



**EVALUATING THE EFFECTIVENESS OF THE OVERSIGHT ROLE OF  
THE PORTFOLIO COMMITTEE ON THE ACCOUNTABILITY OF THE  
LIMPOPO DEPARTMENT OF BASIC EDUCATION (SOUTH AFRICA)**

by

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A mini-dissertation submitted in partial fulfilment of the requirements

for the degree of

**MASTER OF PUBLIC ADMINISTRATION**

In the faculty of

**MANAGEMENT AND LAW**

TURFLOOP GRADUATE SCHOOL OF LEADERSHIP

at the

University of Limpopo

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2016

## **DECLARATION**

I, **Idah Xikombiso Maaga**, declare that the work contained in this study hereby submitted to the University of Limpopo for the degree of Master of Public Administration has never been submitted to this or any other university. I also declare that this study is my work in design and in execution, and that all material contained here has been duly acknowledged.

.....

**IDAH XIKOMBISO MAAGA**

## **ACKNOWLEDGEMENTS**

Praise and glory be to God Almighty, who strengthened me during the duration of this study. Without Him none of this would have been possible.

I would like to thank my supervisor, Professor Zwelibanzi Mpehle, for being an excellent mentor and a great inspiration to me. Your contribution towards the success of this study is highly appreciated. May God bless you and may you continue to be an inspiration to other students.

Special thanks and appreciation to my spiritual father, Pastor Holymike, for the prayers and encouragement you offered me throughout this period. I appreciate and value your presence in my life.

I would like to further express my gratitude to Limpopo Legislature for financial assistance to complete this study, and to my colleagues for their invaluable input. To all Members of the Provincial Legislature, thank you for sharing your valuable responses.

Finally, to my family and friends, your unwavering support has not gone unnoticed.

Khanimambo!

## **DEDICATION**

This study is dedicated to my two beautiful daughters; Kgomotso and Tshepo, my parents, and my siblings. Your affection, love, encouragement and prayers enabled me to achieve this.

## **ABSTRACT**

This study was undertaken to evaluate the effectiveness of the oversight role of the Portfolio Committee on Education, in determining their influence on accountability functions by the Department of Education. The overall aim is to provide an understanding into inherent challenges in the oversight role of the Portfolio Committee on Education in the Limpopo Legislature.

The study further aimed to collect data on the role played by the Members of the Education Portfolio Committee on how they exercise their oversight role in ensuring that the Department of Basic Education delivers quality service to the public. As such, the study was conducted from a qualitative perspective; using interviews and documentation analysis.

The results of this study indicate that although Members of the Limpopo Legislature, particularly Members of the Portfolio Committee on Education, are capacitated to conduct oversight over the Department of Basic Education, there are still gaps and challenges as far as the oversight role of Parliament is concerned. The study further reveals that the Portfolio Committee's ineffectiveness when performing its oversight may be attributed to the Department's lack of co-operation, submission of poor quality reports, non-compliance with rules and regulations, Public Finance Management Act (PFMA) (and other policies), deviation from the budget, unwillingness to implement the Committee's recommendations and failure to submit required documentation to Standing Committee on Public Accounts (SCOPA) and the Auditor General's (AG) Office.

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## CHAPTER 1: INTRODUCTION AND BACKGROUND OF THE STUDY

### 1.1 INTRODUCTION

There can be no democratic system of government without transparency and accountability. The primary responsibility in this field falls squarely on the shoulders of parliament. Through its core oversight function, parliament holds the government to account on behalf of the people, ensuring that government policy and action are both efficient and commensurate with the needs of the public (Yamamoto, 2007:6).

According to Mandelbaum (2011:14), during the past decade, parliaments have received increasing attention from the international development community. Some scholars have suggested that the effectiveness of parliament Committees is key in strengthening good governance, transparency and accountability in the use of public resources (Marleau & Montpetit, 2000:2; Makhado, Masehela, & Mokhari, 2012:3). In many budding and developing democracies, the parliament may be the only institution capable of providing checks and balances that prevent the Executive from monopolizing power (Mrimba, 2012:84). Parliaments, particularly when combined with periodic alternation in power, can be an important mechanism in promoting oversight and transparency. Effective oversight is essential in promoting accountability in the use of limited public resources for effective service delivery to the public, and to restore public confidence over government (Makhado *et al.*, 2012:3). Effective parliaments can also facilitate the development of multi-party democracy, which is essential in promoting a rainbow nation and effective service to the people.

South Africa is not alone in its commitment to government accountability. There is a global trend towards greater transparency, openness and accountability in government (Welch & Wong, 2001:513). Around the world, there are calls to strengthen effective public accountability and to re-examine how transparency and good governance should be best applied (Motlanthe, 2009). The 1994 elections ushered in a new democratic order in South Africa.

The process of negotiations, which preceded the 1994 elections resulted in the drafting of the Constitution of the Republic of South Africa (Act 108 of 1996), hereafter referred as the Constitution, which gives the Parliament and the nine provincial Legislatures, amongst other things, a mandate to pass legislation and oversee government action. The Limpopo Legislature was established as one of the nine provincial Legislatures of democratic South Africa in 1994. This provincial Legislature is required by the Constitution of the Republic of South Africa to provide for the mechanisms to ensure that provincial Executive state organs would be accountable to it as well as to maintain oversight over the Executive in the province.

In terms of Section 114(2) of the Constitution of the Republic of South Africa (1996), the Limpopo Legislature is required to ensure that each Department is accountable, and oversight Committees, also known as Portfolio Committees, are one of the instruments utilized to enforce accountability. According to Barnhart (1996:182), an oversight Committee, apart from serving as an instrument of the legislative control and surveillance over the Executive actions, has to know how each provincial Department performs and to identify challenges that the Departments are faced with in the performance of the legislative duties.

The Limpopo Department of Basic Education has an oversight Committee that oversees the work of the Department; including, *inter alia*, discussing the Departmental budget and ensuring that the Department performs its duties in order to ensure effective and efficient service delivery to the citizens. However, an oversight Committee can be rendered ineffective in the performance of its duties due to several factors such as; capacity related issues, political influence, and uncooperative stakeholders (Godi, 2012:4). This, therefore, has necessitated this study to critically examine the effectiveness of the oversight role played by the Portfolio Committee on Education in the Limpopo Legislature in overseeing the Limpopo Department of Basic Education.

## 1.2 PROBLEM STATEMENT

Provincial Legislatures are required by the Constitution to ensure that all Executive structures within their respective spheres are accountable to them, including the implementation of the legislation. An oversight role is very crucial role in monitoring and evaluating the actions of the provincial Executive organs.

While the concept of oversight is a relatively simple concept to understand, it proves difficult for many parliaments and legislatures to practice it effectively (Godi, 2012:4). It is in this connection that there is often poor performance in the departments despite the work of the oversight committees. Therefore, this study will focus on assessing the oversight role of the Limpopo Provincial Legislature Portfolio Committee on Education as a case study to assess the efficacy of the committee.

Some of the weaknesses in oversight became evident in 2011 when the Limpopo Department of Basic Education was taken to court by Section 27; due to the non-supply of textbooks to schools in the province (Metcalf Commission Report, 2012:12). The Department was subsequently put under administration in terms of Section 100 (1) (b) of the Constitution due to, amongst others things, failure to ensure effective management of budget and non-compliance with the PFMA. Section 100 (1) (b) of the Constitution states that when the province cannot and does not fulfill its Executive obligation, the National Executive may intervene by taking any appropriate steps to ensure fulfillment of that obligation. The Cabinet took a decision to invoke this Section in order to address the challenges within the Limpopo Department of Basic Education and to stabilize and normalize the delivery of quality education in the province (Limpopo Department of Basic Education Annual Report, 2012/13).

Although the Department of Basic Education was put under administration, it continued to get disclaimers. This was revealed in the Auditor-General's Report in the 2012/13 Audit Outcomes of Limpopo Province (2013:66).

It on this basis that should the Portfolio Committee on Education had effectively performed its oversight role over the department, the above-mentioned issue could have been avoided and performance be improved. Hence, this research will examine the oversight role as exercised by the Portfolio Committee on Education over the Department of Education in order to develop an understanding of how oversight Committees performs their duties over the provincial Departments

### **1.3 MOTIVATION OF THE STUDY**

As noted in the problem statement, the oversight role in any provincial legislature is conducted through the portfolio committees attached to different departments.

A study of this nature is important, as such, conducting this research will broaden the citizens' understanding of the concept of oversight as undertaken by the Members of the Portfolio Committee on Education. Secondly, the researcher should get an insight and deeper understanding of the oversight role of the Portfolio Committee on Education, towards ensuring that the Members of the Portfolio Committee hold the Executive accountable in the performance of its duties. This can only be achieved if an oversight function is rigorously performed. Moreover, there aren't enough studies that have been conducted on this topic in the Limpopo Province, thus, limited research exists in this field. This study is thus prompted by the need to increase the body of knowledge on oversight Committees to assist; the Executive, Portfolio Committees on Education and other Portfolio Committees (both provincially and nationally) towards identifying Portfolio Committees' performance gaps.

### **1.4 SIGNIFICANCE OF THE STUDY**

There are far-reaching implications for a study on the role and function of oversight Committees. Since this study is one of the few studies on the role of the Portfolio Committee on Education in the Limpopo Province, it is envisaged that its findings may be used to assist the Portfolio Committee Members in the Limpopo Provincial Legislature to perform their oversight function over the Department effectively and increase the Department's mandate for service delivery. The study will provide, through its findings and recommendations, other Portfolio Committees on Education in other provinces with valuable information as far as effective oversight is concerned.



Finally, the study may serve as a basis for further studies by researchers who have an interest in studying the oversight role of the Portfolio Committees in South Africa.

### **1.5 AIM OF THE STUDY**

The aim of this study is to evaluate the effectiveness of the oversight role of the Portfolio Committee on the Accountability of the Limpopo Department of Basic Education.

### **1.6 OBJECTIVES OF THE STUDY**

The following are the objectives of this study:

- (i) To identify and analyze the oversight activities of the Education Portfolio Committee in ensuring that the Limpopo Department of Basic Education is accountable;
- (ii) To identify factors that negatively affect the performance of the Portfolio Committee; and
- (iii) To provide recommendations on how oversight can be improved.

### **1.7 RESEARCH QUESTIONS**

To draw more information on the broader research questions on the oversight role of Limpopo Portfolio Committee on Education over the provincial Department of Education, the following research questions will be explored:

- (i) What is the oversight role of the Portfolio Committee on Education in ensuring that the Department of Basic Education is accountable?
- (ii) What are the factors that negatively affect the performance of the Education Portfolio Committee?
- (iii) How can oversight be improved?

### **1.8 DEFINITION OF CONCEPTS**

**1.8.1 Oversight.** According to the Oversight Model of the South African Legislative Sector (2012:4), oversight refers to overseeing, supervising, giving of direction or reviewing.

Yamamoto (2007:55) suggests that it is the review, monitoring and supervision of the Executive government and public agencies. In the context of this report; it refers to a formal obligation established in law. The scope of oversight and nature of the oversight functions discussed in this report are those prescribed by the South African law.

**1.8.2 Accountability:** According to the Oversight Model of the South African Legislature Sector (2012:3), accountability refers to a social relationship where an actor (an individual or an agency) feels an obligation to explain and justify his or her conduct to some significant other (the accountability forum, specific person or agency).

**1.8.3 Portfolio Committees:** These are Committees established as instruments of the House (Legislature), in terms of Section 114 of the Constitution of the Republic of South Africa, to facilitate oversight and monitor the government. These Committees are the “engine rooms” of Parliament’s oversight and legislative work. Committees scrutinize Legislation, oversee government action, and interact with the public. Depending on the purpose of the oversight, the Committee will either request a briefing from the organ of State or visit it for fact finding.

**1.8.4 Legislature:** Refers to a Provincial Legislature in South Africa established in terms of Section 104 of the Constitution of the Republic of South African (1996) and is charged with the responsibilities of making laws, conducting oversight of the Executive, exercising public participation and co-operative governance.

## **1.9 ETHICAL CONSIDERATIONS**

According to Cooper and Schulder (2006:116), ethics are norms and standards of behaviour that guide moral choices about our behaviour and our relationships with others. The goal of ethics in research is to ensure that no-one is harmed or suffers adverse consequences from research activities. For the purpose of this study, the researcher sought permission from the Secretary of the Limpopo Provincial Legislature prior to collecting data from the Members of the Portfolio Committee on Education.

Members were provided with detailed information pertaining to the purpose of the study prior data collection. The researcher further ensured that the following ethical conducts were adhered to:

- (i) The political rights of each respondent will be respected and anonymous responses to the posed questions will be prompted;
- (ii) Voluntary informed consent were sought from all Members; and
- (iii) Use of previous work from the literature was duly acknowledged to avoid plagiarism.

### **1.10 RESEARCH LIMITATIONS**

Although permission to undertake the study was sought from the Secretary of the Limpopo Provincial Legislature and was granted, the sensitive nature of some of the documents that the Portfolio Committee on Education deals with posed as the study's main limitation. Due to the busy schedule of the Legislature, the availability of Members of the Committee was another limitation. However, given that the researcher is an employee of the Limpopo Legislature, some of the documents were easily accessible and, as an internal evaluator, the researcher had the experience and knowledge of the context of the research site, programmes and operations of the Portfolio Committees in the Limpopo Provincial Legislature.

### **1.11 OUTLINE OF THE DISSERTATION**

#### **CHAPTER 1: INTRODUCTION AND BACKGROUND OF THE STUDY**

This chapter introduces the study, with a specific focus on the background, rationale and significance of the study. This chapter further specified the aims, objectives and research questions and explicate the research methodology.

#### **CHAPTER 2: LITERATURE REVIEW**

This chapter reviews key concepts on oversight and accountability. It further reviews the mandates and powers, and the oversight function of the Portfolio Committee on Education, its effects on the Department of Basic Education was also discussed.

In addition, factors that hinder the effectiveness of the oversight functions of the Portfolio Committee on Education was reviewed.

### **CHAPTER 3: RESEARCH DESIGN AND METHODOLOGY**

This chapter outlines the research methodology to be used in the research. It further outlines the method used to collect and analyses the data.

### **CHAPTER 4: DATA ANALYSIS AND FINDINGS**

This chapter presents the analysis and results (findings) of the study.

### **CHAPTER 5: CONCLUSION AND RECOMMENDATIONS**

This chapter presents the study's conclusions and recommendations for future studies.

## **CHAPTER 2: LITERATURE REVIEW**

### **2.1 INTRODUCTION**

The previous chapter provided the background, rationale and significance of this study. It further specified the aims, objectives and research questions and explains the research methodology. This chapter focuses on the legislative oversight function from the global perspective and within the South African context. It commences with a discussion regarding the oversight role of the Limpopo Provincial Legislature, focusing on the role played by the Portfolio Committee on Education in the Limpopo Department of Education.

### **2.2 OVERSIGHT FUNCTION OF THE LEGISLATURES: GLOBAL PERSPECTIVE**

There is a global trend towards greater transparency, openness and accountability in government (Welch and Wong, 2001:513). According to Mandelbaum (2011:14), during the past decade, parliaments received increasing attention from the international development community. Some scholars have suggested that the effectiveness of the oversight function of the Legislatures is key in strengthening good governance, transparency and accountability in the use of public resources (Welch & Wong, 2001:513).

#### **2.2 1 Oversight**

Oversight refers to the crucial role of Legislatures in monitoring and reviewing the actions of the Executive organs of Government. Yamamoto (2007:55) defines oversight as the review, monitoring and supervision of the Executive government and public agencies by the Legislatures. This implies that in exercising their oversight mandate, Members of the legislature must therefore, clearly understand their role and authority vis-a-vis the Executive, and must also be willing to assert this authority to improve service delivery and quality governance. Senay and Besdziek (1999:2) state that oversight is the way in which a legislature monitors the administration and effectiveness of the programmes that have been enacted into law.

According to the Parliamentary Model on Oversight and Accountability (2008:6), oversight refers to the constitutionally mandated function of legislative organ of state to scrutinize and oversee Executive actions and any organ of state. This means strategic and structured scrutiny exercised by Legislature in respect of implementation of laws and application of budget. By overseeing the actions of government, the legislature can ensure that service delivery takes place, so that all citizens can live a better-quality life. Through effective oversight, the Legislature can ensure a balance of power between them and the Executive. While most Legislatures have some formal oversight powers, effective oversight is difficult to exercise because it requires information about Executive branch activities and the legislative capacity to process that information. Members of the Legislature, in exercising their oversight mandate must therefore have an in-depth understanding of their role and authority vis-à-vis the Executive, and must be willing to aver this authority in order to improve service delivery and the quality of governance (Govender, 2008: 35).

### **2.2.2 Accountability**

Accountability is one of the most important elements of good governance. It ensures that actions and decisions taken by office-bearers are subject to oversight to ensure that government responds to the needs of the public, thus, contributing to better governance. Bovens (2007:2) emphasized this by indicating accountability has moved far beyond its bookkeeping origins and has become a symbol for good governance, both in the public and private sector.

The Parliamentary Model on Oversight and Accountability (2008:6) suggests that accountability is a social relationship where an actor (an individual or an agency) feels an obligation to explain and justify his or her conduct to some significant other (the accountability forum, accountee, specific person or agency). Schacter (2000:1) supported this notion by indicating that society allows wide powers to the executive Departments in the government of the day — to tax, to spend and to make and enforce policies and laws for which, in return, they are expected to account.

He further indicates that accountability does not refer to sovereigns holding to account, but to the reverse; it is the authorities themselves who are being held accountable by their citizens. Around the world there are calls to strengthen effective public accountability and to re-examine how transparency and good governance should be applied.

International lending and donor organizations such as the International Monetary Fund and the World Bank have started to consider accountability as a key element that is expected to be present in any system of government (Botes, 2011: 30). Accountability is about calling those assigned with Executive powers and public resources, to account on how they exercise their powers and responsibilities. This suggests that accountability involves two distinct phases: answerability and enforcement. The World Bank Institute (2005:1) states that answerability refers to the obligation of the government, its agency and public officials to provide information about their decisions and actions, and to justify them to the public and those institutions of accountability tasked with providing oversight. Enforcement suggests that the community or body responsible for accountability may sanction the offending party or remedy the contravening party. Accountability is about calling those assigned with Executive powers and public resources, to account on how they exercise their powers and responsibilities.

However, legislative power to make the Executive accountable depends on the type of the Legislature and how powerful their oversight role over the Executive is. The next section will categorize the legislatures and the extent of power they exercise over the Executive.

### **2.3 DISTICNTION OF LEGISLATURES POWERS**

Based on the above oversight and accountability discussion, it is evident that Legislatures have a mandate to hold the Executives accountable on the implantation of their programmes and budget. The oversight role of the Legislature to hold the Executive accountable is determined by the number of factors such as; its nature, purpose, structure and how it operates. Therefore, Legislatures can be classified in terms of how powerful and influential their role is to the Executives.

### **2.3.1 Rubber-stamp Legislatures**

The first category Legislatures are regarded as “rubber-stamp” Legislatures. Johnson (2005:1) states that these bodies simply endorse decisions made elsewhere in the political system, usually by parties and/or the Executive branch. Rubber-stamp Legislatures are often associated with communist or totalitarian nations, where decisions are taken by a leader or vanguard party, and in which the parliament is expected to simply endorse their decisions. According to the Parliamentary Centre and the World Bank Institute (1999:5), rubber-stamp Legislatures feature one party control which is dominated by the Executive, low level of public participation and slight influence on government. Their oversight role is weak as these Legislatures simply endorse all the decisions made elsewhere in the political world and there is no high or low level of accountability by the Executive. Fish (2006:12-13) proposes that weak Legislatures undermine accountability and inhibit democratization, further arguing that in weak polities with weak Legislatures, political parties drift and stagnate rather than develop and mature.

These weaknesses allow limited accountability and responsiveness which results into democratic deficit. Due to low demands on them, rubber-stamp Legislatures need little internal structure or expert staff and do not need long legislative sessions. Rapoo (2003:4) likens the South African government system with the British Westminster system of government and maintains that the Westminster model mostly elevates the powers of the Executive and weakens the Legislatures. Johnson (2005) believes that for Legislatures to have an influential role in a nation’s government, they have to build strong legislative institutions by affirming themselves in the regular law-making or oversight function.

### **2.3.2 Emerging Legislatures**

The second category is the Emerging democratic Legislatures which are Legislatures in the process of moving from one type to another (Johnson, 2005:5). According to the Parliamentary Centre and the World Bank Institute (1999:5), these bodies are characterized by dominance by one party but with opposition increasing; increase space for political debates, increase level of legislative activities and increase influence with the Executive.



Emerging Legislatures demonstrate great influence when exercising oversight over the Executive, i.e.; they have the capacity to monitor the Executive and this allows for a high level of accountability and transparency. Barkan (2008:125-126) states that the legislature's main role is to exercise oversight over the Executive, thus ensuring that policies agreed upon and passed into law are in fact implemented by the Executive.

According to Johnson and Nakamura (1999:5) Legislatures may emerge due to various reasons such as; increase in societal demands and political mobilization. However, they emphasized that it is possible for the transition to be in other directions. For example; the California State Legislature, in the United States, lost power due to the impact of popularity passed initiatives imposing term limits and staff ceiling. Examples of emerging Legislature are those of the Latin American and some found in the former Soviet Union and its satellites.

### **2.3.3 Transformative Legislatures**

The last category is the Transformative Legislatures, which are uncommon and characterized by multi-party competition, strong partisan debates, high level of Legislative activities with varying degrees of influence over the Executive and professional constituencies. According to the Parliamentary Centre and the World Bank Institute (1999:5) these are the Legislatures that are capable of both representing and shaping societal needs.

Transformative Legislatures both represent and lead, they have highly complex internal structures, strong Committee systems and highly trained professional staff. These Legislatures are likely to be the best in terms of representing people and are effective since they have strong Committee systems that can influence the Executive. Martin (2010:3) argues that a strong Committee system is one that is structurally able to hold the Executive accountable and can provide some element of oversight in relation to government activity. Strong Committee system is the best form by which the Legislatures can hold the Executive accountable. The US Congress was cited as probably the best example of a transformative Legislature.

The dramatic increase in democratic states over the past three decades has seen a significant number of Legislatures evolving from being rubber-stamps to emerging Legislatures as they endeavour to become more powerful and independent.

## **2.4 THE OVERSIGHT ROLE OF THE PROVINCIAL LEGISLATURES IN SOUTH AFRICA**

After the dawn of democracy in 1994, South African Parliament and the Provincial Legislatures were empowered by the Constitution of the Republic of South Africa in terms of section 44(2) and 11(2) to oversee and hold the Executive Departments (The Constitution of the Republic of South Africa, 1996). Calland (1999:15) believes that extensive powers are granted to Committees under the post 1994 dispensation. The provincial Legislatures are now empowered “to monitor, investigate, enquire into, and make recommendations relating to, any aspect of the legislative programme, budget... policy formulation or any other matter... falling within the category of affairs consigned to the Committee (concerned)”.

The mandates of the Legislatures are carried out at Committee level (Mle & Qwase, 2010:404). These Committees make use of several oversight methods to oversee the Executives. These methods are classified into house-based oversight and field based oversight methods (Rapoo, 2003:3). Examples of house-based oversight methods are meetings of the Committee where the Departmental officials appear before the Committee to account and submit their performance reports in the form of: annual reports, quarterly reports as well as annual performance plans. These meetings are either held in Committee boardroom within the Legislature premises or outside the Legislature premises. A field-based oversight method would be when a Committee visits the Departmental project being implemented. Results from Rapoo’s (2003:8) study that was conducted across the nine South African provinces indicates that there is a tendency to over rely on house-based oversight methods. This is due to the fact that Legislatures often “lack the knowledge and skills to do their jobs effectively” (Hudson, 2007:4). In addition, budget constrains limit Committees to undertake field-base oversight.

Bamberger, Rugh and Mabry (2006:106) are of the opinion that Committees are forced to make use of the house-based oversight methods as opposed to the field-based oversight methods due to the human capacity challenge. In addition to this, it is strongly acknowledged that Legislatures continue to lack institutional capacity and resources, and this hinders parliamentarians from performing their functions satisfactorily and adequately. Thus, Members of the Provincial Legislature's (MPL) capacity development and strengthening have become significantly important in improving the performance of parliaments to exercise their main functions of oversight, public participation and law-making. Barnhart (1999:65,185) asserts that improvement in the system of Committees can be made by various means. Various short term and long term measures could be taken to make the Committees more effective. For example, the appointment of Members of Legislature to the Committees may be made pending on their aptitude, interests and expertise. Their professional experiences and interests can be considered while making appointments with a view of ensuring that their expertise could be available to the Committees.

It is also essential to provide adequate research and reference input to the Committees since Committee Members are also Members of Parliament, who have many other parliamentary, constituency and party work to attend, thus, their time is limited. To provide basic, up-to-date and objective information to the Committees, it may be desirable to have a separate research and reference team attached to each Committee. They would be able to provide the reading material/briefs and other information for the use of Committee Members for discussing the issues in the Committees as well as in the House. It is worth noting, however, that the details of oversight Committees in the South African parliamentary system are relatively unknown in the literature, as such, this study will make a meaningful contribution by filling the current knowledge gap.

## **2.5 THE LIMPOPO PROVINCIAL LEGISLATURE**

The Limpopo Legislature is one of the nine provincial Legislatures that was established in 1994 by the Interim Constitution of the Republic of South Africa 1993, however, it now exists in terms of Section 108(1) of the Constitution of the Republic of South Africa, 1996.

In terms of Section 114(2), the provincial Legislatures are mandated and empowered to monitor, investigate, inquire and make recommendations relating to the Departmental budgets.

The Limpopo Legislature is headed by the Speaker and consists of 49 Members who represent various political parties in the House. Its vision is to be a representative and consultative body, a vanguard of people's aspirations and interest towards a democratic, non-sexist, non-racial, united and prosperous society (Limpopo Legislature 2015/16-2019/20 Strategic Plan). The current Legislature was elected in 2014 and it is known as the Fifth Legislature of the fifth term of our democracy. It is located in Lebowakgomo, 57 kilometers outside the provincial capital of Polokwane in Limpopo Province. The House comprises of MPL's and these Members are divided into Committees that conduct the day-to day activities of the Legislature. It is through these Committees that the Executives are held accountable to ensure that the Legislature delivers its mandate of acting as a watchdog over the work of the government and ensuring that public funds are spent accordingly (Mle & Qwase, 2010: 403).

In terms of the Standing Rules and Orders of the 2010 Limpopo Legislature, the Committees of the Legislature must maintain oversight and hold provincial organs of state accountable to it. In terms of the Section 73 of the Standing Rules and Orders of the Limpopo Legislature, the powers of the provincial Legislature and its Committees include the powers to:

- (i) Summon any person to appear before it to give evidence on oath or affirmation, or to produce documents;
- (ii) Require any person or provincial institution to report to it;
- (iii) Compel in terms of provincial legislation or rules and orders, any person or institution to comply with a summons or requirement in terms of the above; and
- (iv) Receive petitions, representations or submissions from any interested person or institution (Standing Rules and Order of Limpopo Legislature, 2010:26-28)

These Committees are responsible for the oversight of the policies and programmes of the Departments falling within their ambits. There are 16 Standing and Portfolio Committees in the Limpopo Legislature, however, the focus of this study is on the Portfolio Committee on Education – as previously mentioned.

### **2.5.1 Limpopo Legislature Provincial Portfolio Committee on Education**

The Portfolio Committee on Education was established in terms of Section 44(1) (a) of the Rules and Orders of the Limpopo Legislature (2008:16) which states that the Speaker must establish and name Committees in respect of the Executive Council portfolios to deal with oversight, Bills and other matters concerning the affairs of government referred to them by the Speaker or by the resolution of the House. The Portfolio Committee on Education consists of nine Members, six from the ruling party; African National Congress (ANC), and three from the opposition parties; Economic Freedom Fighters (EFF), Congress of the People (COPE) and Democratic Alliance (DA). The Committee is allocated two full time support staff (Committee Researcher and Committee Coordinator) to provide Members of the Committee with necessary administrative support. The main function of the Portfolio Committee on Education is to monitor and oversee the work and budget of the Limpopo Department of Education. It also holds the Member of the Executive Council accountable. Other than overseeing the activities of the Department, the Committee also considers, passes amends or reject any Bill related to education brought before the Legislature. This involves discussing and amending Bills following their introduction in the House. Upon introduction in the House, it is referred to the Portfolio Committee for consideration.

### **2.5.2 Oversight Role of the Portfolio Committee on Education**

The main function of the Portfolio Committee on Education is to oversee all the activities of the Department of Basic Education and to ensure that the Department realizes its mission of providing quality education to the people of Limpopo Province. In exercising the oversight function, the Portfolio Committee; (a) obtains first-hand information from people involved in the direct implementation of the Departmental programme, (b) invites experts from outside government to provide background knowledge and analysis on

relevant issues, and, (c) may go on oversight visits that entail physical inspection, conversing with people, assessing impact of delivery and make reports that include recommendations to the House for adoption (Parliament, 2008:18). Corder, Jagwanth and Soltau (2006:39) suggest that effectiveness of oversight would then depend on the quality of reports generated through the afore-mentioned processes, the level of preparation of Committee Members and the pursuance of issues raised.

The Portfolio Committee on Education makes use of several oversight methods to oversee the Department of Education. Rapoo (2003:3) classified these methods into house-based oversight and field based oversight methods. During the house-based oversight the Portfolio Committee summons the Member of Executive Council (MEC) and Departmental officials to its meetings to account and submit their performance reports (annual report, quarterly reports as well as their annual performance plans). These meetings are either held in Committee boardrooms within the Legislature premises (Lebowakgomo) or outside the Legislature premises. The Portfolio Committee performs this function in several ways which are discussed on the next page:

#### **2.5.2.1 Examining and debating strategic plans and budgets**

Strategic plans are generally drawn up for a five-year period. The strategic objectives for the period, performance measures for these objectives as well as the budgets are listed on the strategic plans. These plans during the Committee meetings are then presented to the Portfolio Committee for comments, discussions and adoption. The Education Portfolio Committee looks at the education budget in relation to the strategic plans drawn up by the Department of Basic Education, to ensure that the allocations are in line with the plans. For example, the Portfolio Committee can question the Department on increases or decreases in the budget and their amount in relation to items prioritized in the Departmental strategic plans. The assessment of the strategic plans and budget is based on whether they are aligned with the key priorities as outlined in the National Development Plan and the State of the Nation Address.

#### **2.5.2.2 Examining the quarterly and annual reports**

Once the quarterly and annual reports of the Department are examined, the Portfolio Committee asks questions and makes comments about these reports. The deliberations about these reports are usually of a high level and provide new important insight into the Department's performance, i.e., how the Department has performed and how they plan on improving. The annual and quarterly reports are assessed based on their alignment with the annual performance plan.

During the field-based oversight, the Committee visits the Departmental project being implemented (schools or any educational institution in the province). For example, the Portfolio Committee might want to verify issues such as school infrastructure, delivery of textbooks and stationery and the implementation of school nutrition programmes in schools. Information collected during the oversight visits is used for debates in the house and for when questioning the Department on specific matters. Parliament (2007:37-39) states that Committees delegated to perform such a function may undertake oversight visits to investigate issues. Therefore, these visits are important oversight mechanisms that allow direct assessment of the implementation of policy in specific settings. The effectiveness of these visits would then depend on the quality of reports generated, the level of preparation of Committee Members and the extent to which issues which are raised are further pursued.

According to Mle and Qwase (2010:411), the oversight function of the Legislature is very critical in enhancing service delivery. Thus, being armed with the information which spells out what the Department undertook to do – and what it actually did, enables the Portfolio Committee to play an incisive oversight role which adds a vital impetus to the overall performance of the Department and also improves the quality of education in the province.

The Portfolio Committee also plays a pivotal role of influencing the budget of the Department of Basic Education. Mle and Qwase (2010:404) stated that the Committee should ensure that funds that are allocated are spent wisely and that there is no wastage of resources, fruitless expenditure or corruption.

Through oversight, the Portfolio Committee can create a platform where issues regarding education are expressed and debated. Legislatures should provide a platform by, among other ways, ensuring that the citizens have access to Members of Parliament and Members of Provincial Legislatures and Committee meetings.

## **2.6 LEGISLATIVE FRAMEWORK**

The Limpopo Provincial Legislature Portfolio Committee on Education derives its mandates from:

### **2.6.1 The Constitution of the Republic of South Africa, 1996**

The Constitution as the supreme law of the Republic of South Africa outlines the powers, functions and responsibilities of the Provincial Legislatures. In execution of its conditional mandate, the Portfolio Committee on Education oversees all the activities of the Department of Basic Education and ensures that the Department realizes its mission of providing quality education to the people of Limpopo Province (Section 114 (2) (a) (b)).

### **2.6.2 Standing Rules and Orders of the Limpopo Provincial Legislature**

In terms of House Rule 45 (1)(d) of the Standing Rules and Orders of the Limpopo Legislature, the Portfolio Committee on Education is mandated and empowered to monitor, investigate, inquire and make recommendations relating to the Education Departmental budgets and to ensure that the Department of Basic Education spends allocated amounts accordingly.

### **2.6.3 *Public Financial Management Act, 1999***

Given its involvement in the budget and in mid-year monitoring processes of the Department of Basic Education, the Portfolio Committee on Education is guided by the Public Financial Management Act (PFMA) which places greater emphasis on accountability and puts in place a legal framework for modern public financial management.



## **2.6.4 Department of Basic Education Acts**

In terms of the South African Freedom Charter; education shall be free, compulsory, universal and equal for all. The Portfolio Committee on Education exercises oversight over the Department of Basic Education to ensure the provisioning of quality education to the citizens of Limpopo Province. In holding the Department accountable, the Committee ensures that following Acts are implemented and adhered to:

- (i) South African Schools Act, 1996
- (ii) Adult Basic Education and Training Act, 2000
- (iii) South African Council for Educators Act, 2000
- (iv) Labour Relations Act, 1995; and
- (v) Skills development Act; 1998

It should be further noted that the above-mentioned are not exhaustive, as such, there are other legislation and policies that the Committee uses to hold the Department accountable.

## **2.7 CHALLENGES FACED BY THE PORTFOLIO COMMITTEE ON EDUCATION**

The main function of the Portfolio Committee on Education is to oversee all the activities of the Department of Basic Education and ensure that the Department realizes its mission of providing quality education to the people of Limpopo Province.

Pelizo, Stapenhurst and Olson (2006) argue that effective parliamentary oversight is essential to the quality of a democracy. In exercising its oversight role over the department, the Portfolio faces various challenges including:

- (i) Inability of the Committee to exercise their powers over the department

The Committee does not exercise its powers fully when dealing with the department, hence the department's poor performance. Born (2006:75), in his study of parliamentary oversight of defense in Asian countries, distinguished avenues for strengthening parliaments, namely; (a) legal powers (b) capabilities, and (c) willingness.

He indicated that if parliamentarians are not willing or aware of the powers they have to hold the government to account, these legal powers and capabilities are of no avail.

(ii) Lack of trust between Committee Members and departmental officials

The “us” and “them” syndrome has always challenged the oversight function of the Portfolio Committee. The absence of good relationship between the legislature and the executive, the proper understanding of their respective roles, obtaining relevant information can be an insurmountable task (Open Society Foundation, 2006:3). The culture of “us” and “them” syndrome needs to be eradicated in and a culture of mutual trust and respected between the Portfolio Committee and the department needs to be cultivated. According to Mle and Qwase, Committee members and departmental officials are like two sides of the same coin, and both share the same goal of a better life for all through effective and efficient rendering of services to the communities. Regular interactions and joint strategic planning sessions are therefore crucial for the two parties for unity to be achieved. An effort by the departmental officials to understand how the Portfolio Committee operates and what their expectations are will also assist in building a good relationship between the two parties.

(iii) Capacity of Members of Committee

The Portfolio Committee carries out its oversight work by perusing and analyzing departmental plans, reports and budgets, usually with the assistance of the Committee Researchers. They also receive briefings by the MEC and embark on visits. However, the main challenge of the Committee is its inability to verify information obtained from the department. For example, the Committee was briefed by the Department on several occasions and was assured that all schools received textbooks in 2011; nonetheless, the Department was taken to task by the Section 27 institution about the non-delivery of textbooks. Makhado (2012:4) states that Committees are reactive rather than proactive to documents and information they receive from departments and in most cases will be dealing with the past issues.

Committees have failed to reconcile departmental expenditure with policy priorities, or even to focus on actual policy priorities; portfolio committees almost never track performance in any key programme area over a period of time due to overlapping of activities.

(iv) Partisan

Political affiliation and factions often limit the Committee in fully engaging the department during meetings. Malbin and Benjamin (1992:216) argued that legislators also let their political interests and goals dictate whether to resist the executive, whatever their technical capacities. This, unfortunately, leads to a weakened institutional capacity in as far as an oversight purpose is concerned.

## **2.8 CONCLUSION**

This chapter focused on the legislative oversight function from a global perspective and within the South African context. It further assessed the oversight role of the Limpopo Provincial Legislatures, with specific reference to the role played by the Portfolio Committee on Education in the Limpopo Department of Basic Education. Lastly, it is therefore crucial to note that Portfolio Committees play a critical role in ensuring that Executives are accountable for how public resources are used; for the benefit of the public and not personally. Effective oversight results in effective accountability which is essential in achieving quality services delivery to the public.

## **CHAPTER 3: RESEARCH DESIGN AND METHODOLOGY**

### **3.1 INTRODUCTION**

The preceding chapter presented a literature discussion from different scholars on the oversight functions of Legislatures; from a global perspective and within the South African context. It subsequently became necessary to explore the oversight role of the Limpopo Provincial Legislature with special focus on the Portfolio Committee on Education and its effect in ensuring that the Limpopo Department of Basic Education is effective in discharging the duties conferred to it by the Limpopo Provincial Legislature.

This chapter begins by defining research methodology and its importance in research. De Vos, Strydom, Fouche and Delport (2005:18) state that it is important that in any research undertaken, the methodology to be used must be clearly spelt out for the credibility of the research. It is also important to discuss research methodology as it answers the question of how the researcher intends to go about conducting the research. The chapter further outlines the process that was followed in collecting data, the administration of the data collection instrument and the manner in which the data was analyzed and thoroughly discussed. Ethical considerations and measures to provide trustworthiness will also be highlighted.

### **3.2 RESEARCH METHODOLOGY**

Mouton (2012:55) posits that research methodology answers the question on how the researcher intends to go about conducting the research. Henning et al., (2004:36) state that methodology is a coherent group of methods that complement one another to deliver data and finding that reflect the research question and match the research purpose. Research methodology is about how data is going to be collected and how it will be analyzed, while research design articulates what data is required and what methods are going to be used to collect it. Conversely, research design is the overall plan for obtaining answers to the questions being studied and for handling some of the difficulties encountered during the research process (Polit & Beck 2004:49).

### **3.3 RESEARCH DESIGN**

The purpose of the research design is to provide the most valid and accurate answers possible to the research questions. According to Polit & Beck (2004:49), research design is the overall plan for obtaining answers to the questions being studied, it determines the success or failure of research. Research design provides a plan on how the research is going to be executed. Designing a study is important because it guides the researcher on how to plan and implement the study and further assists the researcher to obtain intended results, thus increasing the chances of finding the information that could be related to the actual situation (Burns & Grove 2001:223). There are two basic research approaches, namely; qualitative and quantitative approaches.

**3.3.1 Quantitative Approach:** Quantitative researchers collect data in the form of numbers and use statistical types of data analysis (Blanche, Durrheim & Painter, 2012:47). It involves an in-depth understanding of people's behaviour and the reasons that govern such behaviours. It is usually conducted in a natural setting and comprises a procedure of building a complex and complete picture of the phenomenon of interest. The main purpose of the quantitative approach is to determine whether the predictive generalizations of a theory are true.

**3.3.2 Qualitative Approach:** Qualitative researchers collect data in the form of written or spoken language, or in the form of observations that are recorded in language (Blanche, Durrheim & Painter, 2012:47). Maree (2012:51) indicates that qualitative research studies people or systems by interacting with and observing respondents in their natural environment and focusing on their meanings and interpretations. Orb, Eisenhauer & Wynaden (2001:93) further add that the purpose of qualitative research is to describe a phenomenon from the respondents' point of view through interviews and observation.

The aim of this study was to gather data on the role played by the Members of the Education Portfolio Committee on how they exercise their oversight role in ensuring that the Department of Basic Education delivers quality service to the public. The qualitative approach was adopted.

Thus, data was collected through document analysis and interviews with Members of the Education Portfolio Committees. Data was also collected through observing the oversight process and meetings of the afore-mentioned Committee (Mouton 2012:104).

### **3.3 STUDY AREA**

The study area of this research will be the Limpopo Provincial Legislature, with specific focus on the Portfolio Committee on Education. The Limpopo Provincial Legislature is located in Lebowakgomo, Capricorn District, about 55 kilometers from Polokwane which is the capital city of the Limpopo Province.

### **3.4 POPULATION**

Blanche, Durrheim and Painter (2006:133) define population as the larger pool from which the sampling elements are drawn and to which we want to generalize our findings. In this study, the population includes all nine Members of the Portfolio Committee on Education in the Legislature. These Members represent various political parties, namely; ANC, EFF and the DA. The Researcher is an employee of the Limpopo Provincial Legislature, therefore the convenience sampling technique was used for interviews with Members of the Portfolio Committee on Education who were easily and conveniently accessible (Maree, 2012:83).

### **3.5 SAMPLING**

A sample is a section of population selected to participate in a research study. It is selected from the study population that is commonly referred to as the 'target population or accessible population'. Breakwell, Hammond and Fife-Schaw (2000:251) describe a sample as a set of individuals selected from a population and intended to represent the population under the study. Sampling is a powerful tool for social research since it defines the selected groups of individuals that will participate in the study. Convenience sampling was selected as the most appropriate technique for this type of population because it relies on data collected from population members who are conveniently available to participate in the study (Blanche, Durrheim & Painter, and 2012:30).

All respondents were Members of the Provincial Legislature of Limpopo, thus, the researcher was able to collect data from those who were conveniently available to participate in the study. Respondents were sampled with a purpose of gathering in-depth insight of the role played by the Portfolio Committee on Education in overseeing the activities of the Limpopo Department of Basic Education.

Although the Portfolio Committee consists of nine Members, only eight Members were interviewed while one was unavailable. From these interviews, five were face-to-face and three telephonic. . The study was conducted during the fifth term of the Provincial Legislature of the Limpopo Province (i.e. 2014-2019).

### **3.6 RESEARCH METHODS**

Neuman (1994:67) proposed that every researcher collects data by using one or more techniques, either a quantitative or qualitative approach. Some techniques are more effective than others for addressing specific kinds of questions or topics. Kothari (2004:95) explains that data collection starts after a research problem has been well defined and research design has been drawn. There are numerous ways of collecting data in qualitative research studies. Yin (1998:85) states that data collection techniques in the qualitative research are interviews, documentation, archival records, observation and physical artefacts. For the purpose of this study, the qualitative research method will be used to gather data through the following techniques:

**3.6.1 Interviews:** The aim of the research interview is to explore the opinions, experiences and beliefs of people on a specific issue. There are three fundamental types of interviews; the structured, semi-structured and unstructured interview. Kothari states that (2004:98) structured interviews involve the use of predetermined questions and of highly standardized techniques of recording. These are verbally administered questionnaires and are relatively quick and easy to administer and may be of particular use if clarification is required. Semi-structured interviews, which entail several key questions that help to define the areas to be explored, allow the interviewee and the interviewer to deviate in order to follow up on response in more details.

Grix (2004:127) states that a semi-structured interview is the most important collection instrument of conducting a research interview because it allows a certain degree of flexibility and allows for the pursuit of unexpected lines of enquiry during the interview. Furthermore, semi-structured face-to-face interviews allow the interviewees to communicate freely and openly while sharing in-depth information.

Lastly, the aim of the unstructured interview is “to actively move into the world of people and to make those worlds understandable from the perspective of a theory that is grounded in behaviours, languages, definitions, attitudes and feelings of those studied” De Vos (2002:302).

In this study, the semi-structured interview was selected as a data collection instrument based on its flexibility. Eight Members of the Portfolio Committee on Education were interviewed; five were interviewed face-to-face and three telephonically. This method was effective as it made the communication between the researcher and respondents flexible on issues relating to the respondents’ oversight role as Members of the Portfolio Committee on Education, and allowed for in-depth interviews with the respondents.

Liamputtong (2010:62) states that in-depth interviewing is a major means of exploring the ways in which respondents’ experience and understand their world. This method affords a unique opportunity for a researcher to access the lived experiences of the respondents who are able to describe their world in their own words. Paul, Williamson, Karp and Dalphin (2007:153) support this notion by indicating that in-depth interview techniques offer an opportunity to probe extensively for sensitive information from potentially evasive individuals, tailoring each interview so the interviewee feels as comfortable as possible, and is encouraged to provide the required information.

**3.6.2 Observations:** This method was used to gain insight and understanding of how Members of the Portfolio Committee on Education interact and engage with the Department of Basic Education while exercising their oversight role.



Observation is a way of collecting data by watching behaviour, events, or noting physical characteristics in their natural setting. Maree (2012:83) defines observation as a systematic process of recording the behavioral patterns of respondents, objects and occurrences without necessarily questioning or communicating with them.

The Researcher used the observation method to record behavioral patterns of Members of the Committee and officials of the Department of Basic Education. During meetings and site visits by the Committee to educational institutions in the province, the researcher was able to take notes, record verbal and non-verbal behaviour. Leedy and Ormond (2010:147) argued that written notes sometimes fail to capture the richness of what one is observing, therefore an audio recorder and observation sheet was also used during the meetings and site visits.

**3.6.3 Document Analysis:** The researcher also used the document analysis method to collect data. Documents that were analyzed include, amongst others; the Committee's strategic plans, annual performance plans, oversight reports, Limpopo Legislature annual performance plan, Hansards and minutes. Kelly (1999:191) emphasized the analysis of documents by indicating that documentary analysis can be a useful technique for investigating decision making within organizations and can reveal more than the institutional or organizational agenda.

The above-mentioned documents were analyzed, additional documents that were analyzed include journals, books and articles. Kothari (2000:95) is of the opinion that primary data are those which are collected for the first time, and thus happen to be original in character and, secondary data are those which have already been collected by someone else and have already been passed through the statistical process. Both primary and secondary data were used for this study. Maree (2012: 82) cautions that a researcher should evaluate the authenticity and accuracy of documents before using them. He further adds that not everything written in a report is factually true.

### **3.7 DATA ANALYSIS**

According to De Vos *et al.*, (2002: 339), data analysis is a process of bringing order, structure and meaning to the mass collected data. Paul *et al.*, (2007:48) suggest that it is the process of grouping together raw data in order to draw meaning and to facilitate its interpretation.

Mouton (2012:108) takes it a step further by suggesting that the purpose of analysis is to understand various constitutive elements of one's data through examining the relationship between concepts or trends that can be identified or isolated or to establish themes in the data.

As the study is qualitative in nature, the researcher made use of content or narrative data analysis by familiarizing themselves with the data through transcriptions and data interpretation which involved reading and re-reading the text and identifying coherent categories for a meaningful analysis. Meaning to words were brought through a labor-intensive exercise by identifying ideas, concepts, behaviours, interactions, incidents, terminology or phrases used then arranging them into coherent categories such as themes and patterns (Taylor-Powell and Renner 2003:1).

### **3.8 VALIDITY AND RELIABILITY**

Reliability and validity are crucial aspects in research. Reliability, according to Brynard and Hanekom (1997:40-41), refers to “the accuracy and consistency of measures. Whereas validity refers to “the potential of a design or an instrument to achieve or to measure what it is supposed to achieve or measure”. The Researcher ensured that the study findings were valid, reliable and trustworthy by:

- Recording the responses of the participants on tape
- Transcribing the recorded responses of all participants word for word
- Comparing data from the participants with the literature review
- Collecting, analyzing and interpreting data through qualitative data analysis techniques

### **3.9 ETHICAL CONSIDERATIONS**

Saunders, Lewis and Thornhill (2000:130) define ethics as the appropriateness of the researcher's behaviour in relation to the rights of those who become respondents of the research or who are affected by the research. According to Struwig & Stead (2014: 68) ethics provide the researcher with guidelines on how to conduct research in an ethically acceptable way. The goals of ethics in research are to ensure that no-one is harmed or suffers adverse consequences from research activities. Researchers are guided by code of conduct on how to conduct research in a morally accepted manner.

**3.9.1 Institutional Approval:** For the purpose of this study, the researcher sought permission to conduct this study from the Speaker of the Limpopo Provincial Legislature. The researcher adhered to the following principles and guidelines of code of ethics:

**3.9.2 Full disclosure or Deception:** De Vos *et al.*, (2005:60) defines deception of subject's as the deliberate misrepresentation of facts in order to make another person believe what is not true; violating the respect to which every person is entitled. Deception involves withholding of information, or offering incorrect information in order to ensure full participation from the respondents. Prior to the collection of data, Members of the Portfolio Committee on Education were given detailed information pertaining to the purpose of the study.

**3.9.3 Voluntary Participation:** The respondents were not coerced into taking part in the interviews. McMillan *et al.*, (2010:118) advise that respondents must be told that they are free to withdraw at any time if they feel uncomfortable with the research process. Bless *et al.*, (2006:142) add that no person should be forced, either overtly or covertly, to participate in research. Members of the Portfolio Committee on Education were given enough information pertaining to the purpose of the study before they were interviewed. Voluntary consent was also sought.

**3.9.4 Confidentiality and Anonymity:** Babbie (2008:472) distinguishes between confidentiality and anonymity; confidentiality implies that only the researcher and possibly

a few Members of her staff should be aware of the identity of respondents. Such confidential information is regarded as privileged information. In this study, the researcher made a commitment that the responses in the interview schedule will be anonymous and strictly confidential. No reference will be made to any individual or their name in the research results.

### **3.10 LIMITATIONS OF THE STUDY**

The study is limited to the Limpopo Legislature and specifically focused on the role of the Portfolio Committee on Education in overseeing the activities of the Limpopo Department of Education.

### **3.11 CONCLUSION**

This chapter discussed the research design and methodology used in the study. As highlighted in the chapter, a qualitative research approach was adopted because it involves an in-depth understanding of Members of the Portfolio Committee on Education's perceptions, views and opinions, on the oversight role over the Limpopo Department of Education.

The population and sample of the study were also discussed; the sample was drawn from the Members of the Portfolio Committee on Education. Finally, ethical issues which may impact the study were taken into consideration and further discussed. Data was collected through interviews, document analysis and observations. In the next chapter, data from the interviews will be interpreted and presented.

## **CHAPTER 4: PRESENTATION OF RESULTS AND DATA ANALYSIS**

### **4.1 INTRODUCTION**

The previous chapter outlined the importance of research methodology, the process that was followed in collecting data, the administration of the data collection instrument, and the manner in which data was analyzed. This chapter presents the results, presentation and interpretation of the data collected through interviews, based on the themes which were generated from the objectives of the study.

Data was collected through interviews conducted with Members of the Education Portfolio Committee and document analysis, thus, the study was qualitative in its approach and made use of semi-structured interviews. An interview schedule consisting of twenty-one questions was used as a guiding tool for the interviews. Out of the nine proposed respondents, five were interviewed face-to-face, three telephonically, and one participant resigned from the institution and thus could not be interviewed. In total, eight respondents were interviewed.

Data was collected during the 2016 local government election campaigns (June – July 2016); thus, some Members of the Legislature were unavailable for face-to-face interviews. These members were then interviewed telephonically.

### **4.2 PRESENTATION OF THE RESULTS OF THE STUDY**

The results of the study will be presented in the first part of this chapter. Data analysis will be presented in the second part of this chapter.

Data was collected using the following categories:

#### **4.2.1 Demographic Background**

The demographic data of respondents is important to this study as it aids the researcher in understanding the background information of the respondents. In probing the demographic profile of respondents, the researcher focused on the following aspects; gender, qualification, number and types of training programmes attended, and the number of terms served in the Legislature.

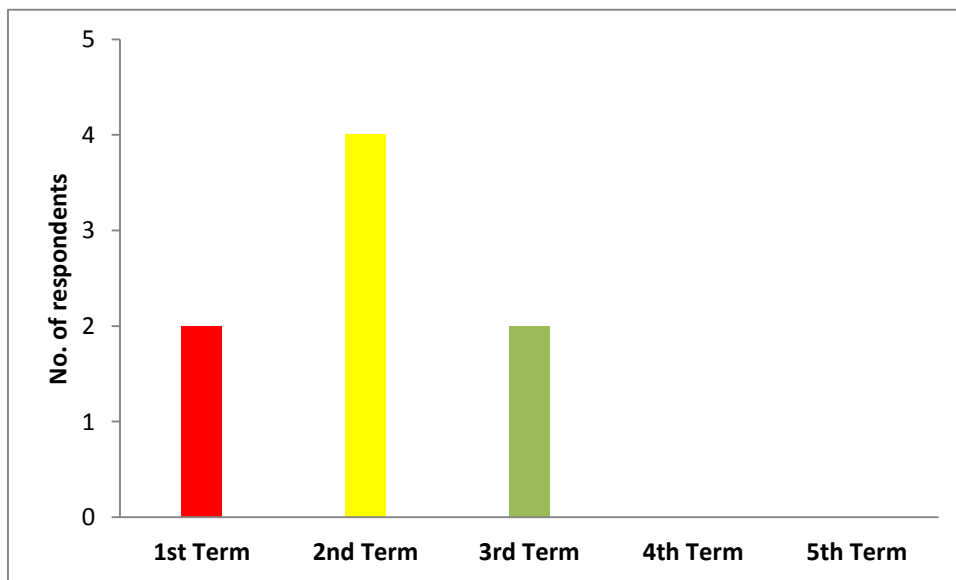
From the eight Portfolio Committee Members who participated in this study, six were males while two were females (labelled respondent 1-8). One of the respondents was a PhD candidate, and the rest were holders of three-year Bachelor’s degrees. Since these individuals were Members of the Provincial Legislature, they represented various political parties, namely; ANC, EFF, COPE and the Democratic Alliance.

#### 4.2.2 Experience and proficiency of Members

The theme on experience and proficiency of Members was derived from questions 1 – 5 of the interview schedule and are presented as follows:

##### 4.2.2.1 Number of terms served by Members

Figure 4. 1 illustrates the number of terms served by respondents. Four of the respondents (50%) served for two terms, while two respondents (25%) served for three terms, and the other two respondents (25%) served two terms. Although Members of the Legislature are elected to serve for a period of five years which equate to one term, none of the study’s respondents had served this five-year term period.



**Figure 4. 1: Number of terms served by Members**

##### 4.2.2.2 Induction and training

All eight respondents (100%) confirmed that they had been on induction and training to ensure successful execution of their roles, as illustrated in table 1 below.

<b>Induction and Training</b>			
<b>Induction</b>		Yes	No
No. of Respondents	of	8	0
Percentage (%)		100	0
<b>Training</b>		Yes	No
No. of Respondents	of	8	0
Percentage (%)		100	0

**Table 1: Induction and training of Members**

#### **4.2.2.3 Type of trainings attended by Members**

Members are required to undergo training in order to carry out their roles effectively. Training was provided in the following areas; Financial Management for Parliament and Provincial Legislatures Act (FMPPLA), Public Finance Management Act (PFMA), Sector Oversight Model (SOM), Public Administration Leadership Management Academy PALAMA and strategic planning.

Table 2 below suggests that while most of the Members (66%) attended Financial Management training, the other respondents attended SOM, PALAMA and strategic planning, respectively. Table 2 further illustrates that all Members (100%) believed that the training provided was adequate for the nature of their roles.

	<b>FMPPLA</b>	<b>PFMA</b>	<b>SOM</b>	<b>PALAMA</b>	<b>Strategic planning</b>
No. of Respondents	5	5	3	1	1
Percentage (%)	33	33	20	7	7

<b>Adequacy of the trainings programmes</b>			
		<b>Yes</b>	<b>No</b>
No.	of	8	0
Respondents			
Percentage		100	0
(%)			

**Table 2: Types of trainings attended by Members**

**4. 2.3 The oversight role of the Members of the Portfolio Committee on Education**

The theme on the oversight role of the Members of the Portfolio Committee was derived from questions 6 – 9 of the interview schedule.

**4.2.3.1 Understanding the oversight role of the Committee**

All respondents had a common understanding of their role as Members of the Portfolio Committee on Education, i.e.; to ensure that the Department accounts to the Committee. Some of the respondents expressed their understanding of the oversight role they play over the Department by indicating that their role is to make contributions towards; the effective running of the Department of Basic Education and making the Department accountable, attend Committee meetings, scrutinize strategic documents of the Department, and go on site visits to the Departmental projects. Respondent 6 further added that:

*“..... as a Member of the Committee we must promote, we must check if things are going well in the Department, we interact with the Department from time to time to monitor their projects and budget. We make the Department account to the Legislature; they have to inform us of their day-to-day spending and their activities”.*

**4.2.3.2 The purpose of oversight function of the Portfolio**

Respondent 6 explained that the purpose of oversight was to ensure that the Department was running smoothly and that public funds are used properly. The Committee conducts site visits to Departmental projects to verify that the Department has implemented what they promised.



In addition, respondent 4 cited an example about the Department brief regarding two state of the art schools in the Waterberg District that had been previously built by the Department.

It is therefore the Committee's responsibility to go to the site and confirm that the two schools had in fact been built. Respondent 6 further explained that in his experience as MPL, he had come across a situation where the Department briefs the Committee about a particular project or school that was built, however, upon visiting the site they would discover that no school had been built. Respondent 1 clarified this by adding that oversight is not about micro-managing the Department but rather a way of controlling how the Department uses the public's resources.

#### **4.2.3.3 The effectiveness of the oversight role of the Portfolio Committee**

Respondent 1 pointed out that the Committee is effective but it is not yet at the desired level. On the other hand, respondent 7 was of the opinion that the Committee is very effective, this was supported by respondent 2 who stated; *"Yes it is very effective and Members have capacity...."* Respondent 3 gave an example of a particular school in the Lephalale circuit that was conducive for learning and teaching, as reported by the media .... *"We undertook an oversight visit to go and check the facility ourselves and we now have an opinion of the condition of that school and we made recommendation to the government and the Department has made an effort to address this issue even when we speak now learners have been relocated now to a different school"*.

#### **4.2.4 Accountability Role of the Department of Basic Education**

The theme on the accountability role of the Department of Basic Education was derived from questions 10 – 16 of the interview schedule.

##### **4.2.4.1 How the Department accounts to the Portfolio Committee**

According to the study's respondents, the Department is accountable to the Portfolio Committee in the following ways:

The respondents indicated that the Department submits quarterly and annual reports to the Committee. Once analyzed by the Committee Researcher, the Committee adopts the report and presents it to the House for debates.

Respondent 5 indicated that *“They have to bring quarterly reports in terms of their APP”*. This was supported by respondent 8 who stated that *“Through submission of Annual Reports, Quarterly Reports, Annual Performance Plans and the budget, these reports are tabled in the House by the Department and the reports are therefore referred to the Portfolio Committee on Education for consideration and the Committee tables a report for debates in the House....”*

Respondent 7 further elaborated this by indicating that the Department of Basic Education accounts to the Legislature through this mechanism of Portfolio Committee. The Committee carries out its oversight work of holding the Department accountable by perusing annual reports, annual performance plans and budgets of the Department of Education. Upon receiving quarterly reports, annual reports and the annual performance plans, the Portfolio Committee asks questions and makes comments based on the reports. The deliberations about these reports are usually of a high level and provide new and important insight into the Department’s performance, i.e., how well the Department has achieved and how they plan on improving.

It is important to note that annual reports are assessed based on their alignment with the annual performance plans, and quarterly reports are assessed based on alignment with the annual reports.

#### **4.2.4.2 The Committees influence on the budget of the Department**

Four respondents (50%) are of the opinion that the Committee does influence the Department’s budget. Respondent 1 expressed this by saying; *“Yes, I think the Committee has an influence on the budget of the Department because every year immediately after the budget speech of the MEC we conduct an analysis on the budget speech to see how much has the Department received for that specific financial year...”*

Respondent 2 coincided with the previous respondent and added that *“the Committee has a big influence, after the budget has been tabled and the MEC’s budget speech has been read, the Committee has a responsibility to deal with the budget of the Department.”*

Meanwhile, four respondents (50%) were of the view that although the Committee is expected to have an influence over the budget of the Department, in practice, this was not the case because according to these respondents, the Committee has no or little influence on the budget of the Department. Respondent 5 emphasized this by indicating the budget is allocated without consultation with the Committee therefore it is difficult to monitor the budget spending of the Department.

#### **4.2.4.3 Failure by the Department to account**

All the respondents (100%) pointed out that the Department always accounts to the Committee. However, some respondents indicated that the Committee is confronted with challenges of poor quality reports submitted to the Committee by the Department. This statement was supported by respondent 3 and 8 who indicated that the Department always accounts to the Portfolio Committee, although there were cases wherein the Committee sends the Department back to go and rework their reports if they are not up to the required standards. According to respondent 7, the Department has a constitutional obligation to report to the Portfolio Committee through the submission of reports.

#### **4.2.2.4.4 Punitive measures and the effectiveness of such measures taken against officials who failed to comply with rules and regulations governing public finance management**

Four respondents (1, 2, 5 and 6) (50%) indicated that they had observed such punitive measures. Respondent 2 said; *“Yes, I think during the time when the Department was under administration, there were a lot of officials who were suspended due to misuse of funds. Some of the officials were charged and some were dismissed so it was very effective”*. Other respondents (3, 4, 7 and 8) (50%) mentioned that they had not seen any punitive measures taken against officials who failed to comply with rules and regulations.

It was further indicated that the Department occasionally reports to the Committee that they implemented some punitive measure against officials who were found guilty of misusing government funds Blanche, Durrheim and Painter (2012:47). However, when the Committee investigated further they found that the Department simply moved these staff Members to another Department, or another unit within the same Department.

It was a common view that the Committee itself does not hold any power to implement any punitive measures but this responsibility falls upon the Department itself.

Regarding the effectiveness of the punitive measures taken to address non-compliance to the provisions of the Public Finance Management Act, respondents 1, 2 and 7 (37,5%) believed the measures taken by the Department in addressing non-compliance were very effective. Three respondents (4,5 and 6) (37,5%) asserted that these measures have not been effective all.

Interestingly, respondents 3 and 8 argued that one cannot be sure of the extent to which the measures have been successful owing to the inability of the Committee to implement punitive measures.

#### **4.2.4.5 Implementation of the resolutions of the House (the Legislature) and the recommendations made by the Committee**

Although all the respondents previously indicated that the Department does indeed implement these resolutions and recommendations, it was a shared view among seven respondents (2, 3, 4, 5,6,7 and 8) (87.5%) that these were only partially implemented. Only respondent 2 confidently indicated that these resolutions were fully implemented. Respondent 7 remained skeptical, as one even argued that the lack of monitoring systems within the Committee makes it difficult to assess whether the recommendations have been implemented and to what extent. On the contrary, respondent 1 (12,5%) provided a differing view which suggested that *“in the Legislature we do have some mechanisms to track them and we are able to say that this was fully implemented and this was partially implemented.* The respondent further elaborated that, *“In cases where there is partial or non-implementation, the Departments will then have to come and appear before the Committee to account as to why these were not implemented fully”.*

Some of the non-implementation reasons, as provided by respondent 7, were “budgetary constraints” and “lack of capacity”.

#### **4.2.5 Performance of the Portfolio Committee**

The theme on the performance of the Portfolio Committee was derived from questions 17 – 21 of the interview schedule.

##### **4.2.5.1 Performance of the oversight function by the Portfolio Committee**

Seven respondents (1, 2, 3, 5, 6, 7 and 8) (87,5%) indicated that they have noticed great improvement while respondent 4 (12,5%) stated, “*Well, I want to be very honest with you. I doubt if there is any improvement.*” Respondent 8 held a contrary view and indicated that they have observed a lot of improvement, not only for the Portfolio Committee on Education, but all Committees of the Legislature.

This was further supported by respondent 7 who stated that “*Members of the Portfolio Committee on Education have moved from the comfort of boardrooms and have become field workers. They spent 70% of their time doing field work visits to schools and other Departmental projects*”. Respondent 5 agreed with respondents 7 and 8 by indicating that over the past two years the Committee was spending most of its time in the boardroom calling the Departments to account, but since the past year the Committee has been doing a lot of site visits, conducting observations and making recommendations to the Departments which make its work practical in terms of its oversight function.

##### **4.2.5.2 Enhancing the oversight and accountability role of the Portfolio Committee on Education**

Some respondents indicated that capacity building for both Members and support staff of the Committee is essential to enhancing the Committee’s oversight function. Feedback received was that; “*.....As Members of the Legislature as well as Members of different Committees we need more capacity to be able to do our work*” (respondent 2). “*Capacity building for Members of the Committee and implementation of SOM*” (respondent 7).

Good relations between the Department and the Committee; sufficient time for oversight visits; exchange programmes; and the implementation of oversight model; were some of

the issues that were raised by respondents that may assist in improving the oversight and accountability role of the Committee.

Four respondents (50%) elaborated on the implementation of SOM. Respondent 1 emphasized by indicating that *“I think if we can have a full implementation of SOM, we wouldn’t have any problems because whether new Members come and leave, it would not be a problem because we have a model, the model will remain the same we can only review it, revise it as in when it is necessary but for as long we are able to implement it fully.”*

#### **4.2.5.3 Reasons for poor performance by the Department**

Respondents raised various reasons about the poor performance by the Department. Respondent 1 said; *“I think it is due to the Department’s tendency of providing the Committee with incorrect information, lack of accountability, no record keeping, deviation from the law and regulations. Irregular and fruitless expenditure, also there are no system to run the Department properly.”*

Respondent 4 added to this by indicating that *“Department has not submitted sufficient documentation, to enable the Auditor-General to actually make an opinion on the documents submitted.”* While respondent 5 was of the opinion that *“it is because the Department is ignoring the advice of both the Auditor-General and SCOPA. Every year SCOPA is making recommendations to the Department in terms of improvement, but even as they interact with the Office of the Auditor-General there are some recommendations that are being made and I don’t think there is anybody in the Department who really make some follow ups to ensure that those decisions are implemented....”* This was supported by respondents 6 and 8 who indicated that *“lack of cooperation by the Department”* (respondent 6). *“There is vast number of reasons ranging from lack of co-operation, non-compliance with the PFMA and other regulations, undermining the role of the Portfolio Committee, poor management, mismanagement of funds and so many other reasons”* (respondent 8). The other respondents (2, 3 and 7) shared the same sentiments with the other five respondents.

#### **4.2.5.4 What needs to be done to improve the performance of the Department?**

Respondents expressed different views to this question. They also expressed their disappointments regarding the Department's poor performance and the fact that the Department has been getting disclaimers. Respondent 4 suggested that the intervention by the Department of Treasury will assist the Department, if the Department is cooperative. Respondent 5 supported this by indicating that; *"I think the Portfolio Committee just has to welcome the intervention by the Office of the Premier and Provincial Treasury Department, where they invoked Section 18 of the PFMA, where they have forwarded the Officials to go and assist the Department. We are still to see the outcome of that but as the Portfolio Committee; we appreciate the intervention by these two Departments."* Respondents 6 added that; *"The Committee must continue to support the Department and there must be a good relationship between the Members of the Portfolio Committee and the Department"* (respondent 6), while respondent 7 commented that; *"The Department should start cooperating with Members' more especially when it comes to providing reliable information to the Office of the Auditor-General; it is difficult for the AG to form an opinion about the performance of the Department if they do not have enough information."*

## **4.2 DATA ANALYSIS**

The purpose of analysis is to understand various constitutive elements of one's data through examining the relationship between concepts or trends that can be identified or isolated, or to establish themes in the data (Mouton, 2012: 108). Collected data was analyzed and interpreted in order to get an understanding of the relationship amongst established themes and concepts.

### **4.3.1 Experience and proficiency of Members**

The theme on experience and proficiency of Members were derived from questions 1 – 5 of the interview schedule.

#### **4.3.1.1 Number of terms served by Members**

The Limpopo Legislature was instituted as one of the nine provincial Legislatures of democratic South Africa in 1994.

As stipulated in Section 108(1) of the Constitution of the Republic of South Africa, a provincial Legislature is elected for a term of five years. 1994 marked the beginning of the First Term of the Limpopo Legislature. Figure 4.1 reflects that none of the respondents had served a term of five years, this indicates non-continuity of Members of the Legislature.

Furthermore, most Members only served two terms which means that at the beginning of each term there will be new Members. These new Members first have to learn how the systems operate before doing the actual job, by the time they are familiar with the way things are done, their term will be coming to an end.

#### **4.3.1.2 Induction and training**

Most of the respondents reported that they were new in the Legislature and as such were not familiar with the political environment and do not even know how to conduct oversight over the environment. At the beginning of each term, MPL's are taken on a three-days induction programme to introduce new Members to the Legislative environment and capacitate them on their responsibilities. Additional training and workshops to assist Members in acquiring knowledge that will assist them with successfully carrying out their duties is provided by the Legislature. Table 4.2 reflects some of the training and workshops attended by the respondents.

#### **4.3.2 The oversight role of the Members of the Portfolio Committee on Education**

The theme on the oversight role of the Members of the Portfolio Committee was derived from questions 6 – 9 of the interview schedule.

##### **4.3.2.1 Understanding the oversight role of the Committee**

In terms of understanding the oversight role of the Portfolio Committee on Education, the respondents had a clear understanding of their roles as Members of the Portfolio Committee on education. Govender (2008:35) argued that Members of the Legislature must have in-depth understanding of their roles and authority vis-à-vis the Executive, and must be willing to aver this authority in order to improve service delivery and the quality of governance.



#### **4.3.2.2 The purpose of oversight function of the Portfolio**

Respondents had a common understanding of the purpose of oversight function of the Portfolio Committee. They perceived it to be about monitoring the activities of the Department of Basic Education to ensure, accountability, efficiency integrity and conformance. From their responses, it became evident that the Committee consists of Members who understand their role and the purpose of oversight clearly.

Yamamoto (2007:55) defines oversight as the review, monitoring and supervision of the Executive government and public agencies by the Legislatures. This implies that in exercising their oversight mandate, Members of the Legislature must, therefore, clearly understand their role and authority vis-a-vis the Executive, and must also be willing to assert this authority to improve service delivery and quality governance.

Mle and Qwase (2010:411) believe that the oversight function of the Legislature is critical in enhancing service delivery if the Portfolio Committee is armed with the correct and relevant information and have a clear understanding of their role. If this is the case, the Committee will be able to play an incisive oversight role which adds a vital impetus to the overall performance of the Department and improves the quality of education in the Limpopo Province.

#### **4.3.2.3 The effectiveness of the oversight role of the Portfolio Committee**

Respondents expressed that the Committee is effective, although some indicated that this was not yet at the desired level. The literature, in chapter 2 of this study, revealed that it is pivotal that the Portfolio Committee be effective in overseeing all the activities of the Department of Basic Education to ensure that the Department realizes its mission of providing quality education to the people of Limpopo Province. The effectiveness of the Portfolio Committee has a direct impact on implementation of Departmental programmes. The level of effectiveness by the Portfolio Committee compels the Department to deliver on their strategies. When the Department is aware of their expectations (i.e., providing quality work, and executing it) a great working relationship will be formed between the two arms of state.

### **4.3.3 Accountability role of the Department of Basic Education**

The theme on the accountability role of the Department of Basic Education was derived from questions 10 – 16 of the interview schedule.

#### **4.3.3.1 How the Department accounts to the Portfolio Committee**

According to the respondents, the following are ways in which the Department accounts to the Committee:

It was highlighted in the literature review that accountability is about calling those assigned with Executive powers and public resources, to account on how they exercise their powers and responsibilities. However, using Legislative power to make the Executive account depends on the type of the Legislature and how powerful their oversight role is over the Executive. Section 114(2)(a)(b) of the Constitution and House Rule 45(1)(d) of the Standing Rules and Orders of the Limpopo Legislature gives the Legislature powers through the Portfolio Committee on Education to oversee all the activities of the Department of Education, including its budget. Therefore, the Department is obliged to submit progress reports to the Portfolio Committee on Education.

Upon receiving quarterly reports, annual reports and the annual performance plans, the Portfolio Committee asks questions and makes comments about these reports. The deliberations about these reports are usually of a high level and provide new important insight into the Department's performance, i.e., how the Department have performed and how they plan on improving.

The annual report is assessed based on its alignment with the annual performance plan and quarterly reports are assessed based on their alignment with the annual reports.

#### **4.3.3.2 The Committees' influence on the budget of the Department**

Although respondents had differing views, some agreed that the Committee has influence whereas some thought that the Committee had no influence at all.

Section 114(2) of the Constitution of the Republic of South Africa 1996, mandates and empowers the provincial Legislature to monitor, investigate, inquire and make recommendations relating to the Departmental budgets. Education is one of the top priorities of the National Development Plan and of the Limpopo Province – this is evident in that the Limpopo Department of Basic Education gets allocated the highest share in provincial budgets. According to the Limpopo Department of Basic Education MEC's Budget Speech for 2016/17 financial year, the Department has been allocated an amount of R27, 172 billion. It is therefore crucial for the Committee to monitor this budget and ensure that the funds allocated to different programmes are used appropriately. In chapter 2 of this study, Mle and Qwase (2010:404) support this by stating that the Committee must ensure that allocated funds are not spent on fruitless expenditures or corruption.

#### **4.3.3.3 Failure by the Department to account**

With regards to the accountability of the Department, respondents were asked how the Committee deals with the Department's failure to report. All respondents pointed out that the Department accounts to the Committee. In terms of Section 133 (3) of the Constitution, Members of the Executive Council must provide the Provincial Legislatures with full and regular reports regarding matters under their control. Therefore, the Departments are obliged to account to the Portfolio Committees on a quarterly and annual basis. However, the Committee may summon the Department to appear before it if the Committee feels that there are issues that the Department should clarify, as stipulated in the Standing Rules and Orders of the Limpopo Provincial Legislature, House Rule 45 (1) (d). For example, after an oversight visit to schools or any Departmental projects, the Committee may call for a special meeting with the Department to discuss its findings and put forth recommendations to address a specific matter, if it deems it necessary. Thus, the Department ensures that they appear before the Committee whenever they are required to do so and ensures reports are submitted to the Legislature on regular basis. In instances where the Department is unable to honour the invitation of the Committee due to other work commitments, the MEC or Head of the Department of Basic Education sends an apology to the Chairperson of the Committee.

#### **4.3.3.4 Punitive measures and the effectiveness of such measures taken against officials who failed to comply with rules and regulations governing public finance management**

Respondents shared a common view that the Committee itself does not hold any power to implement punitive measures but this responsibility falls upon the Department itself. In terms of Section 41(1) of the 1999 Constitution, the Legislatures make laws that are executed by the Executives and the judiciaries apply them to cases through the rule of law. The role of the Legislature is to hold Executive Departments' accountable rather than making or implementing policies; meaning that the Executive branch of government is accountable to the Legislature.

The Legislature, however, can influence the making or implementation of policies. The implementation of the punitive measures is a policy issue that should be addressed by the Department and the Committee. Where there are challenges of misconduct, they may recommend that disciplinary measures be taken against the affected official. The Committee makes recommendations on particular issues which are implemented by the Departments.

#### **4.3.3.5 Implementation of the resolutions of the House (the Legislature) and the recommendations made by the Committee**

Although the respondents indicated that the Department implements these resolutions and recommendations, it was a shared view amongst them that these were only partially implemented. The literature revealed that the Departmental officials do not accept the mandate of Committees; therefore, there is a tendency by the Departmental officials of not implementing and treating the recommendations by the Portfolio Committee as vital (Mle & Qwase, 2010:404). During the Committee meetings, the Department presents their APP and Budget to the Committee for feedback and discussions.

The Education Portfolio Committee assesses the education budget in relation to the strategic plans drawn up by the Department to ensure that the allocations are in line with the APP.

The assessment of the strategic plan and budget is based on their alignment with the key priorities as outlined in the National Development Plan and the State of the Nation Address.

After thorough deliberations on the budget, strategic plans and APP of the department, the Committee makes recommendations to be tabled in the House for implementation by the Department. It has been observed that most of the recommendations that the Committee suggests are not always implemented by the Department. For example, the Committee recommendation that the Department should strengthen the finance unit to ensure that the budget is well managed for four consecutive years.

However, it appears that the Department was either ignoring the recommendation or unwilling to implement it. This applies as well to the recommendations on scholar transport, early childhood development and provisioning of basic services to schools. It can then be argued then that if the Department was implementing all the recommendations of the Committee, the Committee wouldn't be making the same recommendations recurrently (refer to appendix 1).

#### **4.3.4 Performance of the Portfolio Committee**

The theme on the performance of the Portfolio Committee was derived from questions 17 – 21 of the interview schedule.

##### **4.3.4.1 Performance of the oversight function by the Portfolio Committee**

Rapoo (2003:3) states in the literature review that Legislatures tend to over rely on house-based oversight methods due to the fact that they often “lack the knowledge and skills to do their jobs effectively. However, this was contrary to what respondents raised. According to all the respondents, with the exception of respondent 4, Members of the Portfolio Committee on Education have moved from the comfort of boardrooms and have become field workers. The Committee does not only rely on information that they receive during the house-based oversight. They go on oversight, observations and make recommendations to the Departments which make its work practical in terms of its oversight function.

Therefore, these visits are important oversight mechanisms that allow the Committee vis-à-vis the Executive, and must be willing to aver this authority in order to improve service delivery and the quality of governance (to verify the information that was presented by the Department during the house-based oversight with the information collected during the field-based oversight).

#### **4.3.4.2 Enhancing the oversight and accountability role of the Portfolio Committee on Education**

Some respondents reported that although Members felt that the Committee had showed a lot of improvements since 2014, there were still some areas that required improvements. Improvements in the system can be made by various means such as short and long term measures. For example, when deploying Members of Legislature to the Committees, their aptitude, interests and expertise should be taken into consideration. Their professional experiences and interests can be considered while making deployments with a view of ensuring that their expertise could be available to the Committees (Barnhart, 1999: 65,185). Some respondents suggested that good relations between the Committee and the Department were crucial for enhancing and strengthening oversight role. Mle and Qwase (201:404), support this view, maintaining that Committee Members and Departmental officials are like two sides of the same coin, and both share the same goal of a better life for all through effective and efficient provisioning of services to the communities.

They further suggested that regular interactions and joint strategic planning sessions are important in forming unity between the two parties. An effort by the Departmental officials to understand how the Portfolio Committee operates and what their expectations are can assist in building a good relationship between the two parties and thus enhance effective oversight. Implementation of the SOM was also suggested by respondents as another way in which the Committee could enhance its performance while busy with oversight. SOM is an oversight framework developed by the South African Legislative Sector to guide and enhance the constitutional mandate of oversight by the Legislatures. SOM was launched in 2012 and most of the Legislatures have already adopted this model. In the Limpopo Legislature, Members are being trained on SOM though in its partial implementation phase.

#### **4.3.4.3 Reasons for poor performance by the Department**

Respondents mentioned various reasons as the causes for poor performance by the Department. It was indicated that the main challenge is that the department has a tendency of misinforming the Committee about some of its activities. For example, the Committee was briefed by the Department on several occasions and was assured that all schools received textbooks in 2011, however, the Department was taken to task by the Section 27 institution about the non-delivery of textbooks and consequently the Department was placed under Section 100 by the National Department of Treasury. Makhado *et al.*, (2012:4) state that Committees' are reactive rather than proactive to documents they receive from Departments and in most cases, will be dealing with the past issues.

The respondents also raised an issue of non-cooperation by the Department. In most instances, the Department has failed to provide the Office of the Auditor-General and the Portfolio Committee with accurate information regarding their financials.

Appendix 2 provides information on the Department's performance as per the Auditor-General's audit findings. The table reflects in appendix 2 that the Department had regressed in the year 2011/12 as compared to 2010/11 financial year. It also reflects that the Department received disclaimers three years in succession since 2011/12 financial year. Appendix 2 revealed that the Department has developed a tendency not to implement the Committee's recommendations.

Mle and Qwase (2010:409) raised a concern that Departmental officials have a perception that Committees summon Departmental officials to "grill" them and not to assist in overcome challenges they encounter in their Departments. This causes them not to implement any decisions, recommendation or advice by the Portfolio Committee. Lack of implementation of the Committee's recommendation and non-cooperation by the Department with the Office of the Auditor-General deters the performance of the Department Members.

#### **4.3.4.5 What needs to be done to improve the performance of the Department?**

It can therefore be deduced from the information given by the respondents that vigorous oversight by the Committee is essential as it promotes accountability of the Executive. The Committee should pay regular visits to the Department not only to oversee their activities, but to come to know the Departments better and to familiarize themselves with the challenges that the Departments are faced with. A good working relationship between the two structures will go a long way in assisting the Department to improve their performance.

According to Mle and Qwase (201:404), Committee Members and Departmental officials are like two sides of the same coin, and both share the same goal of a better life for all through effective and efficient provisioning of services to the communities.

Regular interactions and joint strategic planning sessions are therefore crucial for unity to be formed by the two parties. An effort by the Departmental officials said to understand how the Portfolio Committee operates and their expectations can assist in building a good relationship between the two parties and thus improve performance of the Department. Some respondents were of the opinion that the intervention by the Office of the Premier and Provincial Treasury Department was necessary, where they invoked Section 18 of the PFMA to assist the Department with challenges that led them to receiving disclaimers.

#### **4.4 CONCLUSION**

This chapter presented the results of the study conducted. The results were based on the four themes which were generated from the issues discussed during the interviews. It further indicated the link between the literature review and the data collected through interviews.

Substantial amounts of the study's findings supported the literature on issues such as the oversight role of the Portfolio Committee and accountability by the Department. In some instances, respondents had different views on issues such as the level of influence of the Portfolio Committee on the budget of the Department and also on level in which the Department implements the recommendations of the Portfolio Committee.



## CHAPTER 5: CONCLUSIONS AND RECOMMENDATIONS

### 5.1 INTRODUCTION

The previous chapter presented the results and interpretation of the study based on the themes which were generated from the objectives of this study. This chapter provides an overview of the chapters that were covered in the study. It further presents the study's findings and conclusions, and recommendations for future research.

The study was conducted in the Limpopo Legislature, using purposive sampling method to explore the oversight role of the Portfolio Committee on Education in holding the Department of Basic Education accountable. Data was obtained using semi-structured face-to-face and telephone interviews, as well as documentary analysis. The study was qualitative in nature and used qualitative data analysis and interpretation to analyze the research findings.

### 5.2 OVERVIEW OF THE CHAPTERS

To achieve the study's objectives, the researcher developed the following chapters:

**Chapter one:** provided the introduction and background of the study. It outlined the research problem, aim, objectives, research questions, and definition of concepts pertinent to the study. The significance of the study was also highlighted in this chapter.

**Chapter two:** reviewed literature in the oversight and accountability fields, and the role of the Portfolio Committee on the accountability of the Limpopo Department of Education.

**Chapter three:** focused on research methodology. It explained the rationale behind the selection of adopted research designs, methodology, population, sampling and data gathering techniques used in the study.

**Chapter four:** presented the findings as informed by the research questions and objectives, data and analysis of the results of the study.

The findings were divided into four themes, namely; experience and proficiency of Members, the oversight role of the Members of the Portfolio Committee on Education; accountability role of the Department's account; and performance of the Portfolio Committee and the Department.

**Chapter five:** provided conclusions and recommendations of the study as informed by the data collected.

### **5.3 SUMMARY OF FINDINGS**

This study was undertaken to evaluate the effectiveness of the oversight role of the Portfolio Committee on the accountability of the Limpopo Department of Education. The findings of the Auditor-General (2012-2015) revealed that the Limpopo Department of Basic Education was underperforming. These findings led the Department of Basic Education to acquire qualified reports and disclaimers. In 2012, the underperformance of the Department of Basic Education drew the attention of the media and opposition parties when it was discovered that many schools in the province did not receive textbooks. This reflected a serious failure by the Executives to fulfill its duties and uphold the basic rights of children. Although there are still gaps and challenges as far as the oversight role of the Committee is concerned, the Portfolio Committee on Education took it upon itself to ensure that the textbook crisis was adequately addressed and that the Departmental performance improved. The findings will be summarized and presented according to the developed themes.

#### **5.3.1 Experience and proficiency of Members**

Most Members only served two terms which means that at the beginning of each term there will be new Members. These new Members must first learn how the systems operate before doing the actual job, by the time they are familiar with how things are done, their term will be coming to an end. It can be concluded, therefore, that for a Member of a Legislature to be able to effectively execute their duties they must have served more than two terms. Continuity and stability in Committee.

Membership plays a major role in improving cooperation between Members and assists in the development of a more substantial and professional relationship between the Committee and the Department. As indicated in chapter 4, lack of continuity of the Members of the Legislature has a negative impact on their performance.

The study revealed that Members of the Committee were provided with sufficient training and workshops – based on this, it is suggested that Members are well capacitated and have the necessary skills and knowledge to successfully carry out their jobs. The study also revealed that there is still a need for continuous in training to ensure that Members have sufficient expertise and knowledge to help them better understand the oversight function.

### **5.3.2 The oversight role of the Members of the Portfolio Committee on Education**

Members of the Committee had an in-depth understanding of their oversight role and authority over the Department, yet the Department of Basic Education has the responsibility of overseeing its performance. Although the focus of the oversight function is to hold the Department accountable, the Committee is also expected to seek remedial action based on the themes which were generated from the objectives of this study. Consequently, it becomes imperative for the Committee to understand the proactive oversight role as opposed to being reactive during a crisis.

With regards to understanding the purpose of the oversight function based on the themes which were generated from the objectives of this study, the study revealed that there was a common understanding amongst Members of the Committee. However, it also emerged strongly that Members of the Portfolio Committee do not always have access to proper information about the Department and, in addition, are not always aware of the information that might be available for them to exercise their oversight role.

The study further revealed that the effectiveness of the Portfolio Committee has a direct impact on the implementation plan of Departmental programmes. This is contrary to the findings of this study; it has been observed that the Department has been disclaimed by the Auditor-General since 2011/12 financial to date.

This either implies that the Portfolio Committee may be ineffective or effective but not at the desired level of influencing Departments performance.

### **5.3.3 Accountability role of the Department of Basic Education**

The Department has a constitutional obligation of submitting progress reports to the Portfolio Committee on Education on a quarterly and annual basis.

Although the Department complies with what it is documented in the literature (i.e., tabulating of quarterly and annual reports, annual performance plans and budgets), there is still room for improvement, more specifically on the quality of reports submitted and the credibility of information given to the Portfolio Committee, SCOPA and AG Offices.

Furthermore, the findings of this study revealed that the Committee has no influence on the Department's budget. Thus, it can be concluded that some of the budget challenges experienced by the Department are due to the fact that the Committee plays a re-active rather than pro-active oversight when dealing with the Department's budget.

The findings of this study suggest that the Department accounts to the Committee whenever it is required to (by submitting quarterly and annual reports). It was further discovered that the Department has a tendency of submitting poor quality report; this was evidenced in the Department's poor financial statements and performance information submitted for auditing purposes. It can therefore be concluded that inaccurate information, lack of co-operation and poor quality reports has a negative impact on the effectiveness of the oversight work of the Committee and the performance of the Department, thus impeding the delivery of quality education to the province.

The study made a significant impact on the basis that the Committee does not hold any power to implement any punitive measures; this responsibility falls on the Department itself. The notion was contrary to what is documented in the literature which revealed that the Committee can influence the implementation of policies. This suggests that although the Committee does not take disciplinary measures against the Departmental officials who contravene rules and regulations, Committee Members have the powers to compel the Department to implement such measures against the culprits.

With regards to the implementation of the House resolutions and the recommendations of the Committee, the study indicated a significant degree of consensus.

It suggested that the Department, to some extent, implements the resolutions of the House and recommendations of the Committee. The literature, on the other hand, suggests a different view; it revealed that the Departmental officials do not accept the mandate of Committees and that the Departmental officials do not implement or value the recommendations made by the Committees. This could imply that in order for the Department to value and implement the Committees recommendations, there is a need for the Committee to exert more pressure to the Department by following up and engaging with the Department on progress of the issues dealt with during previous meetings.

#### **5.3.4 Performance of the Portfolio Committee**

The study revealed that Members of the Portfolio Committee on Education have moved from house-based oversight to field-based oversight (i.e., they devote most of their time conducting site visits than having boardroom meetings with the Department). The Committee should not only monitor the Departmental projects, it should have an influence on the programmes and budget that will improve the performance of the Department. Even though the study revealed that Committee Members displayed an in-depth understanding of their oversight role over the Department, the Department still received qualified reports and disclaimers.

With regards to the poor performance of the Department, the study revealed several reasons that were the cause. These included issues such as; the Department misinforming the Committee about activities in the Department, submission of poor quality reports, non-compliance with rules and regulations, PFMA and other policies, deviation from the budget, unwillingness to implement the Committee's recommendations and failure to submit required documents to SCOPA and AG Offices.

#### **5.4 CONCLUSIONS DRAWN FROM THE FINDINGS**

The following conclusions were drawn from the findings of the study:

#### **5.4.1 Experience and proficiency of Members**

Members of the Portfolio Committee are well capacitated and have been equipped with the necessary skills and knowledge to successfully execute their jobs.

There is also a need for continuous training to ensure that Members have sufficient expertise and knowledge to assist them in better understanding the oversight function.

#### **5.4.2 The oversight role of the Members of the Portfolio Committee on Education**

Due to insufficient knowledge of information about the Department, the Committee tends to be reactive than proactive. This impacts the ideal constructive oversight relationship between the Committees and the Department, hence the poor performance by the Department.

The conclusion drawn with regards to the effectiveness of the role of the Committee while overseeing the Department, was that the Portfolio Committee might be effective but not at the desired level of influencing the Departments performance. It was also concluded that the Portfolio Committee does not exercise its powers fully to exert pressure on the Department to improve its performance as far as the budget is concerned.

#### **5.4.3 Accountability role of the Department of Basic Education**

It was concluded that inaccurate information, lack of co-operation and poor quality reports have a negative impact on the effectiveness of the oversight work of the Committee and the performance of the Department, thus impeding the delivery of quality education to the province. It was further cautioned that should these challenges not be addressed, the Department's performance would deteriorate.

#### **5.4.4 Performance of the Portfolio Committee**

Oversight will remain ineffective if it does not have a positive and direct impact on the performance of the Department. As such, the conclusion drawn was that there is a need to strengthen oversight.

## **5.5 RECOMMENDATIONS**

This section presents the recommendations that may assist in improving Departments performance and oversight role. The following recommendations stem from the conclusions of the study:

### **5.5.1 Oversight role of the Members of the Portfolio Committee on Education**

Firstly, it appears that Committee Members had a good understanding of what oversight is and should also have a clear understanding over the Department which they are conducting oversight for. The ultimate goal of the oversight function of the Committee is to ensure that those entrusted with public money are held accountable, and that through the allocated money quality education is provided to all in the province.

Secondly, it is crucial that the Committee monitors the Department's budget to ensure that the funds allocated to different programmes are used appropriately. Therefore, Members must be educated on how to perform financial oversight functions.

Thirdly, the key functions of Committee's oversight should be to detect and prevent abuse of public funds, arbitrary behaviour or illegal and unconstitutional conduct on the part of the Department. Therefore, meaningful oversight and accountability practices are essential to ensure that allocated funds are spent appropriately and that there is no wastage of resources on fruitless expenditure or corruption.

Fourthly, the Committee should be proactive when conducting oversight; this enables them to detect issues that may later result in challenges. Furthermore, the Committee must engage the Department on such issues – in order to avoid delay in the provision of quality education to the communities and the realization of good governance.

Lastly, to enhance the oversight function of the Committees, it is recommended that the Limpopo Legislature should speedily implement the sector oversight model.

The implementation of this model will enhance the effectiveness of Legislatures in their different areas of competency to support service delivery, thereby improving the quality of life for the people of Limpopo.

### **5.5.2 The accountability role of the Department of Education**

Firstly, it is recommended that the Department should ensure that resolutions of the House and recommendations made by the Committee are implemented and that a system for tracking resolutions must be put in place to ensure regular follow-up on matters that are dealt with at Committee level.

Additionally, it is necessary for the Committee to use its authority more effectively to exert pressure on the Department to hold them accountable to ensure compliance with rules and regulations governing PFMA.

Lastly, when issues of misappropriation of funds or embezzlement of taxpayers' money by any of the public officials arise, the Accounting Officer should be summoned to appear before the Committee to account for all financial transactions.

### **5.6 CONCLUDING REMARKS**

The study established that although Members of the Committee portrayed an in-depth knowledge and understanding of how to exercise their oversight role over the Department of Education, there are several challenges that deter the effectiveness of the Committee. Some of these challenges include; poor relations between the Committee and Departmental officials, overseeing the Departments of Education, oversight visits that are reactively conducted by the Committee, lack of effective financial systems to monitor the budget of the Department and lack of co-operation by the Department when dealing with SCOPA and AG Offices.



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**APPENDIX 1: RECOMMENDATIONS MADE BY THE PORTFOLIO COMMITTEE ON EDUCATION ON THE APP AND BUDGETS OF THE DEPARTMENT OF BASIC EDUCATION FROM 2012-2015**

	2012	2013	2014	2015
1.	That the government should ensure that the focus remains on its core mandates, which is to provide quality education for all in the province	That the Department should ensure that the focus remain on its core mandates, which is to provide quality education for all in the province	Ensure that the focus remains on its core mandates, which is to provide quality education for all in the province.	Ensure that the focus remains on its core mandates, which is to provide quality education for all in the province.
2.	<i>Strengthen the finance unit, to ensure that the budget is well managed</i>	<i>Strengthen the finance unit, to ensure that the budget is well managed</i>	<i>Strengthen the finance unit to ensure that the budget is well managed and refrain from incurring unauthorised, irregular fruitless, and wasteful expenditures</i>	<i>Strengthen the finance unit to ensure that the budget is well managed and refrain from incurring unauthorised, irregular fruitless and wasteful expenditures</i>
3.	Be consistent when reporting and ensure that accurate and reliable information is	Funds allocated to independent schools should be moved to programme 2 to address the issues of	Ensure that learners in quintile 1 and 2 that live within the 5km radius away from the	Ensure that learners in quintile 1 and 2 that live within the 5km radius

	presented to the Committee	infrastructure and provision of basic services to public ordinary schools	school should benefit from scholar transport	away from the school should benefit from scholar transport
4.	Funds allocated to independent schools should be moved to programme 2 to address the issues provision of basic services to public ordinary schools	Clear action plans to effectively address the backlog on provision of basic services to create a conducive environment for learners to learn and enhance teaching	Ensure that independent schools are properly monitored and assessed on an ongoing basis	Ensure that independent schools are properly monitored and assessed on an ongoing basis
5.	Clear action plans to effectively address the backlog on provision of basic services to create a conducive environment for learners to learn and enhance teaching	Ensure that independent schools are properly monitored and assessed on an ongoing basis	Ensure that the allocated budget is effectively, efficiently and economically used to benefit all schools	Ensure that the allocated budget is effectively, efficiently and economically used to benefit all schools
6.	Ensure that the independent schools are properly monitored and assessed on an ongoing basis	Ensure that all schools are allocated curriculum advisors	Ensure that infrastructure challenges are well addressed and that educational resources for learners with special needs are catered for	Intensify the ECD Programme to improve the quality of learning and teaching



7.	Continue to support FET colleges to ensure that students are provided with necessary skills that are needed for the socio-economic development of our country	Ensure that all subjects have curriculum advisors and that they are well capacitated	Intensify the ECD Programme to improve the quality of learning and teaching	Consider the relocation of ECD to the Department of Education. That should be done in accordance to the Regulations and Legislative policies that govern the provision of ECD learning
8.			Consider relocation of ECD to the Department of Education. This should be done in accordance with the Regulations and Legislative policies that govern the provision of ECD learning	Build or develop an IT tracking system that would be used to track the number of textbooks that have been submitted to school
9.			Build or develop an IT tracking system that would be used to track the number of textbooks that have been submitted to schools	

10.			Co-operate with the Department of Treasury and the Auditor-General's Office and accord them with the respect they deserve in accordance with Section 41 of the PFM	
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**APPENDIX 2: Summary of audit opinion of the AG between 2011/12 to 2013/14 Financial Years**

DESCRIPTION	2011/12	2012/13	2013/14	2014/15
<b>Audit Opinions</b>	<b>Disclaimer</b>	<b>Disclaimer</b>	<b>Disclaimer</b>	<b>Disclaimer</b>
<b>Areas of Qualification</b>				
1. Immovable Tangible Capital Asset	X	X	X	X
2. Movable Tangible Asset	X	X	X	X
3. Cash and cash equivalents			X	-
4. Receivables	X	X	X	X
5. Compensation of employees	X	X	X	X
6. Expenditure / Goods and services	X		X	-
7. Commitments	X	X	X	X

8. Accruals	X	X	X	X
9. Unauthorised expenditure	XR175.2m	XR99.6m	X	-
10. Irregular expenditure	X		X	X
11. Fruitless and wasteful expenditure	X	X	X	X
12. Contingent liabilities	X		X	X
13. Receivables				X

***Source: Analysis Report of the Portfolio Committee on Education: 2014/15 Annual Report of the Department of Education***

**ANNEXURE A: INSTITUTIONAL APPROVAL**

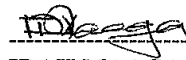
**TO : THE SECRETARY**  
**FROM : MAAGA IX, STUDENT NO. 9228947, TGSL, LIMPOPO UNIVERSITY**  
**DATE : 01 JULY 2016**  
**SUBJECT : REQUEST TO CONDUCT RESEARCH FOR ACADEMIC PURPOSES**

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I am currently studying with Limpopo University, Turfloop Graduate School of Leadership towards the Degree of Masters of Public Administration. I hereby request your permission to conduct an academic research as part of the fulfillment of the requirement for completion of my degree.

My research topic is "Evaluating the Impact of the Oversight by the Portfolio Committee on Education: Limpopo Legislature.

Yours sincerely



-----  
**IDAH MAAGA**  
**COMMITTEE CO-ORDINATOR**

**APPROVED/NOT**  
**APPROVED**.....



-----  
**SIMON MOTHOA**  
**ACTING SECRETARY: LIMPOPO PROVINCIAL LEGISLATURE**

**ANNEXURE B: INTERVIEW SCHEDULE FOR MEMBERS OF THE LIMPOPO LEGISLATURE PORTFOLIO COMMITTEE ON EDUCATION**

The aim of the study is to determine the factors that affect the effectiveness of the oversight role of the Limpopo Legislature Portfolio Committee on Education.

Honourable Member,

*Please answer the questions to the best of your ability. Your accurate and objective response in answering questions is of vital importance as it will be used to determine the effectiveness of the Portfolio Committee on Education in exercising its oversight role over the Limpopo Department of Education. **There are no right or wrong answers. This questionnaire aims to explore your experiences and your perspectives on the operations of the Portfolio Committee.***

1. For how many terms have you been a Member of Education Portfolio Committee? (PLEASE TICK ONE OPTION)

1 <sup>st</sup> Term	2 <sup>nd</sup> Term	3 <sup>rd</sup> Term	4 <sup>th</sup> Term	5 <sup>th</sup> Term

2. Were you inducted into what you were supposed to do as a Member of the Education Portfolio Committee? (PLEASE TICK ONE OPTION)

YES	NO

3. Are there any regular training programmes provided to keep the Committee Members abreast with current issues pertaining to their jobs? (PLEASE TICK ONE OPTION)

YES	NO

4. What type of training did you attend?

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5. From your point of view, do you think the training programmes provided were adequate?

YES	NO

6. If **No**, what other programmes do you think will be necessary for you as a Member of the Committee?

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7. What is your role as a Member of the Portfolio Committee on Education?

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8. In your opinion, why was the Portfolio Committee on Education established?

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9. What is the purpose of oversight and how was it understood by you, as a Member of the Limpopo Legislature?

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10. How effective, in your opinion, is the Committee in carrying out its oversight function? Please list examples.

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11. How does the Department of Basic Education account to the Limpopo Legislature?

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.....

12. Do you think the Committee successfully influenced the Department's budget?  
(PLEASE TICK ONE OPTION)

<b>YES</b>	<b>NO</b>

13. If **Yes**, at which state of budgeting did the committee influence the budget of the Department?

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14. If **No**, please explain the reasoning.

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15. Has the Department accounted to the Legislature and the Committee? (PLEASE TICK ONE OPTION)

YES	NO

16. If **No**, please elaborate why the Department is not accounting to the Legislature and Committee?

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17. How does the Committee deal with the failure of the Department to account?

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18. Have you observed any punitive measures taken against officials who failed to comply with rules and regulations governing public finance management? (PLEASE TICK ONE OPTION)

YES	NO



19. If **No**, what needs to be done to ensure that appropriate action is taken against officials who contravene the provisions of Performance Finance Management Act?

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20. How effective have such measures been, in addressing non-compliance to the provisions of the Public Finance Management Act? (PLEASE TICK ONE OPTION)

VERY EFFECTIVE	EFFECTIVE	NOT EFFECTIVE	NOT SURE

21. From your experience, do you think the Department implements the resolutions of the House (the Legislature) and the recommendations made by the Committee? (PLEASE TICK ONE OPTION)

YES	NO

22. If **Yes**, please tick the level of resolutions implementations?

Fully implemented	Partially implemented	Not implemented

23. If **No**, what needs to be done to ensure that the House resolutions and Committee recommendations are fully implemented?

.....  
 .....  
 .....  
 .....  
 .....

24. Since the establishment of the Fifth Legislature in 2014, has there been any improvement in the performance of oversight by the Committee? (PLEASE TICK ONE OPTION)

YES	NO

25. If **No**, please explain why there is no improvement in the performance of oversight by the Committee?

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26. What needs be done to ensure that the Committee performs to its best when it comes to oversight and accountability?

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27. Do you think the Department of Basic Education is performing to the expected level? (PLEASE TICK ONE OPTION)

YES	NO

28. If **Yes**, why is the Department getting disclaimers?

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29. In your opinion, what are the reasons for poor performance of the Department?

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30. What needs to be done to improve performance from the Department, considering that the Department has been receiving disclaimers for the past three financial years?

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31. Any additional information?

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**THANK YOU FOR YOUR PARTICIPATION.**

**ANNEXTURE C : OBSERVATION SHEET USED DURING MEETINGS WITH THE DEPARTMENT**

<b>OBSERVATION</b>	<b>COMMENTS</b>
Process followed to conduct meetings	
Engagement of department by the Committee during meetings	
Capability of the Committee to engage with the department	
Gestures of Members when the department respond	
Ability of the Committee to make follow-ups	
Responses by the department	
Attitudes of department in responding to the department	
Transparency and accuracy of the departmental responses	
Ability of the Members to check on issues of accountability	
Seniority within the party ( Ruling Party)	

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Reg. No. 2016/488856/07



14 December 2016

To Whom It May Concern

### **Proof of Language Editing**

This letter serves to confirm that the mini-dissertation titled: *Evaluating the effectiveness of the oversight role of the Portfolio Committee on the accountability of the Limpopo Department of Education, South Africa*, by Idah Xikombiso Maaga, has been edited by NIM Editorial.

Apart from editing and proofreading, we made corrections in grammar, spelling and formatting of the mini-dissertation.

Should you wish to clarify anything, please feel free to contact us on any of our contact details included in this letter.

Regards,  
NIM Editorial