language, sex, religion,



ethnic origin, social class, birth, political or other views, or disabilities, or other natural characteristics.

(b) Red rights

The red rights are the second generation rights. They are the socio-economic rights which are derived from the socialistic view of the role of government. Examples are:

- \* the right to medical care;
- \* the right to housing;
- \* the right to food;
- \* the right to work and protection against unemployment;
- \* the right of employees to rest, and have adequate food, clothing, housing and medical care;
- \* the right to education;
- \* the right to freely participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its attendant benefits; and
- \* the right to the care of the aged (S.A.Law Commission Summary Report 1991:17).

These red rights are as useful guidelines as are the blue rights in the provision, execution and planning of legislative, executive and administrative programmes.

(c) Green rights

The green rights are known as the third generation rights. They are also called the peoples' rights. Examples are:-

- \* the right to peace;
- \* the right to self determination;
- \* the right of control over natural resources;
- \* the right to development;
- \* the right to information;
- \* minority rights; and
- \* the right to a clean and safe environment (S.A.Law Commission Summary Report 1991:18).

With the green rights there is no community that must be exposed to an environment which is dangerous to human health, or well-being, or which is seriously detrimental to the conservation and protection of that environment.

Whether or not, these rights are finally incorporated into the country's statutes, they already serve as guidelines to the JEA Secretariat personnel which provide public services across the Kwa-Zulu and Natal political and racial constraints in this larger region.

#### 4.2.2 Body politic

The guidelines that are derived from the body politic

are:- political and legislative supremacy; public accountability, and democratic requirements.

(a) Political and legislative supremacy

In terms of section 30 of the Republic of South Africa Constitution Act 1983, (Act 110 of 1983), Parliament is the supreme legislative authority in and for South Africa. " In practice this means that all personnel administration in the Republic of South Africa is subject to the provisions of Acts of Parliament " (Cloete 1985:13).

The Acts of Parliament that directly form the JEA personnel policy are:-

- \* the Commission for Administration Act 1984 (Act 65 of 1984);
- \* the Public Service Act, 1984 (Act 111 of 1984);
- \* the Government Service Pension Act, 1973 (Act 57 of 1973);
- \* the Kwa-Zulu Public Service Act, 1990 (Act 5 of 1990); and
- \* the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986).

Seeing that the JEA is authorised to contract out services to individuals and companies in the private sector, it is vital for the Secretariat personnel to be

conversant with the following Acts that apply to personnel administration in the private sector:-

- \* the Unemployment Insurance Act, 1966 (Act 30 of 1966);
- \* the Labour Relations Act, 1956 (Act 28 of 1956);
- \* the Workmen's Compensation Act, 1941 (Act 30 of 1941);
- \* and the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983).

In most cases Acts provide broad guidelines to public functionaries. However, in certain cases particularly in personnel administration the legislators make specific provisions. In the examples that follow the legislators made specific provisions which directly affect the JEA public functionaries.

First, in terms of the Public Service Act, 1984 (Act 111 of 1984) appointments of personnel must be made by Ministers of Departments or Provincial Administrators. The JEA Secretariat personnel are public officials appointed in terms of these provisions either in Kwa-Zulu or NPA. Even the secondment of these members to the JEA complies with these provisions in that for Kwa-Zulu the secondment is sanctioned by the Chief Minister and for NPA by the Administrator.

Second, in certain areas the legislators have laid down conditions of employment. For example, in terms of

section 9 of the Public Service Act, 1984 (Act 111 of 1984) no person may be appointed in the South African Public Service if that person is not a South African citizen of good character. Both Kwa-Zulu and NPA personnel are South African citizens of good character and they are eligible for secondment to the JEA.

Third, the legislator may even outline the procedure to be followed by public functionaries. This is evident in the provisions of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986) which are discussed under Statutory Stipulations below.

Apart from these specific provisions, Parliament as the supreme authority exercises control over personnel administration through voting annually for the payment of the salaries of public officials. As the legislators debate each Departmental vote they are at liberty to increase or decrease the number of personnel and their salaries before finally approving the estimates as a budget for the year. With regard to the JEA this control is exercised by both Parliament and the Kwa-Zulu Legislative Assembly.

Therefore, this political and legislative supremacy is essentially a democratic process which ensures that public personnel administration is based on acknowledged

values so that public practices should be acceptable to the people (Cloete 1985:16).

(b) Public accountability

In a democratic state, power is vested in the people who voted legislators into Parliament. This requires public functionaries to account for their actions and omissions to the public. This accounting begins internally and spreads to outside the agencies.

Internally, accounting is evident in the hierarchical structure of government agencies. It is arranged in such a way that the junior officials account to supervisors, and supervisors account in turn to other supervisors on the next administrative ladder. This is carried on until accounting is made to the Heads of Departments or agencies. Figure 10 on page 164 above reflects this internal accounting within the JEA Secretariat which culminates in accounting to the Chief Executive Officer.

As Junior partners to Ministers, the Heads of Departments are required to account to their respective Ministers. Here, the JEA situation differs because the Chief Executive Officer has no senior partner. Instead, he accounts to the JEA, which is a collective unit.

Externally, Heads of Departments and agencies account to various bodies. As accounting officers appointed in terms of the Exchequer Act, 1975 (Act 69 of 1975), Heads of Departments account directly to Parliament through the Sessional Committee on Public Accounts in respect of all expenditure items that have been queried by the Auditor-General. The Chief Executive Officer of the JEA, is appointed accounting officer in terms of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986). He accounts to both Parliament and the Kwa-Zulu Legislative Assembly.

The Ministers as senior Heads of Departments account to Cabinet, Head of Government, Parliament, and the public at large. In the JEA the Chairman is accountable to both the Chief Minister and the Administrator.

In turn, the Administrator accounts to the Minister of Local Government and National Housing, who then accounts to Parliament. At the same time the Chief Minister accounts to the Kwa-Zulu Legislative Assembly. In most cases it is the chairman of the JEA who accounts to the public at large.

Cloete (1985:18) has identified certain measures in public administration which re-inforce public accountability. These measures are relevant to the JEA set-up. First, the legislation provides clear guidelines

for public accountability. For example, after the secondment of the Kwa-Zulu public official to the JEA, the provisions of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986), require that official to continue accounting also to the Kwa-Zulu line functionaries in terms of the Kwa-Zulu Public Service Act, 1990 (Act 5 of 1990). This means that, although seconded to the JEA, that official's promotion, transfer and other considerations should be assented to by the Chief Minister.

Second, the legislature provides directives concerning the reports to be submitted to Parliament or Kwa-Zulu Legislative Assembly. According to the provisions of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986), the Chief Minister and the Administrator should cause the JEA to submit an annual report to both the Chief Minister and the Administrator.

Third, the courts of law are in a position to examine some of the actions of the public officials. The JEA is a legal person to sue and be sued. This logically makes the JEA public functionaries cautious and careful when discharging their public duties, if only to avoid bad publicity. The law courts try cases in public and the court proceedings usually receive considerable publicity.



Fourth, the supervisory structure is designed in such a manner that internal accountability becomes automatic. See Figure 10 on page 164 for internal accounting.

Fifth, the specific procedures in personnel legislation are provided only where the rights and the freedom of individuals are concerned. The Public Service Act, 1984 (Act 111 of 1984) provides for officials seconded from the NPA, and the Kwa-Zulu Public Service Act, 1990 (Act 5 of 1990) provides for the Kwa-Zulu officials that are seconded to the JEA.

All in all, public accountability is a mechanism for, amongst other things, keeping the public informed about the actions of public functionaries. An informed public is in a better position to determine whether or not, the government of the day, through its officials, promotes the general welfare.

#### (c) Tenets of democracy

It is imperative in public administration to respect the rights and freedom of others. These "others" may be colleagues, superiors, or subordinates. The "rights" may be blue, red, or green rights as mentioned earlier.

In certain specific situations the legislature has provided legislation for the protection of these

rights. Following are a few examples of specific situations applicable to the JEA:

- \* Section 15(1)(a) of the Public Service Act, 1984 (Act 111 of 1984) provides that officials have the right to retire when they reach a prescribed age. This right is also provided in the Kwa-Zulu legislation, which makes JEA officials seconded from both authorities to enjoy this right.
- \* Section 20(4) of the Republican legislation, with similar corresponding provisions in the Kwa-Zulu legislation, provides that an official charged with misconduct has the right to be present at the enquiry, to be heard personally or through a representative, to cross-question any person who has been called as a witness to substantiate the charge of misconduct, to examine all documents submitted as evidence, to give evidence personally and to call other persons as witnesses.
- \* Section 28 of the Republican Act, with similar corresponding provisions in the Kwa-Zulu legislation, provides that the salary or salary scale of an official may not be reduced without his consent except where the official has been found inefficient or guilty of misconduct, or in accordance with the provisions of an Act of Parliament for NPA seconded officials and the Act of the Kwa-Zulu Legislative Assembly for Kwa-Zulu seconded officials.

However, there are many other situations which are left to the discretion of management. It is precisely in these open ended situations where managers are expected to respect these rights and freedom. It becomes unfortunate when in these open ended areas emphasis is placed by public managers on the "management prerogative", which can cause managers to forget that their subordinates must enjoy natural justice as citizens of the country. As the JEA is founded on the basis of consensus which causes the Secretariat personnel to execute democratic decisions, the positive influence of the tenets of democracy in the Secretariat management is evident in internal communication amongst officials which is largely informal and respectful (Dube 1991:interview).

#### 4.2.3 Community values

The communities of South Africa are many and have divergent values. It is important to know these values if one is a South African public servant. Following are a few of these values shared by most communities and relevant to the JEA personnel administration:-

##### (a) Religious doctrines

This country is known to be a Christian country. Its citizens should profess Christian values. However, the diversity of its communities brings in other religious doctrines which must also be known and

respected by the public functionaries. In public agencies where these diverse religious doctrines are accommodated public managers find it appropriate to permit, for example, their personnel to take a public holiday like Good Friday or Divali and attend festivities like King Shaka's Day, all of which have a spiritual importance for subscribers. In the JEA there is evidence that on King Shaka's Day, the office closes to allow Kwa-Zulu seconded officials to participate in region-wide celebrations (Dube 1991:interview).

(b) Fairness and reasonableness

In rendering a public service it is not possible to please every citizen all the time. Where the service rendered goes against the grain to a particular person or group, the public servant is in the fore-front to take the blame. Therefore, it is very important that public officials are fair and reasonable. For example, there are very few citizens who like to be taxed by the government, but, if the level of taxation is fair and reasonable and the methods employed by public officials in collecting revenue is also fair and reasonable, the country is saved public demonstrations on taxation.

This applies equally to personnel administration. The personnel management functions, such as recruitments, selections, appointments, transfers, promotions,

retirements, discharges, handling of misconduct and disputes should be fair and reasonable. The application of the merit system and the opening of meaningful communication systems go a long way in entrenching a fair and reasonable practice. To public managers the rule of thumb is to do unto others as they expect others to do unto them. From discussions with the Secretariat personnel it seems as if they go all out to be reasonable and fair to each other (Dube 1991: interview).

(c) Effectiveness and efficiency

Most public services are labour intensive. If they must accomplish the goal of promoting the general welfare, their personnel must be effective. A way to the effectiveness of the service begins with placements. That is, right people for the right jobs. Nepotism should be shunned. Next is the training and re-training that is relevant to the needs of the communities served.

Therefore, effectiveness and efficiency should not be understood only in terms of a "seemingly" smooth running public institution. The institution can run smoothly year after year and submit glowing reports on its administration for public consumption when in reality its services make no impact on the communities served. The service rendered must be effective and efficient to the consumers. This is the aim of the joint service for

Kwa-Zulu and Natal. However, how close the JEA comes to this ideal is still to be seen when joint projects are initiated.

(d) Administrative law

Every community subscribes to natural justice that all people are equal before the law and that it is every person's right to be heard before judgement is passed upon him/her. These principles of natural justice flow into the administrative law and many other codes of ethics. Public managers should be seen to uphold these principles in their public lives.

The social work expression that one does not give from a vacuum is very true in personnel administration. If public managers do not demonstrate these principles in their management actions, subordinate public officials remain devoid of these principles and have nothing to "give" to colleagues and clients. However, if public managers observe the administrative law and other codes of ethics, subordinate officials may internalise these principles and practise them in their work environment. This seems to be the atmosphere in the JEA Secretariat office.

#### 4.2.4 Statutory stipulations

The statutory stipulations were partly discussed under

the heading "Political and Legislative Supremacy". This topic focusses on the stipulations of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986).

Section 8(1) makes provision for the carrying out of the JEA work by:-

- \* public servants who have been placed at the disposal of the JEA under section 14(3) of the Public Service Act, 1984 (Act 111 of 1984);
- \* officers or employees in Kwa-Zulu who have been placed at the disposal of the JEA under section 14(3)(a) of the Kwa-Zulu Public Service Act, 1990 (Act 5 of 1990);
- \* public officials of NPA or Kwa-Zulu in accordance with arrangements between the JEA on the one hand, and NPA and Kwa-Zulu on the other hand;
- \* employees of any statutory body, such as the Natal Parks Board, the Kwa-Zulu Finance and Investment Corporation, and others who have been placed at the disposal of the JEA in accordance with the arrangements between the JEA and such a statutory body; and
- \* persons with whom the JEA has entered into contracts (other than contracts of employment) for the performance of any particular work.

Section 8(2) provides for the public servants and

officials or employees of Kwa-Zulu placed at the disposal of the JEA to remain subject to the laws applicable to them as public servants of Kwa-Zulu while placed at such disposal.

Section 8(3) provides that the JEA is authorised and required to designate either a public servant or an officer or an employee of Kwa-Zulu or NPA who has been placed at the disposal of the JEA as the Chief Executive Officer. This Chief Executive Officer is, in addition to his functions as the accounting officer with respect to the joint revenue fund of the JEA, responsible for:-

- \* the execution of the JEA resolutions; and
- \* the administration of the JEA affairs.

The JEA is empowered by section 8(4) to delegate any of its powers to :

- \* the Chief Executive Officer; or
- \* any public servant, or officer, or employee in the service of Kwa-Zulu and NPA who has been placed at the disposal of the JEA; or
- \* any officer or employee employed by a statutory body who has been placed at the disposal of the JEA.

As pointed out earlier the JEA personnel administration is based on the provision of this Act and other Republican and Kwa-Zulu Acts and Codes on personnel



administration. Of importance in the statutory stipulations is the fact that they are enforceable by law. There are legal provisions which stipulate that the public officials are guilty of misconduct if a breach of any of the prescribed disciplinary codes can be proved. Should misconduct be confirmed in an enquiry exercise, a specific penalty may be imposed ranging from a warning to dismissal. The JEA Secretariat personnel are subject to these legal prescriptions. Like most public managers, the Chief Executive Officer prevents actions which may lead to misconduct in the Secretariat by:-

- \* providing training to his personnel;
- \* communicating information regarding prohibitive regulations to all his subordinates;
- \* communicating information regarding the proper handling and accounting for public funds and equipment to all members of his staff; and
- \* giving clear prescriptions regarding confidential information (Andrews 1991:5).

#### 4.2.5 Principles of Natal/Kwa-Zulu Indaba

Whereas guidelines that emanate from the human rights, body politic, community values and statutory stipulations apply generally to all public officials, according to the 1992 in-coming Chairman of the JEA, the principles of the Natal/Kwa-Zulu Indaba apply specifically to the JEA

Secretariat personnel. They have utility for the JEA "now in the transitionary phase between apartheid and the new South Africa "(Mdlalose 1992:4). These principles are:

- \* regional integrity;
- \* national unity;
- \* effective government;
- \* constitutional democracy; and
- \* community empowerment.

(a) Regional integrity

This principle appears in the proposals of the Natal/Kwa-Zulu Indaba as follows:

" The fact that Natal / Kwa-Zulu is one unit is to be politically reflected by (second tier) government" (Mdlalose 1992:4).

In this part of the country, it is the JEA functionaries who should take a lead in working out the basis on which the separate functional regions of NPA, Kwa-Zulu, and the Administrations of the three Houses of Parliament should be encouraged to integrate their separate regional interests and their mutual national interests.

(b) National unity

The principle of national unity is stated in the said proposals as follows:-

"Natal/Kwa-Zulu, in the light of its economic and strategic interdependence, as well as its patriotism, seeks no sovereign independence " (Mdlalose 1992:5).

In this principle the JEA Secretariat personnel are guided in the management of the affairs of Kwa-Zulu and NPA as joint projects of a region within a South African State.

(c) Effective government

This principle of effective government is stated as follows:-

" All its people have a right of full political participation and effective representation " (Mdlalose 1992:6).

With this principle as a guideline the JEA Secretariat organised the nominations, structure and functioning of the various Joint Services Boards under the auspices of the JEA, so that all racial groups participate and there is bottom-up participatory democracy in each of them.

(d) Constitutional democracy

The principle of constitutional democracy states:-

" Democratic principles of freedom, equality, justice and

the rule of law, as well as access to the law, to be accepted. Racially discriminatory legislation to be abolished " (Mdlalose 1992 :7).

With this principle as a guideline, the JEA Secretariat personnel have to avoid discriminatory practices at all cost.

(e) Economic and political liberty

The Natal/Kwa-Zulu Indaba proposals state this principle as follows:-

" Society of Natal/Kwa-Zulu to be founded upon a system of free economics and the provision of equal opportunities. Protection of the rights of individuals and groups to be provided " (Mdlalose 1992 :8).

Apart from putting the JEA joint projects on the path of free enterprise, this principle pre-empts the protection of group and human rights which in the near future will be entrenched in the South African constitution.

(f) Community empowerment

The principle of community empowerment reads as follows:

" Legislative and Administrative powers to be devolved as much as possible " (Mdlalose 1992 :8).

As much as the devolution of power from the central authority to regional authorities means the decentralisation of power, it is different from the delegation of power which also means the decentralisation of power. In the latter, power belongs to the central authority which has the right to choose what to delegate to lower authorities, and the central authority remains accountable to the public for the exercise of these delegated powers.

With the principle of community empowerment the devolution of power means that the power belongs to the regional authorities. It is these regional authorities which jointly decide on the powers that must be ceded by them to the central authority. In this devolution of power there is dual accountability to the public. Whilst the central authority accounts for the exercise of powers ceded to it, the regional authorities also account for the exercise of powers which remain with them.

Therefore it is with the guidance of this principle that the JEA Secretariat personnel direct their efforts to providing a climate of a strong regional government in this larger region of Kwa-Zulu and Natal.

### 4.3 Training

The training is the systematic development of an individual employee's attitude, knowledge and skill to enable him/her to perform adequately a given job. As such, training is a planned process to modify attitudes, knowledge or skill behaviour of individual workers through learning experiences for purposes of achieving effective performance.

For that reason, providing training in the JEA is the responsibility of the Deputy Chief Executive Officer, who is responsible for the JEA internal administration involving improvements in methods, materials, equipment, layout, communications and relationships; and all the other activities of this institution (Dube 1991:interview).

This does not mean that the Deputy Chief Executive Officer should be a training specialist any more than it means that he should be a financial specialist, or a designer of equipment and machinery. But it does mean that he does know enough about training to ensure that training in the JEA is being carried out effectively. He knows that the knowledge, skills, and attitudes which are learnt reflect the true needs of both the individual and the institution as a whole. He provides the best conditions for learning and above all he checks whether the learning was effective or not.

#### 4.3.1 Training team

Although the responsibility for training lies with the Deputy Chief Executive Officer, he does not go it alone. Training in the JEA is essentially a team effort of training specialists and JEA personnel.

## (a) Training specialists

The training function for the JEA is vested in both Kwa-Zulu and NPA. When nominating their personnel for training courses, these training specialists do invite nominations from the JEA to include their seconded officials. Following are some of the training courses to which the JEA personnel are nominated.

## (i) Management training

These include the training of junior managers (such as the Senior Administration Clerks and the Administration Officers) and middle managers (such as the Senior Administration Officers and Assistant Directors). In management training the efficiency, knowledge and insight of these public officials is enhanced and a positive attitude towards their management tasks is promoted (Manual 1991).

## (ii) Financial training

Financial training includes practical bookkeeping, estimate cycle and programme budgeting. This training does a variety of things for an official like the JEA Assistant Director (Financial Management) (Manual 1991).

It introduces him to the basic principles of state financing and offers knowledge about the following:

- functions of the various official banking accounts;
- prescribed books of accounting and registers that must be kept;
- Treasury Instructions regarding the collection, receipt, banking and safe custody of public money;
- official cheques;
- requirements to be met before a voucher can be accepted for payment;
- recording, maintenance and balancing of a cash book;

reconciliation with the bank; and  
 purpose for and completion of the commitment register.  
 It teaches him to handle the undermentioned financial  
 procedures.

- completing and checking expenditure;
- processing transport expenses;
- processing subsistence and travelling allowance claims;
- handling payment of salaries, wages and allowances;  
 correctly using the Deposit Account; and  
 opening and using Trust Accounts.

It causes him to gain practical experience of Government  
 bookkeeping in the following areas:

- journal and ledger;
- functions and uses of the basic ledger and suspense  
 control accounts;
- practical bookkeeping for a vote;
- monthly balancing of the ledger and compiling a trial  
 balance;
- annual appropriation account; and
- unauthorised expenditure.

It equips him for the following duties with regard to  
 budgeting in the Government Service

- preparation of annual estimates of revenue and  
 expenditure;
- consideration of the estimates by the respective Heads  
 of Finance Departments and Ministers of Finance;
- anticipatory control over expenditure respectively by  
 Parliament and the Kwa-Zulu Legislative Assembly  
 and the Auditor General;
- Auditor General's review of appropriation accounts;
- ex-post facto control;
- Economic and Functional classification of government  
 expenditure;
- Description of expenditure categories;
- Priority classification;



Standard item structure; and  
 Procedure for the compilation of the estimates on a  
 programme basis.

Where these training specialists do not offer training themselves, they arrange with external bodies to offer the required training. For example, the Commission for Administration and the Kwa-Zulu Public Service Commission have a standing arrangement with the University of Pretoria whereby this university provides a six-week training course in Public Management. This course could benefit the JEA officials from the rank of Assistant Director to the rank of Director.

(b) Training internally

Internally all members of the JEA personnel are members of the training team. As such, they all have something to contribute. They do so in three ways, namely: tell, role model, and provoke thinking.

(i) By telling

The basis of this way of training is that the learner receives some information from the trainer. Training by telling takes place when the new personnel member is included into the JEA. At that time, he/she needs to know his/her way around and know something about the JEA business.

Being told continues as a training method even after induction whenever the Chief Executive Officer or another supervisor imparts a clear cut body of knowledge. It comes to the personnel as instructions. These instructions can be in words, symbols or figures. What is important in training by telling is that the task of learning does not require the JEA learner to make any independent discovery (Dube 1991 : interview).

### ii) By role modelling

Role modelling is learning by imitation. Here, an opportunity is created by the JEA supervisors for the new recruit to observe an established colleague performing a task. He/she then attempts to imitate the performance he/she has observed. The on-the-job training is a classical example of role modelling in the JEA, because the new comer learns what he/she sees performed and not what he/she is told should be done (Dube 1991 : interview).

### (iii) Thinking

In the JEA, learning occurs predominantly by being encouraged to think about an experience and reflect on it in learning terms. In this way of training, the new comer evaluates available options, draws conclusions, considers consequences, and generally "thinks through" the situation. Learning to think and work out problems independently is very rewarding for managers (and, save for the personal secretary, JEA personnel are all managers), because all the time they must make decisions on complex situations (Dube 1991 : interview).

The training team would be incomplete if the learner is not included. The learner must be willing to learn. In the JEA the personnel demonstrate this willingness to learn by making themselves available for nominations for training courses. They ask for information or try things on their own (Dube 1991: interview). The last mentioned way of learning is commonly referred to as the trial and error method.

### (iv) Trial and error

Learning by the trial and error method suits senior officials better because they are able to break any virgin soil by building upon their existing repertoire of

skills. They are also able to use their experiences as the basis for learning. In the course of breaking new ground, these senior officials rely heavily on one another. It, therefore, is preferable that they are a small group where each official can exchange information easily and as often as the need arises. In such a group the strength of mutual re-inforcement enhances progress.

As the joint authority concept had never been tried elsewhere in South Africa, its implementation basically broke new ground. Therefore, in its small size the Secretariat office formed a suitable setting and in its pioneer work relied on the trial and error method of learning as there was no guidance given by either Kwa-Zulu or NPA on day-to-day activities. Through trial and error a way was paved for the current Secretariat activities which now have set procedures. The trial and error method will remain part of the learning methods of this institution for a long time in view of rapid changes that are taking place in the country (Dube 1991 :interview).

## 5 UTILISATION FUNCTIONS

The utilisation functions are also referred to as the managerial functions (Cloete 1991 : 202). They are activities performed by the managers at the work-place. Cloete (1991 : 212 - 214) identifies the following activities as the managerial functions:

- \* proposals for creation of posts;
- \* on the job training;
- \* merit rating;
- \* leading and leadership;
- \* conflict situations;
- \* counselling;
- \* disciplining;

- \* development; and
- \* dealing with change and stress.

Because of their interdependence, inter-relationships and mutual inclusiveness many of these functions are discussed under other functional activities. For purposes of this analysis only the merit rating, that is, the performance appraisals of JEA employees, are studied.

#### 5.1 Appraisals

In the public service even the most suitable appointment thrives on nurturing. At lower and middle levels of the Government structure, the new appointee must be "shown the ropes" by the supervisor and the colleagues. The decision to "let go", because the new appointee is ready to function independently, flows from continuous appraisals of his/her performance by the supervisor and managers.

At top levels, the new appointee allows himself/herself time to "get the feel" of the institution. Through continuous self-evaluation as well as appraisal of his/her performance by significant others, the new appointee will know when he/she is ready to "settle down" and manage.

For the JEA personnel, appraisal starts in their Administrations of origin long before the officials are seconded.

At interview level, their success to secure their first jobs depended largely on the appraisal of their performance during the interviews. At probation level, their confirmation also depended largely on the quarterly appraisal of their performance by their respective supervisors. When they were permanently appointed, their placement in suitable positions, misconducts (if any), promotions, merit awards (if any), and even transfers to the JEA Secretariat, were subject to the appraisal of their performance. Even their future retirements or extension of the retirement dates when due will be granted subject to the appraisal of their performance.

#### 5.1.1 Appraisal in the JEA

Therefore, the appraisal of performance, or assessment, or merit rating (which are all commonly used terms to mean the same thing) is a central feature in the public service due to being labour intensive. Reading these

terms may, however, mislead one to think that it is only the performance ( that is, the "what", "how", and "when" aspects of accomplishing tasks) which is appraised or evaluated or assessed or rated, whereas it is not so.

In the JEA Secretariat, when appraisal is done public managers compile a record on the total circumstances of the person at work, the degree of integration of interests of both the position and the institution, the person's actual performance, and further help that could be given by the institution and the supervisor (Lyons 1978 :131). This holistic assessment identifies talent in the assessed person both in terms of level attainable and of personal aptitude. As such, the purpose of appraisal is two-fold.

#### 5.1.2 Purpose of appraisal

Although appraisals in the JEA are regulated by two separate personnel laws, the purpose remains singular, namely:- to determine the value or potential of the JEA personnel, and to utilise and develop it to the advantage of the public service and the individual himself. In its bi-lateral nature this purpose benefits both the institution and the employee, and this is shown by the areas of focus for appraisal.

The benefits accruing out of appraisal for the institution are:

- (a) data connected with managerial resources that is generated for the JEA, NPA, and Kwa-Zulu; and
- (b) up-dating of manpower planning in all these three authorities.

For the individual, these areas of focus include:-

- (a) finding out about the officer's management ability the ability to plan, organise, motivate, co-ordinate, and control;
- (b) assessing the official's work ability which involves:-
  - (i) to establish whether the public official makes maximum contribution to the JEA within the confines of the duty sheet;
  - (ii) to determine whether such public official could contribute more if placed in a different and/or higher position;
  - (iii) to examine why he/she lacks ability in certain respects; and
  - (iv) to see what can be done to help such an official to improve on his/her short-comings; and
- (c) investigating the official's ability to adapt - that is, his/her relationships towards others and, whether or not, he/she adapts with ease.

When investigating these facets, the JEA Secretariat does

so in a partnership context (Dube 1991:interview).

### 5.1.3 Partnership in appraisal

The partnership in appraisal is between the supervisor who assesses the performance and the supervisee whose performance is being evaluated. Even outside the JEA setting this partnership is valuable because as such it conforms to the natural laws of justice, such as, alteram partem meaning that the supervisee has to have sufficient time in order to prepare himself/herself to state his case.

It must be appreciated that the supervisee may pursue an aspect of his/her job which gives him/her the feeling of self-fulfillment at the expense of another aspect that the supervisor regards equally, if not more, important. In such a situation, this partnership opens up communication about both views and it helps both the supervisor and the supervisee understand the merits of the other person's views. This understanding helps to scale down the tendency in most supervisors to "play God" by making the appraisal a potential punitive exercise which ignores completely the personal aspirations of the subordinates. In "playing God" these supervisors show the supervisees up as falling short all the time. This is



inhuman treatment which falls away when partnership is upheld in appraisals of performance.

The temptation to "play God" is greater in smaller public institutions where it is difficult to separate the value of the job as such from the performance of the manager in that job. In this setting public managers tend to think of the structure of their respective institutions as built around them. In such cases, the Chief Executive Officer may be the sole co-ordinator of a team of specialists, thereby making his "word" the "law" and demanding that the appraisal be tailored to satisfy his wishes.

Although the JEA is a small institution, its appraisal of personnel performance is not subject to the whims of the Chief Executive Officer. Were it so, it would not provide scope for fair appraisal to innovative subordinates who in their pioneer work by their own performance have changed the nature and quality of their jobs to a point at which these jobs have become more enriched than the ones to which they were originally appointed (Dube 1991: interview).

In the JEA setting this partnership is inevitable because the JEA personnel belong to two different working environments. For some officials, it is the combination

of the JEA/NPA working environments, and for others, it is the combination of the JEA/Kwa-Zulu working environments. In other words, the JEA public officials are not severed from their authorities when they join the JEA. For all their personnel matters they remain attached. However, in the JEA set-up, the supervisor who belongs to one combination of working conditions does evaluate the performance of the supervisee of another combination.

Supervision across the combination line does not guarantee that the norms and standards applied in assessing performance are in both combinations the same. It also does not guarantee that the personnel of one combination have a full understanding of the norms and standards of the other combination. As a result, this partnership in appraisal gives an opportunity to the supervisee to explain the norms and standards of his combination of working conditions in order to guide the supervisor of the other combination to be relevant, because at the end of the appraisal exercise it is both NPA and Kwa-Zulu who become custodians of the appraisal reports of their respective seconded officials.

From the above, it is clear that there are more than one types of appraisal. Firstly, partnership in appraisal is evident at a work situation where the supervisee produces

and the supervisor keeps a watchful eye on the product in terms of quality, rate of production, and value, giving feed-back all the time to the supervisee on the acceptable standards. Secondly, partnership in appraisal is found in round table discussions, away from the "shop-floor", where the supervisor, committees, the Head of department and the Commission evaluate work done in a specific period by the supervisee.

#### 5.1.4 Types of appraisals

Both the above mentioned types of appraisals are found in the JEA. They are called the informal appraisal and the merit rating.

##### (a) Informal appraisal

The informal appraisal has many stages. It could take place when the supervisor trains the supervisee on a certain aspect of the job, assesses his comprehension and performance as the supervisee handles the aspect trained upon, and, if satisfied, moves to train the supervisee on another aspect until all aspects of the job are mastered by the supervisee. Informal training is closely linked to training and re-training. The supervisor gives information and assesses the application of the information by the supervisee. This type of informal appraisal is evident in the JEA especially at the time of giving orientation to new-comers.

It could also take place in the reshuffle of personnel. Where the supervisor justifies the reshuffling of personnel by saying: "I think X is better on the counter and Y performs well in the field", he is making an informal appraisal. Although the JEA structure is designed for specialists which does not give much room for reshuffle, these observations on how well a supervisee does a specific job come out naturally from the JEA supervisors and, in a limited scope, they influence the allocation of tasks according to subordinates' abilities and aptitudes.

Another type of informal appraisal could be quality control mentioned earlier where the supervisor keeps a watchful eye for an acceptable product or service. There are many other examples but informal appraisals cannot be relied upon as sole management instruments because of certain limitations. In informal appraisal:

- \* it is hard for the supervisor to be fair;
- \* it is impossible for the supervisor to prove fairness;
- \* supervisees have no satisfactory base on which to build their expectations; and
- \* charges of favouritism and the inevitable disappointments that ensue have a bad effect on supervisor-supervisee relationship (Pigors and Myers

1977 :270).

The JEA thrives on a combination of informal appraisal and another type which is formal, systematic and involving many actors. This second type is the systematic performance appraisal, or, simply, the merit rating (Dube 1991:interview).

(b) Merit rating

The merit rating in the JEA forms part of the NPA's and Kwa-Zulu's systematic performance appraisal plans. Its greatest value is in the keeping of the JEA personnel as part of their original authorities' personnel in the reviewal of performance. Like so many other parts of the personnel programmes, merit rating is ultimately a line responsibility. In this case the JEA must initiate and monitor it.

From the personnel establishment of the JEA it is clear that merit rating provides for all levels, namely:- the junior personnel, management from middle levels downwards, and management in the upper structure of Government. At all these levels merit rating is used most frequently as a basis for selecting candidates for promotion. In this study a closer attention is only paid to the merit rating of the JEA personnel in the upper structure of Government. However, save for few

exceptions, what applies to this category applies to all other categories as well.

In the upper structure of Government merit rating determines the relative efficiency of public managers. In the JEA situation it is a tool used to aid in:-

- \* determining the promotability of public managers to, and their acceptability in, the next higher positions in their departments of origin;
- \* considering transfers within the JEA;
- \* arranging withdrawal from the JEA for transfers within departments of the authority of origin;
- \* identifying high level management potential; and
- \* establishing training and development needs to help particularly the under-achievers.

For merit rating to be effective, it must be properly structured.

#### (i) Merit rating structure

In the JEA, the merit rating for the personnel in the upper structure of Government, takes place on the basis of questionnaires. First, these questionnaires are completed at prescribed times in respect of public managers:

- \* who for the first time have completed the qualifying period in a particular rank, and, annually thereafter; and
- \* whose work performance, conduct, general behaviour

and other personal qualities and achievements have changed markedly since their previous assessment in the same rank.

Second, other questionnaires are for purposes of confirming the status quo recorded in the previous assessment. These questionnaires are completed at the prescribed time in respect of public managers of the rank of Deputy Director and equivalent gradings to confirm that there have been no significant changes in their work performance, conduct, general behaviour and so forth since their previous assessment in the same rank.

(ii) Scope of application

The said questionnaires are completed in respect of the public managers on the standard grading of Deputy Director and higher if they:-

- \* have completed the qualifying period of service to be considered for promotion, as laid down from time to time in the personnel administration standards (PAS) on or before the 31st of March of the year in which the report is to be completed; or
- \* have completed a period of two years' service on or before the 31st of March of the year in which the report is to be completed in cases where no specific qualifying period of service has been laid down in the PAS.

The Heads of Departments and public officials below the standard grading of Deputy Director are excluded from completing these questionnaires. Therefore, in the JEA it is only the Deputy Chief Executive Officer and the Deputy Director (Special Services) who are included in the assessment through these questionnaires. Understandably so, because the Chief Executive Officer, who would otherwise qualify to complete them, as Head of this institution, is, together with other participants responsible for producing the final assessment record of the JEA personnel.

(iii) Personnel involved in merit rating

In the merit rating of the JEA public managers in the upper structure of Government, the parties involved in the completion of the evaluating questionnaires appear in the following paragraphs.

\* Departmental personnel bodies

Parts A and C of the evaluation questionnaire and Part A of the confirming questionnaire are completed in full by the personnel divisions of departments. As far as the JEA seconded officials from NPA are concerned, these portions are completed in the NPA Directorate: Personnel Management. As far as the JEA seconded officials from Kwa-Zulu are concerned, these parts of the questionnaire are completed by the Personnel Division of the Department of the Chief Minister.



### Public managers undergoing evaluation

The public managers who are being evaluated complete in full part B of the evaluating questionnaire. For the JEA seconded officials, these questionnaires are forwarded by NPA and Kwa-Zulu personnel management bodies for completion by respective seconded officials that are due for assessment.

#### \* Evaluation committee

The Kwa-Zulu and NPA personnel management bodies, in consultation with each other and in consultation with the Chief Executive Officer and the JEA staff member to be assessed, appoint the evaluation committee. This committee is usually constituted by Heads of Departments, which means that the Chief Executive Officer in his capacity as Head of the JEA Secretariat becomes a member when the JEA candidate is assessed.

Although there is no limit prescribed for the maximum number of committee members, there must be a minimum of two members of at least one rank higher than the public manager who is evaluated. From the point of view of the JEA structure, save for the Chief Executive Officer, all these members are NPA and Kwa-Zulu public managers. In constituting this committee the principle of equal representation applies. Care is also taken to include the supervisor of the candidate, a senior member

of the relevant personnel management body, and a representative from the Commission. After completing its work the evaluation committee completes a portion in the evaluation questionnaire.

\* Supervisor of candidate

If the supervisor of the candidate is not part of the evaluation committee, he/she is, nonetheless, at the disposal of this committee for co-option or consultation.

\* Head of Secretariat office

Where the Chief Executive Officer did not make the assessment himself/herself, or did not act as chairman of the evaluation committee, he/she is required to complete a certain portion in the evaluation questionnaire. The reason for this is that as Head of the institution he/she has seen the candidate in action and has definitely formed an opinion about the candidate's efficiency and capabilities.

Where his/her views disagree with the findings of the evaluation committee, it is considered advisable that he/she should make an effort with the evaluation committee to settle differences. If consensus cannot be reached, however, the Chief Executive Officer gives reasons for disagreeing and forwards them together with the evaluation questionnaire to the moderating committee.

\* Moderating committee

The moderating committee is appointed by the Kwa-Zulu Public Service Commission in respect of Kwa-Zulu/JEA candidates and by the Commission for Administration for the NPA/JEA candidates. This committee is constituted from the ranks of occupational classes that are relevant to candidates. The duty of this committee is to verify the promotability ratings allocated by the evaluation committee and the Head of the JEA Secretariat.

Since public managers within specific occupational classes also compete with one another inter-departmentally on a horizontal basis, it becomes imperative for the moderating committee to do the verification of ratings against the broad horizon in order to ensure that the same standards are applied horizontally. After completing its work, the moderating committee fills in its portion on the evaluation questionnaire and passes the whole questionnaire to the Commission.

\* Kwa-Zulu Public Service Commission / Commission for Administration

The final decision on the promotability ratings of the JEA candidates lies with the Commission, namely:- the Kwa-Zulu Public Service Commission and the Commission for Administration for Kwa-Zulu and NPA seconded officials, respectively. After studying the work of all other actors the Commission makes its own conclusion.

The Commission's findings are incorporated in the final preference list. Once the ratings are part of the preference list it means that the JEA candidate is now in line for promotion in the authority of origin when his/her turn comes or even out of turn when his/her scores are outstanding.

From this exposition, it is clear that arriving at a final decision about the ratings of the performance of any public official is a painstaking exercise. It is also very clear that, despite pool judgements on the candidate, merit rating is basically subjective and, therefore, cannot be exact. Therefore, to scale down subjectivity the office of the JEA does not take the merit rating as a substitute for objective records of output, quality, and other concrete data which in their own right show up the relative performance of its personnel. It keeps this data in the form of statistics and figures.

When the Commission has concluded its work on the JEA candidate, it fills in its portion of the evaluation questionnaire, and, thereafter, informs the JEA about the outcome of the appraisal. Where a candidate is rated an under-achiever steps are taken to expose him/her to manpower development and training programmes which can be of benefit to him/her.

## 6 SUMMARY

The JEA staffing is arranged in such a manner that its whole personnel administration remains part of both NPA's and Kwa-Zulu's personnel administrations, respectively. In the function of determining jobs, the undermentioned posts are approved and provided for financially in JEA's, Kwa-Zulu's and NPA's staff establishments, respectively.

Figure 18

## SECRETARIAT OFFICE POSTS : TYPE AND NUMBER

<u>Type</u>	<u>Number of posts</u>
Director	1
Deputy Director	2
Assistant Director	3
Senior Administration Officer	2
Administration Officer	1
Senior Administration Clerk	2
Personal Secretary	1

These positions indicate to both NPA and Kwa-Zulu the extent to which the JEA Secretariat office has developed. Should certain NPA and Kwa-Zulu functions be transferred to the JEA, this record of existing posts for the Secretariat office will form the basis upon which such transfers can be considered.

As far as recruiting is concerned, it is clear that of all the recruitment programmes it is only the open day

programme and the lost resources programme which apply to the JEA. Even these two recruiting programmes are linked with the personnel administrations of NPA and Kwa-Zulu. The open day programme is applicable in the sense that through these annual JEA functions Kwa-Zulu and NPA functionaries are exposed to the JEA and may, as a result, be interested to work there. The lost resources programme may attract retiring and retired NPA and Kwa-Zulu public officials.

All other recruiting programmes have no direct bearing on JEA recruiting, most probably, because through internal advertising JEA recruiting is limited to NPA and Kwa-Zulu. The JEA selection is confined to the NPA and Kwa-Zulu personnel who respond to its advertised posts, and it is carried out in such a way that the JEA retains its intended character of being a combination of NPA and Kwa-Zulu with both Authorities being represented visibly by their seconded officials in the JEA Secretariat office.

In itself, the JEA selection is a process which starts during the pre-selection phase that is predominantly handled by the personnel administrations of both NPA and Kwa-Zulu separately until candidates are properly screened. It proceeds through the selection phase where NPA and Kwa-Zulu play a dominant role in producing a short list for JEA's consideration. It ends at the post-

selection phase where NPA and Kwa-Zulu release selected candidates. Thereafter, JEA effects placement and quarterly reporting of performance to determine whether or not the new official is gainfully employed.

The conditions of service are "given" to the JEA by both the Commission for Administration and the Kwa-Zulu Public Service Commission. Where finances must be provided to effect remuneration and other fringe benefits, the JEA, NPA and Kwa-Zulu make the necessary provisions for staffing in their respective budgets.

The JEA record keeping is an extended record keeping of NPA and Kwa-Zulu for respective seconded officials. This means that the current move towards computerising NPA and Kwa-Zulu records naturally leads to the JEA computerised record keeping as well.

Up to the time of this study the Secretariat office had not had an occasion to settle grievances, and its industrial relations were reasonably sound. Should the occasion arise, however, the grievance procedures of NPA and Kwa-Zulu are available to guide the JEA on handling disputes.

In the field of research, JEA depends upon the Commission for Administration and the Kwa-Zulu Public Service Commission. Their recommendations find their way through NPA and Kwa-Zulu to the JEA for implementation.

With regard to health, safety and welfare, the JEA links with NPA at Bourquin Building to safeguard the health, safety and welfare of its employees. It, further, contributes to medical schemes for the benefit of its employees.

For the JEA manpower development, the custodians of the manpower development programmes are the NPA Personnel Management Directorate and the Kwa-Zulu Manpower Development and Planning Branch. These programmes originate from the Commission for Administration.

Newcomers to the Secretariat office are afforded an orientation exercise during which they read extensively about the JEA. Invariably, these new comers must internalise the principles upon which the JEA services are rendered, and this includes the rights of individuals, the normative factors of public administration and the guidelines set by the Natal/Kwa-Zulu Indaba.



After orientation training sets in. The training of the JEA officials is vested in the Deputy Chief executive Officer. However, it is the responsibility of the NPA and Kwa-Zulu, respectively, to continue with the training of their JEA seconded officials.

With regard to performance appraisals of JEA personnel, the Secretariat office is responsible for informal assessments. In formal assessments (known as merit rating) NPA's and Kwa-Zulu's respective personnel administration treat the Secretariat office as one of their respective internal structures, such as the Kwa-Zulu Departments and the NPA branches. These two personnel administrations assume a full responsibility for the assessment and promotion of their JEA seconded officials.

All in all, these staffing functions are only described here as separate activities for the purpose of clarity. In practice they are so interdependent, so inter-related and so mutually inclusive that most of the time it is difficult to isolate any of them.

## CHAPTER SEVEN

## DETERMINATION OF PROCEDURES

## 1 INTRODUCTION

The procedures are built into all public service activities, regardless of whether these activities are functional, or auxiliary, or intrageneric, or, even, administrative. As such, all the activities of policy-making, organising, financing, staffing (discussed in the preceding chapters), and control (discussed in the next chapter) are known by their procedures. Should these procedures change, the content, nature and face of these activities change too.

For that reason, the discussion of the procedures for the abovementioned generic administrative processes is not repeated here. This chapter is devoted to the determination of procedures, which, in other words, is the procedure for the generic administrative process of procedure, or what is simply called the work study activities.

These work study activities do not take place in a vacuum. As mentioned in the opening sentence to this chapter, they take place within the functional, auxiliary, intrageneric and administrative activities. For purposes of the JEA the focus is on the workstudy activities for the unified ambulance service of the catchment area of the Prince Mshiyeni Memorial Hospital.

## 2 UNIFIED AMBULANCE SERVICE - BACKGROUND INFORMATION

The Minister of the Kwa-Zulu Department of Health made a public announcement at the beginning of 1992 that the Kwa-Zulu and NPA were unifying their Health services under the auspices of the JEA ( Gumede 1992: interview). The first step in this process was the unification of the

ambulance services at the catchment area of Prince Mshiyeni Memorial Hospital. This materialised in October 1992 (Gumede 1992:interview).

Prior to the unification this catchment area was served by the Prince Mshiyeni Memorial Hospital ambulance service, which is part of the Kwa-Zulu ambulance services. The catchment area included areas served by clinics in the townships of Umlazi, Kwa-Makhutha, Magabheni, etc., which have a two-way radio system and rural clinics in areas such as Jolivete which have no such infrastructure (Gumede 1992 : interview).

By comparison between NPA and Kwa-Zulu ambulance services, the latter service falls far below the ambulance service standards whether the comparison is in terms of the ambulance fleet, or the "first aid" equipment provisions in ambulances, or, even, the training afforded the ambulance personnel (Fuhri 1992 : interview).

This service in the catchment area of Prince Mshiyeni Memorial Hospital was further hindered by the current political unrest which was used by the criminal element to forcefully take away Kwa-Zulu ambulances from their drivers on duty to collect patients from their homes or any other place apart from the clinics (Gumede 1992 : interview). This loss of ambulances limited the pick up points to clinics only.

These conditions placed Kwa-Zulu Health Services high on the priority list of services that should be unified under the joint administration of the JEA : Hence the work study conducted on this service.

### 3 INSTITUTIONS RESPONSIBLE FOR WORK STUDY FOR THE JEA

In most government institutions conducting work study investigations is not the responsibility of the line management. As such, in this catchment area of the Prince Mshiyeni Memorial Hospital, it was the responsibility of neither the NPA Emergency Ambulance and Medical Services, nor the Prince Mshiyeni Memorial Hospital administration, nor, even, the JEA Secretariat office to conduct work study investigations for this unification of ambulance services. But, it is the responsibility of the staff management.

For that reason, the staff management for these three abovementioned institutions are the NPA Work Study Officers and Kwa-Zulu Efficiency Officers. They collaborated in conducting work study investigations for this joint project and their report with recommendations, was used as the basis for the contract later drawn and entered into by NPA and Kwa-Zulu when introducing this unified ambulance service into this catchment area.

### 4 WORK STUDY INVESTIGATIONS

Andrews (1982 :24) defines work study as a "term used to embrace the techniques of the method study and work measurement which are employed to ensure the best possible use of human and material resources in carrying out a specific activity". Barnes (1980 :6) describes work study to mean the systematic analysis of work systems with the purpose of:

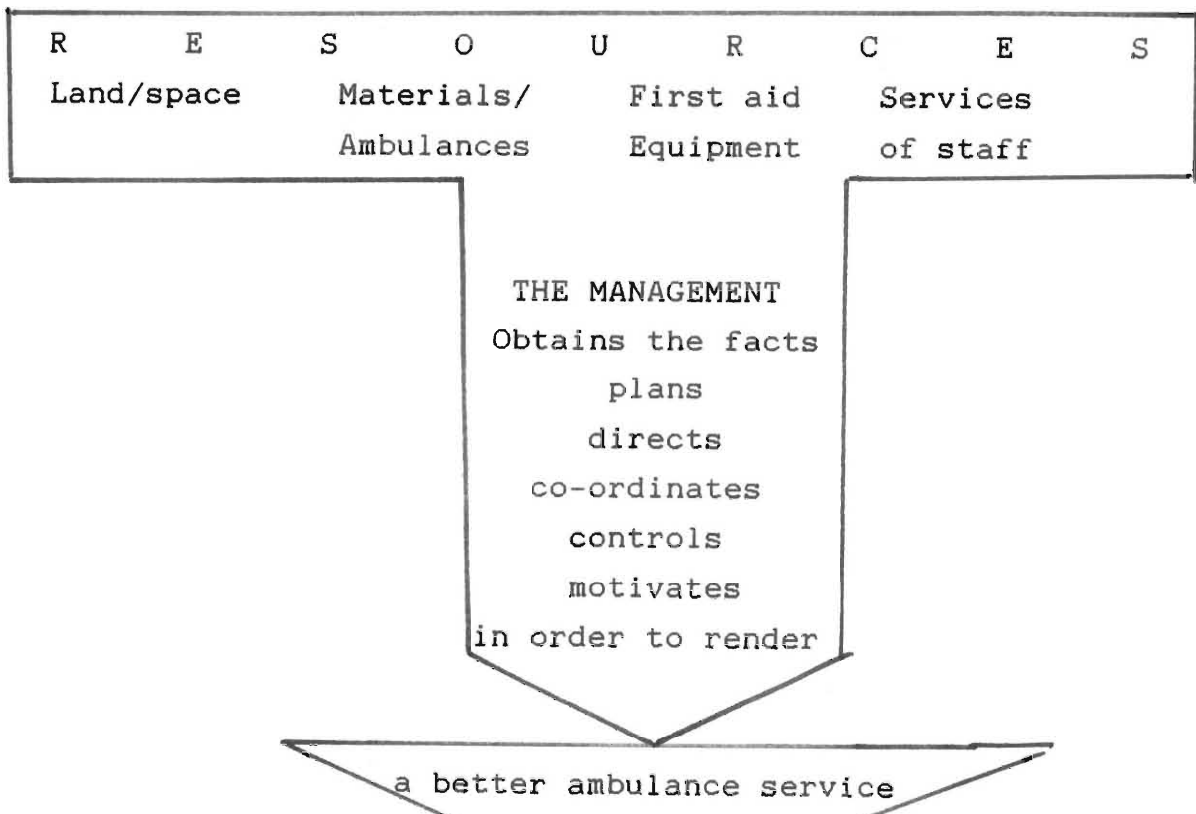
- " (1) developing the preferred system and method - usually the one with the lowest cost;
- (2) standardising this system and method;
- (3) determining the time required by a qualified and properly trained person to do a specific task or operation; and

- (4) assisting in training the worker in the preferred method."

These definitions emphasise both the purpose and the techniques for determining procedures. The purpose comes out as the economic use of human and material resources by public managers. In this ambulance service the work study aimed at the cost effective use of space, ambulances, first aid equipments, and ambulance personnel to change the unfavourable conditions mentioned in 2 above in order to render a better ambulance service in this catchment area. See Figure 15 below for a visual representation of this resource management (Barnes 1980:6).

Figure 15

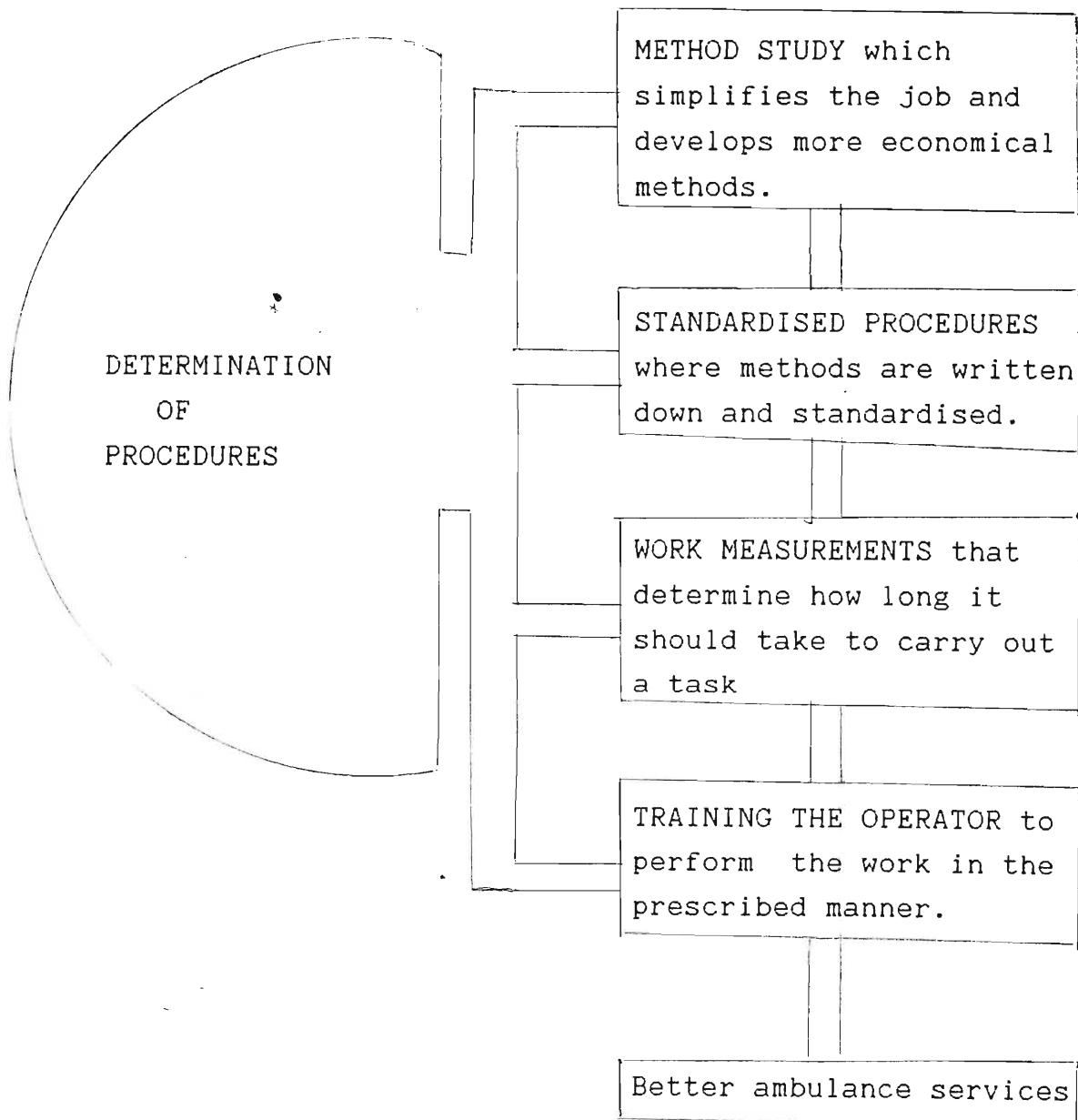
# RESOURCES MANAGEMENT AND A BETTER SERVICE



The techniques that are evident in these definitions are: method study, standardising procedures, measuring the work, and training personnel (Barnes 1980:5). For a visual representation of these techniques see Figure 16 below (International Labour Office 1986:34).

Figure 16

TECHNIQUES FOR DETERMINING PROCEDURES



These techniques unfold as the work study conducted for this unified ambulance service at Prince Mshiyeni Memorial Hospital is studied by using the basic procedure of work study involving the following steps:-

- \* selecting the job;
- \* recording from direct observation;
- \* examine and challenge what is done;
- \* develop most economic method;
- \* measure the quantity of work involved;
- \* define new method;
- \* install new method; and
- \* maintain new standards (International Labour Office 1986: 35).

#### 4.1 Selecting the job

First, the job selected was the ambulance service for the catchment area of Prince Mshiyeni Memorial Hospital (Fuhri 1992: interview). This catchment area is made up of township clinics with a two-way radio infrastructure and rural clinics without this facility (Gumede 1992 : interview).

Second, the selection for the unification of ambulance services was confined to the part of the catchment area with the two-way radio infrastructure (Fuhri 1992: interview). The Prince Mshiyeni Memorial Hospital ambulance service would continue to serve the other portion of the catchment area without the two-way radio infrastructure (Gumede 1992: interview).

#### 4.2 Recording from direct observation

The observation revealed to the Work Study Officers that the NPA ambulances of the Durban based Emergency Ambulance and Medical Services were enough in terms of numbers to cover additional selected Kwa-Zulu areas to

start this unification process. As such, there would be no need for integrating the two services at this beginning phase (Fuhri 1992 : interview).

Administratively, this Durban based NPA ambulance service was found to be fairly well developed if compared to its counterpart at the Prince Mshiyeni Memorial Hospital. As such, it was recorded that it could cope with the extended responsibilities without the need for additional help from Kwa-Zulu. It was also observed that after taking away part of the catchment area, the Prince Mshiyeni Hospital ambulance service would still be fully utilised.

Regarding the ambulances, it was observed that the NPA ambulances were well equipped with two-way radio systems, first aid kits and other ambulance equipments, whereas it was not so with the Kwa-Zulu ambulances. For that reason, it was recorded that using the NPA ambulances in the portion of the catchment area with the infrastructure would derive most benefits for the consumer of the service as well as the administration.

It was observed again that the Durban ambulance base would be further away from the catchment area, which would add unnecessary kilometre costs to the unification project if the NPA ambulances were to operate from that base. At the same time it was recorded that there was enough ambulance space at the Prince Mshiyeni Memorial Hospital base to house additional NPA ambulances.

Further, it was observed that the NPA ambulance personnel are trained ambulance operators. They are not just ambulance drivers as is the case with the Kwa-Zulu ambulance personnel.

Lastly, it was recorded that in these catchment areas the



Kwa-Zulu ambulances' pick up points were confined to clinics only, because it was the only way to curb ambulance theft which was already rife in these riot stricken catchment areas.

#### 4.3 Examining and challenging what is done

The Work Study Officers examined and re-examined these facts about the Emergency Ambulance and Medical Services, Prince Mshiyeni Memorial Hospital ambulance services, and the catchment area under consideration. The emphasis of re-examination was placed on the purpose of the unified ambulance service, the place where it should be rendered, the personnel suitable for this service, as well as financial resources that should be at the disposal of this joint project. This was examined within the constraints caused by the political, economic and technological limitations.

#### 4.4 Developing the economic method

When all these facts were taken into account it was recommended that:

- \* the Durban based Emergency Ambulance and Medical Services extend their services to cover the portion of the catchment area with the infrastructure;
- \* ambulances for this purpose be based on site at the Prince Mshiyeni Memorial Hospital;
- \* the Prince Mshiyeni Memorial ambulance service continues to serve the portion of the catchment area without the radio infrastructure;
- \* the unification of ambulance services be administered at the NPA Durban based Emergency Ambulance and Medical Services under a Co-ordinator;
- \* for the present, the unified services be run solely by NPA's staff and ambulances whilst Kwa-Zulu's staff and ambulances operate a separate

service alongside this unification;

- \* Kwa-Zulu pays NPA a fixed amount for running this unified service;
- \* the pick up points in the entire catchment area of the Prince Mshiyeni Memorial Hospital continue to be limited to clinics until it is safe to pick patients up from their homes and other points; and
- \* the inter-hospital ambulance service continues to be the responsibility of the Prince Mshiyeni Memorial ambulance service, outside the joint project.

#### 4.5 Measuring the quantity of work involved

Through working out figures, the Work Study Officers were satisfied that NPA ambulance service would not be overloaded with this additional responsibility, and Kwa-Zulu ambulance service would not be underutilised after taking away part of this catchment area.

#### 4.6 Defining new method

The new procedures for carrying out ambulance services in this catchment area were outlined in terms of the contract signed by both NPA and Kwa-Zulu and explained to both NPA and Kwa-Zulu ambulance personnel.

#### 4.7 Install the new method

The Emergency Ambulance and Medical Services established a base at Prince Mshiyeni Memorial Hospital and moved some of its ambulances to this site. The unified services started operating in October 1992.

#### 4.8 Maintaining the new standard practice

The JEA held regular meetings with the two Administrations. As a result of these joint discussions

Kwa-Zulu transferred two million rand to NPA for this unified ambulance service. It was agreed that to maintain the new standard and to upgrade the low standard in areas that were to be incorporated into the unification process, it was necessary to increase the allocation for this joint project.

## 5 SUMMARY

The procedures determine the nature of activities. A change in these procedures results in a corresponding change in the respective activities. Since changes in the nature of activities is necessary to keep these activities abreast of developments, the determination of procedures which precedes changes in these activities, becomes a never ending exercise. Therefore, it is not surprising that changing the status quo of the Health function in Region E is preceded by the work study conducted on the first "phase" of the unification of ambulance services.

As a function, the determination of procedures is highly professional. As such, it needs full-time experts with degree or diploma training in work study, organisation and method. These form part of the personal experience of staff rather than line functionaries. The JEA uses the NPA Work Study Officers together with Kwa-Zulu Efficiency Officers for determining procedures for joint projects.

In their work these officers use four work study techniques, namely: method study, standardising procedures, work measurements, and training operators. In their work study for the unification of ambulance services of the Prince Mshiyeni Memorial Hospital catchment area two limitations were evident. First, insufficient funds for this unification in the

face of major service upgrading required is a dampening factor. Second, the lack of the necessary infrastructure in rural areas is another hurdle. Both these factors play a major role in determining procedures.

## CHAPTER EIGHT

## CONTROL MECHANISMS AND ACCOUNTABILITY STRUCTURES

## 1. INTRODUCTION

In control, a situation of checks and balances is created for public officials to give account for their commissions and omissions to those higher up in the government hierarchy. As such, control and accounting mechanisms complement each other. There would be nothing to account for if nothing was controlled, and there would be no need for control if it was not necessary to give account.

In itself, control has diverse functions for the public service. It defines or establishes standards for the quality of performance, service, or development; protects public assets from wastage, misuse or loss; sets limits of responsibility and authority; directs planning; and facilitates evaluation results (Christiansen 1977 : 85). That is the reason why control runs through all generic administrative processes discussed in the previous chapters.

## 2. TYPES OF CONTROL AND ACCOUNTING

Control and accounting could be formal or informal. In both these cases, control and accounting take place within the institution or between the institution and outside agencies.

## 2.1 Informal control and accounting.

The informal control is engineered by group pressure. In the JEA, there are two groups, namely: the Kwa-Zulu Ministers and the NPA Executive Committee members. Each of these groups have five members. The appointment of

these ten members is on the basis of equal status. None of them is appointed leader of the group, yet, on their own these two groups each recognises one member as the group leader who serves as JEA chairman or alternatively vice-chairman. Other members never are not afforded this leadership opportunity because of informal control.

Informal control is also exerted by group values. For the JEA, these values originate from the rights of individuals, the guidelines of public administration, and the principles of the Natal and Kwa-Zulu Indaba. These value laden factors "find fulfilment in a display of correct attitudes and by following one's conscience rather than by observing restrictive rules and obeying instructions" (Cloete 1991:193).

#### 2.1.1 Informal control internally

In informal control within the Institution, the aspect of accountability is not clear. Suffice it to say that the JEA member is not required to account to the representative group, but, that deviant behaviour is discouraged by means of group disapproval.

#### 2.1.2 Informal control from outside

Where informal control is exerted from outside the JEA institution, this aspect of accountability is quite evident. The Natal Provincial Executive Committee and the Kwa-Zulu Cabinet are classical examples of the external structures that exert informal control on the JEA in view of the fact that there are no formal links

between them and the JEA, yet they exercise tremendous influence on JEA decisions.

For example, after the Kwa-Zulu Cabinet had resolved to suspend further transfers of powers, duties and functions from Kwa-Zulu to the JEA until CODESA negotiations were completed, the JEA carried this resolution by means of a JEA resolution. As such, in doing JEA business cognisance is taken to safeguard Kwa-Zulu and NPA policies.

These policies are safeguarded by the right each representative exercises to dissent in order to obviate a JEA decision being carried. The members use this right to avoid being called to account for JEA decisions which are unacceptable to Kwa-Zulu or NPA policies.

This kind of informal control exists between the JEA and the relevant legislatures, and between the JEA and political parties, particularly the ruling National Party and Inkatha Freedom Party. Parliament and the National Party can call upon the NPA representatives in the JEA to account for JEA's commissions or omissions. Kwa-Zulu Legislative Assembly and Inkatha Freedom Party can do likewise to the Kwa-Zulu contingency.

However, Parliament and Kwa-Zulu Legislative Assembly, as was highlighted in Chapter 5, do exercise a formal control on the JEA financial matters.

## 2.2 Formal control and accounting

Formal control and accounting is both internal as they take place within the JEA institution, and external, when the Secretariat office carries out rules and instructions given from outside by the Central Government, Kwa-Zulu

and NPA or even other outside bodies with which the JEA has entered into a contract.

#### 2.2.1 Internal formal control and accounting.

The previous chapters dealt with numerous administrative control and accounting structures. For policy-making, measures such as JEA resolutions, internal circulars, and other directives from supervisors were highlighted. For organising, duty sheets, Secretariat office organogram, delegation of powers, duties and functions and others were discussed. For financing, the JEA budget was explained as an instrument for control and accounting. Even in determining procedures the control and answerability internally are evident.

These administrative control and accounting measures are not repeated here. In this Chapter attention is paid to the writing of reports, and cost accounting as internal control and accounting mechanisms.

##### 2.2.1.1 Written reports

Written reports in the JEA come from public officials in the Secretariat Office, the Chief Executive Officer making certain proposals to the JEA or reporting back on the implementations, and the inter-departmental liaison, committees, ad-hoc committees, standing committees and advisory committees reporting progress on JEA business assigned to them.

The advantage of these reports is that they provide tangible documentary evidence of whatever takes place (Cloete 1991:90).



#### 2.2.1.2 Cost accounting, cost comparisons and cost analysis.

As internal control mechanisms the functions of cost accounting, cost comparisons and cost analysis are vested on the JEA departmental accountant. He uses these functions to ensure "value for money" on all JEA activities. As such, all financial transactions in this institution are recommended by him before sanctioned by the Accounting Officer (Dube 1991: interview).

#### 2.2.2 External formal control and accounting

The external formal control and accounting structure were also cited in the previous chapters. These included inspections and investigations, auditing, statistical returns, annual reporting and administrative adjudication. They are repeated here for purposes of emphasis.

##### 2.2.2.1 Inspections and investigations.

The small size of the Secretariat office permits internal inspections and loco investigations to take place when work is done. Time is not necessarily set aside specifically to conduct internal inspections and investigations in order to update the Chief Executive Officer and his Deputies on the performance of the Secretariat office (Dube 1991: interview).

However, with inspections and investigations conducted by external agencies, such as, NPA Work Study Officers and Kwa-Zulu Efficiency Officers, it becomes necessary to set periods aside for carrying them out. So far, such inspections and investigations have not been carried out to find solutions to alleged maladministration - which are "after-the-effect" inspections and investigations, but, are carried out primarily to upgrade the Secretariat office - which is pro-active (Dube 1991: interview).

The advantage of these inspections and investigations is that they "take place in the actual work environment, with the result that it can readily be established whether any action taken did in fact, serve a useful purpose (Cloete 1991:191). Improvements recommended by the Work Study Officers and Efficiency Officers build on these actual actions.

#### 2.2.2.2 Auditing

In the JEA, auditing is done annually after transactions have taken place (Dube 1991: interview). "Furthermore, auditing is usually concerned only with the legal correctness of transactions" (Cloete 1991:191).

The Auditor - General reports annually on JEA's handling of State moneys. If there is a need, the JEA Accounting Officer appears before the Sessional Committees of Parliament or Kwa-Zulu Legislative Assembly to give account.

#### 2.2.2.3 Statistical returns

In various fields of public administration the Secretariat office is expected to submit statistical returns at certain intervals to certain outside agencies. These could be statistical returns on the JEA staff establishment required by both NPA and Kwa-Zulu for forward personnel planning and financing (Dube 1991: interview). They could also be revenue and expenditure returns submitted periodically for inclusion in NPA and Kwa-Zulu quarterly reporting on JEA expenditure (Dube 1991: interview).

No doubt, more statistical returns will be necessary on functional activities placed under the joint administration to appraise the separate NPA and Kwa-Zulu

line managements on the achievements made and limitations experienced as a result of placing these functional activities under the auspices of the JEA. As such, they will serve a useful purpose of controlling these functional activities in the sense that through these statistical returns public officials will be accounting for their actions and the total JEA productivity will be evaluated (Cloete 1991:191).

#### 2.2.2.4. Annual reporting

It is provided in the JEA legislation that annual reporting should be done by the JEA to both Parliament and Kwa-Zulu Legislative Assembly (Act 80 of 1986). These reports are tabled before these two legislative bodies for debate, if necessary. The legislators indicate what they consider as benefits and short-comings in the activities of the JEA for the period reported upon. This enables the JEA on the ensuing year to work on eliminating the short - comings and increasing the benefits.

#### 2.2.2.5. Administrative adjudication

The administrative adjudication which is done through commissions of enquiry, the "ombudsman", and the courts of law are all applicable to the JEA. As a legal person, it must be borne in mind that the JEA can sue or be sued. As such, the possibility of appearing before court, or of its evidence being required by the commission of enquiry or of giving evidence before the "ombudsman" to account for allegations in its administration, has a deterring effect.

These institutions which are created to adjudicate conduct their investigations in public. As such, appearing before them and giving evidence may tarnish the

image of the "responding" institution through bad publicity. The fear for this bad publicity is enough to make the JEA officials, individually and collectively, to conduct their official business carefully. Up to the time of this study they had succeeded in running a "clean" administration which had no need for administrative adjudication (Dube 1991: interview).

### 3 SUMMARY

All JEA activities have built in control and accounting structures. Some of these activities are internal activities. Others stem from, or are directed to, outside agencies. Both internal and external JEA activities could be studied in the context of the generic administrative processes.

In the JEA policy-making and policy implementation, the element of control is mainly in the form of JEA resolutions and other Secretariat office instructions. Accounting is in the form of report writing by the public officials and committees when giving feedback to the JEA on work done and progress made in implementing JEA policies.

In the JEA organising, control is evident in the division of work between the policy-making body and the administrative arm of the JEA, and also in the supervisory structure of the Secretariat office. The policy-making wing exercises control over the activities of the administrative arm which gives account on all delegated functions. Similarly, the subordinates are controlled by their respective supervisors in the Secretariat office, and, as such, they give account for their work to these supervisors, who, in turn, account to the Chief Executive Officer. The latter accounts to the policy-making body.

In the JEA financing, control on financial transactions is exercised by the Assistant Director (Financial Management). This public official enables the Accounting Officer to act advisedly in exercising an overall control of JEA financing. In that way the Chief Executive Officer is in a position to guide the policy-making body on the financial implications in prioritising and implementing JEA resolutions.

In the JEA personnel, control is evident in merit rating where supervisors write assessment reports on their subordinates at quarterly intervals. These quarterly reports enable supervisors to give account to the Chief Executive Officer on the JEA utilisation of personnel.

In the JEA determination of procedures, control is evident in duty sheets and procedure manuals. These duty sheets are issued by supervisors and they demarcate the area of operation for each worker. The procedure manuals determine steps, from beginning to end, for disposing of each activity.

Accounting is evident in the procedures set for feedback, centralised signing of out-going correspondence, and keeping copies of correspondence in circulating daily file.

Some of these control measures are performed by external agencies. They could be JEA inspections and investigations conducted periodically by the NPA Work Study Officers and Kwa-Zulu Efficiency Officers; JEA auditing done annually by the office of the Auditor - General; statistical returns submitted periodically to, and processed by, both NPA and Kwa-Zulu for purposes of upgrading the JEA staffing and financing positions; JEA annual reports for tabling before Parliament and Kwa-Zulu Legislative Assembly; and there is also

provision for public hearing by courts of law, commissions of enquiry and "ombudsman" on allegations of maladministration.

Used properly, these control measures keep the administration running smoothly and enables the institution to give account to the public about the services it renders, letting the informed public be the judge of the relevance and utility of the institution to public needs and demands.

## TOWARDS A NEW MODEL OF REGIONAL ADMINISTRATION FOR REGION E.

## 1. INTRODUCTION

From 1990 to-date various political parties are negotiating the country's new constitution. This process of negotiating is the beginning of democracy which cuts across racial, ethnic, religious and sex barriers.

Except for the extreme left wing political parties, all others agree on a three tier government system in the new South Africa. The extreme left wing minority insists on the "boere staat" which must be separated from the rest of South Africa.

This means that the majority of South Africans would like to see the regional administration being part of the government structure in the new constitution. They differ, however, on the question of the unitary or federal form of government. All three levels of government are possible in these forms of government. The difference is in the relationships between the central government and the other two levels of government.

## 2. UNITARY SYSTEM

In a unitary system, the central government is vested with all authority. The other two lower levels are sub-systems of the national level. Parliament, its policy-making body decides upon the form of regional administration the country requires and also upon the powers, duties and functions which must be delegated to these two lower levels.

The exercising of these delegated powers is subjected, to

the central government's approval. The regional administration cannot come into agreement to co-operate with an adjacent regional administration without working through the central authority. In other words, even after delegating these powers, duties and functions, the central (national) government remains accountable to the public for regional activities taking place.

Under this unitary system regional administration is flexible. This flexibility is attributed to the competency of Parliament to take unilateral decisions on the need for a regional administration; the form it should be, if needed; and the powers, duties and functions that should be delegated.

From 1910 to 1947, Parliament decided on a regional administration which had both its legislature and the administrative arm. These were the four provinces with their own provincial councils which promulgated ordinances. During that time Parliament designed these regional structures to be White structures that were controlling the affairs of all race groups.

After 1948, Parliament put its emphasis on regional administration according to race and ethnic groupings. This resulted to the establishment of ten self-governing regions in addition to the four provincial administrations. Even these self-governing regions were provided with both the legislature and the administrative arm. Certain powers, duties and functions which were not necessarily corresponding to those of provinces, were delegated to these self-governing regions.

In 1986, through an Act of Parliament, the four provinces were stripped off their legislative powers. From that



year onwards these provincial administrations became an extension of the Central Government under the Department of Local Government and National Housing. In this process of shedding off legislative powers, some of the provincial duties and functions were declared "own affairs" and transferred to the respective "own affairs" administrations.

It would appear that after 1983 Parliament intended to wipe off provincial administrations and in White South Africa operate a two tier government system. Regional powers, duties and functions in the two tier system would be absorbed by the "own affairs" Houses of Parliament. This would have worked, but for Blacks in White areas who had no House in Parliament and who could not be removed to self-governing regions.

These changes in regional administration between 1910 and to-date regarding nature, scope and quantity shows the flexibility and instability of regional structures under a unitary system.

### 3. FEDERAL SYSTEM

In a federal system the power is vested upon the second tier or regional (provincial) government. It is the policy-making wing of these regional governments which decide on their own and collectively on the powers, duties and functions they are prepared to cede for central administration. It is finally the powers, duties and functions they all agree upon that are ceded to the federal government.

For the functions that remained with the regional administration, respective regional governments can enter into agreements with one another on areas of common ground where they seek co-operation and co-ordination for maximum productivity at minimum cost without the need for

central government's approval. These regional governments are accountable to the public for the powers, duties and functions which they did not give away. The central government is only accountable in respect of federal powers, duties and functions.

Unfortunately this form of federal system has no history in South Africa. However, this does not mean that it cannot work in this country by being adapted to suit the local conditions. In countries where the federal system operates, the regional administration has always a legislature of its own. As such, local representation at regional policy-making level is guaranteed and it can never be taken away from the local community by the central government.

The central government is just not competent to change the form of regional administration or interfere with its powers, duties and functions. That competency lies within the regional administration itself.

It is the regional administration which is in a position to pull out of the federal system if it turns out to dissatisfy the regional public. In pulling out one after the other may eventually change the complexion of the central government and force it to collapse. This happened in the collapse of the Union of the Soviet Republic where Russia and other regional governments pulled out of the federal system.

#### 4. JEA - A MEANS TO AN END

All regional administrations in Region E suffer the lack of effective co-operation amongst themselves. Kwa-Zulu and NPA feel this problem most because they provide similar services to the Black community of this region. As such, shortly after 1972 public officials and agencies

of these two Authorities resorted to ad-hoc co-operation.

Most of the time this ad-hoc co-operation aborted because of the red - tape in government services. Where it managed to succeed, it contributed in finally persuading Kwa-Zulu and NPA to sign the Ulundi Accord which is regarded as the first phase towards a single regional administration in Region E.

Therefore, JEA is the second phase and a continuation of this process, namely: co-operation as first phase, joint administration as second phase, and single administration as final phase. Being slotted thus in this process, confirms that JEA is a means to an ultimate end - the single regional government. Further, it confirms that JEA is the product of a unitary system of government in the country.

According to the parameters set by the unitary system, Kwa-Zulu and NPA are not competent to enter into agreements with each other. Therefore, Parliament established the JEA to facilitate agreements between these two regional administrations. In other words, the unitary system centralise power to govern the country to Parliament.

In this case, it made Parliament to unilaterally divide the pre - 1972 Province of Natal into Kwa-Zulu and NPA. It also made Parliament to unilaterally strip NPA off its provincial council. Later, Parliament without consulting NPA reduced the powers, duties and functions of NPA which were thereafter re-distributed to the three "own affairs" Administrations in this region..

It should not be understood as if the regional administrations of this region did not welcome these developments. For one thing these major constitutional

changes re-distributed the policy-making authority on regional matters on the basis of "own affairs" to all South Africans. They improved on a previous situation where only Whites in all government policy-making structures took decisions for all and sundry.

However, the bone of contention is the unitary system of government which gives so much power to the central government and no power at all to the regional governments. Kwa-Zulu and NPA envisage that the last phase after the JEA should be a strong regional government which can only be produced by a federal system of government in this country. In short, as a means to an end, JEA offers the federal system as a better option for NPA, Kwa-Zulu and three "own affairs" administrations.

##### 5. MODEL OF REGIONAL ADMINISTRATION FOR REGION E.

Region E is not completely westernised or industrialised, although towns and cities in Natal are. As such, a totally Eurocentric model of regional administration would not satisfy rural communities. This region is also not totally traditional or rural, even though the greater part of the self-governing region of Kwa-Zulu is. For that reason again, a totally Afrocentric model of regional administration would be irrelevant to the western lifestyle.

The peoples of Region E lead different lifestyles ranging from rural to urban lifestyles. In rural areas, communities are better served by a regional administration which is built on their traditional local government of "amakhosi". The general word for "amakhosi" is chiefs. In urban areas they need a regional government which provides them with a western local government of councillors.

Afrocentricism tends to subject the democratic process

in the election and functioning of councillors under the respective "amakhosi", whereas this democratic process should be a free process. On the other hand, the Eurocentric model, save for the West Minister constitutional model, emphasises the process of democracy to the total exclusion of traditional leadership. For Region E it is vital to find a regional administration which blends these two models to cater for the uniqueness of the Zulus who have very strong traditional ties.

This vital balance between Eurocentricism and Afrocentricism provides both traditionally appointed and democratically elected leaders a meaningful role to play in the regional decision making process. As such, this balance should be visible in all the generic administrative processes of the regional administration of Region E. The paragraphs below state what could be considered in each generic administrative process for this regional administration model.

#### 5.1 Policy making

These are the days of freedom and community empowerment. The buzz word is democracy - an Eurocentric concept. This democracy should be the basis for the regional administration in Region E. It avails equal opportunities to all people, all race groups, all cultures and both genders, to stand for elections or to nominate and elect candidates of own choice.

Another worthy contribution from Eurocentricism is a constitutional provision to safeguard minority group interests. In this region there are many minority groups. Most of them may not have a chance of being elected to a legislative assembly or regional council if everything is left to the democratic process of elections, whereas, these minority groups control the

economy in this Region E.

Afrocentricism is based on traditional leadership. In Region E the Zulus are a nation with their own King and a network of traditional leaders. According to statistics these Zulus are the largest group in this region. As such, if the Zulu King and traditional leaders are denied representation in the policy-making machinery, the Zulus would be dissatisfied. Therefore, the traditional leadership must be afforded a place in the regional council or legislative assembly.

At present, the Zulu King appoints a representative to participate on behalf of His Royal Highness in the Kwa-Zulu Legislative Assembly. Furthermore, care is taken to allow regional authorities in Kwa-Zulu constituencies to nominate a certain number of "amakhosi" to serve in the Kwa-Zulu Legislative Assembly. Even the composition of the Kwa-Zulu Cabinet includes both elected and nominated Members of the Kwa-Zulu Legislative Assembly. The future regional administration could use some of these constitutional provisions to provide for the traditional network to play a meaningful role in the policy making process.

## 5.2 Organising

The basis for organising in this model is the devolution of power to regional governments. That is, constitutionally the powers, duties and function of governing should belong to the regional structures. These regional governments would, then, agree on powers, duties and functions which should be ceded to the central authority.

Organising in that federal fashion would make Region E a very strong regional government which accounts directly

to the public of the region for services rendered. The central government would only account for ceded powers, duties and functions. In other words, decision - making would be vested to the representatives of the people of Region E instead of Parliament at central government level.

Depending on the powers, duties and functions ceded for central administration, the regional government is expected to divide its work according to the legislative system, the judicial system, and the executive system. Within each system, the regional government is expected to maintain the hierarchical administrative levels which are the seat for the dynamics of organising discussed in Chapter 4. The central government would have its separate systems, as well as, its hierarchical administrative levels.

### 5.3 Financing

In this model Region E would be fully responsible for financing its administration costs and services to the community. The central government would be responsible for financing only ceded powers, duties and functions.

### 5.4 Staffing

The staffing function would be at two levels. The central government would be responsible for staffing in respect of ceded powers, duties and functions. The staffing programme of the regional government would only concern the regional government and its local government structures.

### 5.5 Determining procedures

The regional government in this model would determine its own procedures which would also be applied by its local government structures. The central government would

determine procedures for the ceded powers, duties and functions only.

#### 5.6 Control and accountability

Dual control and accountability is evident in this model. The regional government is in full control for the powers, duties and functions it retains. It accounts directly to its voters in the region. The central government is in full control of ceded powers, duties and functions, and accountable to the total community for its actions.

### 6. SUMMARY

At present, the central government reigns supreme over all regional government and local government structures. Over the past eighty two years this centralised power has led the central government to change regional government and local government structures without any agreement between itself and these structures.

The changes took many forms. They increased the number of regional governments from four provincial governments to seventeen regional administrations basically according to race and ethnic groupings. The local authorities were also changed to conform to the racial and ethnic groupings.

They stripped off the provincial administrations their provincial councils. Powers, duties and functions were re-arranged for most of these regional and local government structures to perform similar functions to their respective race or ethnic groups. These re-arrangements ignored economic and all other factors except ideological gains.



This was far more than duplicating the service. It made the overhead costs of public administration in Region E alone to be five times more than the overhead costs at the end of 1971, the last year of a single Natal Provincial Administration.

All this was made possible by the unitary system which vested absolute power to the central authority. As the saying goes, power corrupts, absolute power corrupts absolutely. As such, as long as the unitary system is in place, any ruling party would have a strong temptation and the competency to use its powers to pursue its ideological ends.

JEA is a second phase in the process of reversing multi-regional administration structures in Region E to a strong single regional administration. This means that JEA is also an instrument for the replacement of the unitary system with a federal system in this country: Hence the model based on the federal system of power sharing.

## CHAPTER TEN

## CONCLUSIONS AND RECOMMENDATIONS

## 1. CONCLUSION

JEA is not an additional regional administration to the existing five regional administration structures in Region E. Instead, it is a part of both NPA and Kwa-Zulu and a second phase in the process of reversing a multi-regional administration system to a single regional administration system in the region.

Its unique position, both as a part of more than one Authorities and as a second phase in this process of unification, led to this study which investigates the JEA structure and functioning. The investigation is based upon the generic administrative processes and the various theoretical perspectives relevant to each of these generic administrative processes.

## 1.1 Policy making

As a sovereign authority, Parliament is solely responsible for legislating on the constitution of the JEA. On its own, this sole responsibility makes the JEA more a part of NPA than it is a part of Kwa-Zulu. Otherwise, for carrying out various functions, JEA is dependent upon legislative guidelines provided by both Parliament and Kwa-Zulu Legislative Assembly.

JEA makes policies for its administrative arm. In carrying out these policies the Secretariat office simultaneously executes policies of agencies of which it is an extended arm. For example, in financing, this office is an extension of the Departments of Finance. As such it carries out policies of both the Republican

Treasury and the Kwa-Zulu Treasury.

In staffing it is an extended arm of both the Kwa-Zulu Public Service Commission and the NPA Personnel Management Branch. As such, it carries out personnel policies of both these personnel administrations.

JEA is the second phase of the process of policy-making purported to culminate in a strong regional government in this region. As such, it is a means to a definite end. In this second phase there is a whole range of types of policies, such as political policies, government policies, executive policies and administrative policies.

## 1.2 Organising

JEA is organised in such a manner that its staff establishment is provided for in three different agencies, namely: Secretariat Office, NPA and Kwa-Zulu. The mission of the JEA is the unification of multi-regional administrations in the region into a strong single regional administration. This mission statement causes JEA, Kwa-Zulu and NPA to work towards transforming a unitary system of government to a federal system.

JEA offices are located at the Bourquin Building. Therefore, JEA is hosted by NPA. Being within NPA premises also makes JEA more a part of NPA than it is a part of Kwa-Zulu. In these JEA offices all the processes of organising, such as, division of work, communication channels, co-ordination, etc., are evident.

## 1.3 Financing

JEA's sources of revenue are Kwa-Zulu and NPA. This revenue is supplemented by loans, interest, etc. Money is not forfeited by the JEA at the end of a fiscal year. Instead, it is carried over to the following financial

year.

The Chief Executive Officer is appointed in terms of the Joint Executive Authority for Kwa-Zulu and Natal Act, 1986 (Act 80 of 1986) to be an accounting officer. However, the provisions of the financial legislation, such as the Exchequer Act 1975 (Act 66 of 1975) apply *mutatis mutandis* to JEA financial administration.

The other aspect of JEA's uniqueness in financial administration is the JEA budget. The items for this budget differ from the items of the South African (inclusive of the Kwa-Zulu) budget. In spite of this difference, JEA financial administration is subjected to the usual control and accounting procedures applied to most government agencies.

There is periodical auditing, and for all daily transactions Treasury instructions are observed. Auditing is the responsibility of the Republican office of the Auditor-General. Treasury control is the responsibility of the Republican Treasury. This may be so, because the Kwa-Zulu auditors and Treasury are all controlled by these Republican counterparts. However, it does show that JEA is more a structure of NPA in the Republic of South Africa than it is a part of Kwa-Zulu.

#### 1.4 Staffing

In staffing, the Secretariat office is an extension of Kwa-Zulu and NPA. This is evident in the staffing functions, such as, the provision of the JEA staff establishment, recruiting, selecting, placing, transferring, training or promoting the JEA personnel, which is the responsibility of both NPA and Kwa-Zulu. The decisions on most of these personnel provision and utilization functions are taken independently by the

relevant elected/appointed executive office bearers outside the JEA deliberations.

The Secretariat office is manned by both NPA and Kwa-Zulu personnel. The fact that from its inception the post of the Chief Executive Officer was always manned by the NPA official indicates that JEA is controlled more by NPA than it is by Kwa-Zulu.

#### 1.5 Determination of procedures

It is the responsibility of the NPA Work Study Officers and Kwa-Zulu Efficiency Officers to determine procedures for the JEA. Some of these procedures, such as, procedures for carrying JEA decisions, were determined by Parliament. For example, it is enacted that all JEA decisions are carried only on consensus.

This provision, as well as the provision for a procedure for alternating the chairmanship between NPA and Kwa-Zulu, make the JEA as much a part of Kwa-Zulu as it is of NPA. NPA weight in JEA deliberations is, however, added by the Secretary to the JEA who is the Chief Executive Officer that has always been an NPA seconded official.

In his secretariat services of guiding the JEA in session he would safeguard the interests of NPA. Therefore, as the saying goes that some parts are more equal than others, from this analysis it is clear that JEA parts of NPA are more equal than JEA parts of Kwa-Zulu.

#### 1.6 Control

The ultimate control over the JEA is exercised by Parliament which is competent to legislate on the constitution of the structure. Controlling the transfer of activities to be administered centrally by the JEA, through assignment or authorisation, is vested upon the

State President.

Control in the execution of the various generic administrative processes is shared between JEA and outside agencies like NPA and Kwa-Zulu. In this unique position, JEA is accountable to the general public through Parliament and Kwa-Zulu Legislative Assembly, for the work done during any financial year.

## 2. RECOMMENDATIONS

Although, as a second phase in the process of unifying Natal and the self-governing region of Kwa-Zulu, the JEA lifespan is bound to be short in these days of constitutional negotiations. However, there is still room for improvements in its administration. As such, the following recommendations are proposed after taking into consideration all the preceding contents of this dissertation.

### 2.1 Policy making and policy implementation

As JEA membership is limited to NPA and Kwa-Zulu, three "own affairs" regional administrations which shall be part of the envisaged single regional administration in future are excluded from the current unification process.

It is true that legislation prevents "own affairs" administrations to be part of the JEA. The same truth holds for the Republican Cabinet Ministers, but through the Ministers' Forum of the JEA three of these Republican Cabinet Ministers meet regularly with six JEA members. Therefore, providing a forum where JEA could include "own affairs" representatives in policy-making is not an insurmountable problem.

It is strongly recommended that JEA should accommodate the Ministers' or Deputy Ministers' of "own affairs"

Administrations in the existing Ministers' Forum.

The recent JEA policy directive suspends all future transfer of powers, duties and functions, and encourages closer ties between Kwa-Zulu and NPA in preparation for a strong single regional administration.

In implementing this policy, the Secretariat office could concentrate on the suspension aspect and let NPA and Kwa-Zulu to work on their own on the issue of closer co-operation. Left to themselves, these regional Administrations might just pay a lip service to forging closer ties because of professional jealousy, or of the tendency in most administrations of building empires.

The Secretariat office could also focus on the aspect of forging closer ties in preparation for a strong single administration. In doing that it would identify similar functions rendered by the five regional administrations in this region and activate closer co-operation.

Therefore as a recommendation, the Secretariat Office is urged to research in these regional administrations for a kind of closer co-operation which would lead smoothly to a single regional administration.

## 2.2 Organising

Inspite of the recent JEA policy directive, the mission of the JEA has not changed. However, because of this recent policy directive, the goals and objectives, and even the management planning, should be reviewed, to re-direct the JEA's efforts to facilitating the anticipated closer co-operation.

Reviewed goals coupled with the inclusion of the "own affairs" Administrations' representatives in the

Ministers' Forum might require re-arrangements to be made in the secretarial services to the Ministers' Forum.

Therefore, it is recommended that the secretarial services to the Ministers' Forum be extended to provide for research into closer co-operation and incorporation of additional "own affairs" representation.

### 2.3 Financing

The corresponding changes in financial provision for research are necessary. For the current year, however, money for research would have to come from dormant items in the budget. The Accounting Officer may take money from one or more items in the budget to meet the needs of this research.

If at the end of the financial year the budget is exceeded, the Accounting Officer would apply for virement. Although the provisions in the Act are that virement is considered by the Republican Treasury, it is recommended that when such a need arises both the Republican Treasury and Kwa-Zulu Treasury be approached for virement. The equal annual contributions from NPA and Kwa-Zulu is a good reason for both Treasuries to have an equal say on over-expenditure on the Joint Revenue Fund.

### 2.4 Staffing

The positions in the Secretariat office were, up to the time of this study, not all filled. It is recommended that in filling these remaining vacant positions, the Chief Executive Officer should consider candidates who have some knowledge of research and accordingly enrich their duty sheets with research responsibilities.



## 2.5 Determining procedures

The call for closer liaison provides another dimension to the Secretariat office, which is an opportunity to study the work procedures of all similar functions. In most cases, these procedures are as varied as the user regional administrations.

For example, in the paying out of social pensions some Departments use their district offices and magistrate offices. Other Departments pay out through the banking accounts of beneficiaries. In some cases post offices are used as paying out agencies. In Kwa-Zulu some district offices use a private company for paying out pensions. These payments are either on monthly or bi-monthly basis.

Therefore, it is recommended that the Secretariat office should investigate all the various procedures used by the different regional administrations for similar functions in order to prepare them for a single regional administration.

Although in implementing these recommendations JEA would be taking a lead in the preparation process, it would still be necessary for the five regional administrations and the central government to make their own contributions in initiating preparations for the inevitable unification.

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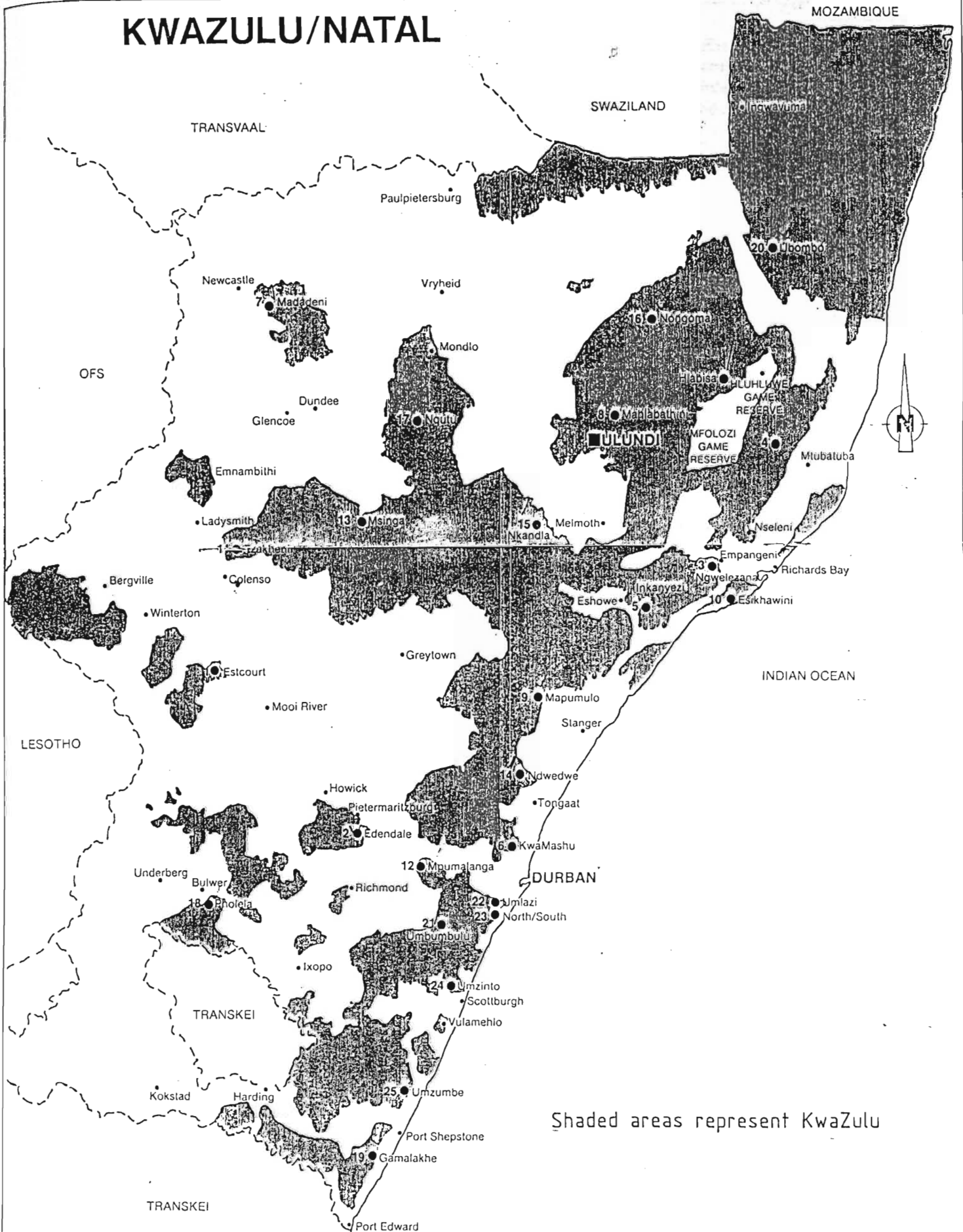
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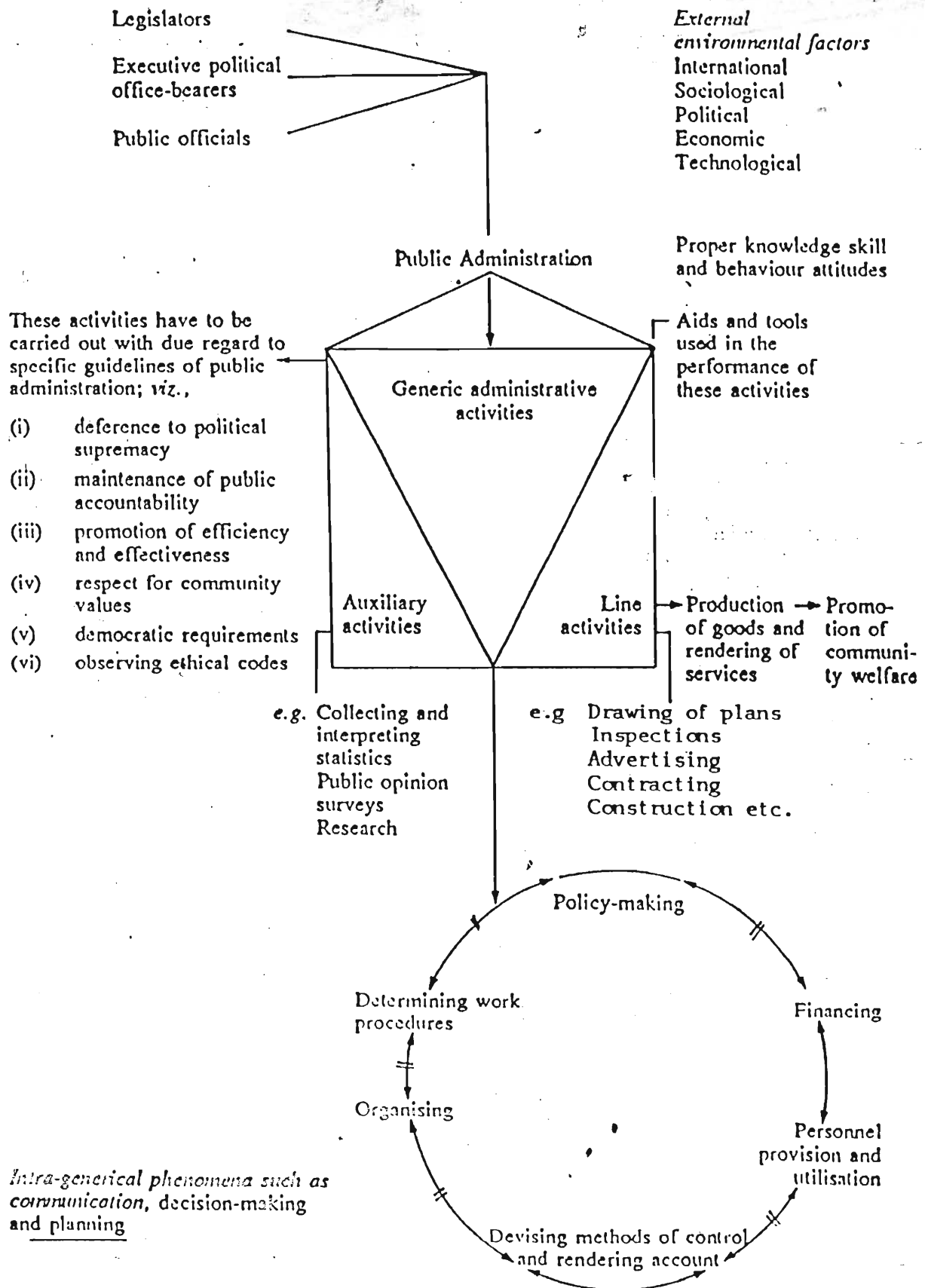
## MOZAMBIQUE



Shaded areas represent KwaZulu

# MODEL: PUBLIC ADMINISTRATION

(Department of Public Administration - University of Durban Westville)



KWAZULU



ANNEXURE 3

VISIONS

PRIVATE BAG  
ISIKHWAMA SEPOSI X27

1992-07-20

UNOZHALA WEZENHLALAYHO  
HEMPESHENI  
KWAZULU ULUNDI

Inkomba : PSC 4/2/1/1  
Reference :  
Verwysing :

Ikhomishani Yezomsebenzi Yomphakathi

Public Service Commission

Regeringsdienskommissie

Ikheli Locingo :	Isikhwama Seposi :	Ucingo : (0358)
Telegraphic Address : IKHOMISHANI	Private Bag : X11	Telephone : 2174
Telegrafiese Adres :	Privaatsak : ULUNDI	Telefoon :

20-7-1992

TO ALL HEADS OF DEPARTMENTS WITHIN KWAZULU GOVERNMENT SERVICE.

IDENTICAL MINUTE NO. 31 OF 1992

Applications are hereby invited from suitably qualified persons for appointment to the following post in the Department of the Chief Minister (Joint Executive Authority)

1. DESIGNATION OF POST : Director (Administration)
2. CENTRE : Durban (Joint Executive Authority)
3. NUMBER OF POSTS : One (1)
4. SALARY SCALE : R94 188 (Fixed)

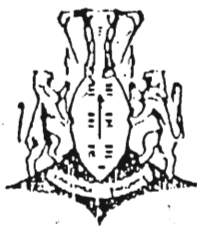
## 5. REQUIREMENTS

- (a) An appropriate B-degree/diploma or an equivalent qualification (RVQ 13).
- (b) At least 12 years appropriate experience gained after obtaining the qualification of which at least two years should be in a management position.
- (c) Directors and officers in comparable ranks who are interested in a transfer or Deputy Directors and officers comparable ranks whose names appear on a preference list but who do not possess the required number of years experience may also apply.

## 6. DUTIES

- (a) Provide administrative/secretarial services to the JEA and Natalia Co-ordinating Ministers' Forum.
- (b) Formulate and control financial policies and accounting procedures regarding the joint revenue fund.

KWAZULU



ANNEXURE 4

Inkomba :  
 Reference :  
 Verwysing : PSC 4/2/1/1

Ikhomishani Yezomsebenzi Yomkhakathi

Public Service Commission

Regierungsdienskommission

Ikheli Lociingo :	Isikhwama Seposi :	Ucingo : (0358)
Telegraphic Address : IKHOMISHANI	Private Bag : X11	Telephone :
Telegrafiese Adres :	Privaatsak : ULUNDI	Telefoon :

27 MAR 1992

TO ALL HEADS OF DEPARTMENTS WITHIN KWAZULU GOVERNMENT SERVICE

IDENTICAL MINUTE NO. 14 OF 1992

APPLICATIONS ARE HEREBY INVITED FROM SUITABLY QUALIFIED PERSONS  
 FOR APPOINTMENT TO THE FOLLOWING POSITION IN THE DEPARTMENT OF  
 THE CHIEF MINISTER

1. DESIGNATION OF POST: Deputy Director (Special Services)
2. CENTRE : Durban (Joint Executive Authority)
3. NUMBER OF POSTS : One (1)
4. SALARY SCALE : 68 358 - 70 806 x 3 231 - 80 499
5. REQUIREMENTS

Compliance with relevant Personnel Administration Standards  
 (PAS).

N.B.

Candidature is open to serving Deputy Secretaries (Deputy  
 Directors) who are interested to be transferred and Assistant  
 Secretaries whose names appear in the priority list.

## 6. DUTIES

6.1 Assist the Chief Executive Officer in the carrying out  
 of the following duties:-

- (a) Administer the affairs of the J.E.A. and ensure  
 that its resolutions are executed.
- (b) Provide Secretarial Services for the J.E.A., its  
 standing, occasional and advisory committees and  
 for the Natalia Ministers' Co-ordinating Forum.

- 6.2 Supervise activities of junior staff.
- 6.3 Carry out such other tasks as may be assigned to him by the Chief Executive Officer.

Applications must be directed to:

3838

Closing date ..... 16 April ..... 1992.

ACTING SECRETARY: PUBLIC SERVICE COMMISSION

1 h 00