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A National Implementation Framework towards the Professionalisation  
of the Public Service

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## EXECUTIVE SUMMARY

Globally, public services are seized with the issues of professionalism and the professionalisation of their employees and operations. South Africa is no exception, with various initiatives undertaken to ensure that the Public Service is pertinent for democracy and the envisaged developmental state. The draft National Implementation Framework combines various sources as well as views shaping the discourse on professionalisation in public administration and governance.

Chapter 10 of the *Constitution of the Republic of South Africa (1996)* (hereafter, referred to as the Constitution) states that one of the basic values and principles governing public administration requires that a high standard of professional ethics must be promoted and maintained. These values and principles are applicable to administration in every sphere of government; organs of state; and public enterprises. Section 239 of the Constitution defines an “organ of state” as any department of state or administration in the national, provincial or local sphere of government; or any other functionary or institution exercising a power or performing a function in terms of the Constitution or a provincial constitution; or exercising a public power or performing a public function in terms of any legislation but does not include a court or judicial officer. The framework document uses the terms “public service”, “public sector” and “public administration” interchangeably – and has to be understood in the context of the Constitution in defining public administration and organs of state.

Section 197 of the Constitution stipulates that public service is within public administration, which is a broad body with multiple institutional arrangements, consisting of the Public Service and other related institutions. By implication then, a public servant is defined broadly as someone who works in public administration. This framework document will use the term ‘public servant’ to refer to employees in any institution within public administration. Moreover, such employees will inevitably have varied conditions of service, responsibilities, levels of accountability and different tenure arrangements.

The framework document draws an important distinction between being *professional* and *professionalism* (which are the practices, conduct, values and behaviour regardless of training, qualifications and levels of responsibility) with the concept of *professionalisation* (which is about changing individual attitudes, behaviour and performance towards serving the public). It is a values aspect which is about observing and serving people with empathy in accordance with the Constitution, *Batho Pele* and the *Public Service Charter*. Professionalising also means having qualified people who know what they are doing and are fully equipped to perform their jobs with diligence. This entails continuous development, which makes public servants more competitive by sharpening their “know-how”.

Importantly, this also requires the professionalisation of certain categories of occupations in the public service, over and above what is already recognised through statutory professional bodies. In the same way that health workers are recognised as a sector and belong to professional bodies which regulates their trade, the state needs to expand this to cover other public service occupations. In furtherance of this initiative, pre-entry exams and compulsory integrity tests must be introduced across levels and sectors.

Professionalising the Public Service requires a non-partisan approach. For this to be realised, the Public Service must be depoliticised and government departments must be insulated from the politics or political parties. The bureaucracy must continue to loyally and diligently implement the political mandate set by voters and the party, but to refrain from being political actors themselves. To achieve this distinction would require a few decisive reforms, including extending the tenure of Heads of Department (HoD), creating the post of Head of the Public Service, implementing occupation specific competency assessments (not just the generic competency assessments currently in use), ensuring rotation of HoDs every 7 years (while at the same time, implementing the revolving door policy and making secondment policy more flexible) and involving the Public Service Commission (PSC) or their nominated experts in the interviews of Deputy Directors-General (DDGs) and Directors-General (DGs).

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## SECTION 1: INTRODUCTION

## 1. PURPOSE AND OBJECTIVES OF THE NATIONAL IMPLEMENTATION FRAMEWORK

1.1 The purpose of this document is to develop a national implementation framework towards the professionalisation of the Public Service. Under the leadership of the Minister for the Public Service and Administration (MPSA) and mandated through the Governance, State Capacity and Institutional Development (GSCID) Cluster, the Department of Public Service and Administration (DPSA) and the National School of Government (NSG) have been instrumental in conceptualising this document and undertaking consultations thus far.

1.2 Finally, the framework was also tabled at the Cabinet meeting held on 18 November 2020, and the decision of Cabinet was as follows:

*“Cabinet approved publication of the draft national implementation framework towards the professionalisation of the Public Service. This is in line with the commitment made by the sixth administration to create a capable, ethical and developmental Public Service. The framework proposes five critical professionalisation pillars which will be led by the National School of Government (NSG), in partnership with various institutions of learning. The five pillars include pre-entry recruitment and selection within the public service; induction and onboarding; planning and performance management; continuous learning and professional development, and career progression and career incidents”.*

1.3 The objectives of the framework are as follows:

- a. Entrenching a dynamic system of professionalisation in the Public Service.
- b. Strengthening and enabling the legal and policy instruments to professionalise categories of occupations in the Public Service.
- c. Enhancing and building partnerships and relationships with professional bodies.
- d. Ensuring meritocracy in the recruitment and career management of public servants, which are in line with National Development Plan and the Medium Term Strategic Framework.
- e. Initiating consequence management for material irregularities through the transgression mechanisms available to professional bodies and the *Public Audit Amendment Act* of (Act 5 of 2018)

1.4 While public servants who belong to professions such as teaching, nursing, auditing, engineering, law, medicine etc. have the dual benefit, or burden, of navigating their way through detailed codes of conducts that are externally managed, the majority of public servants whose occupations are not regulated by any independent professional association place reliance on the existing generic framework used by the Public Service. This is notwithstanding the lack of clarity and mechanisms on how the Public Service is leveraging the benefits of external professional membership to enhance the professionalism of its employees, where applicable. The existence of externally managed/moderated professions as well as ‘non-professionalised’ professions within the Public Service, if not systematically addressed, has the potential to derail debates and processes to professionalise the Public Service.

- 1.5 This framework provides the State with an opportunity to develop key actions and systems to ensure the professionalisation of the Public Service. The ultimate outcome is to ensure a responsive, meritocratic and professionalised public administration in the service of the people.

## 2. INTRODUCTION

- 2.1 In recent years, and, in particular, since the adoption of the *National Development Plan: (NDP: Vision 2030)*, there has been a substantive amount of discussion about the professionalisation of the Public Service. However, it can be argued that despite the studies carried out around professionalisation, there is little or no clarity as to exactly what it means and how it can be implemented. There seems to be a varying set of thoughts, expressed in insular terms, each one of which seeks to explain definitively what the concept of the professionalisation of the Public Service means.

According to chapter 13 of the *National Development Plan*, “the public service should attract highly skilled people and cultivate a sense of professional common purpose and a commitment to developmental goals”. To achieve this, according to chapter 13,

“South Africa needs a two-pronged approach to building a more professional public service from the top and the bottom” and to “increase the pool of skilled people by ensuring that the public service and local government become careers of choice for graduates who wish to contribute to the development of the country”.

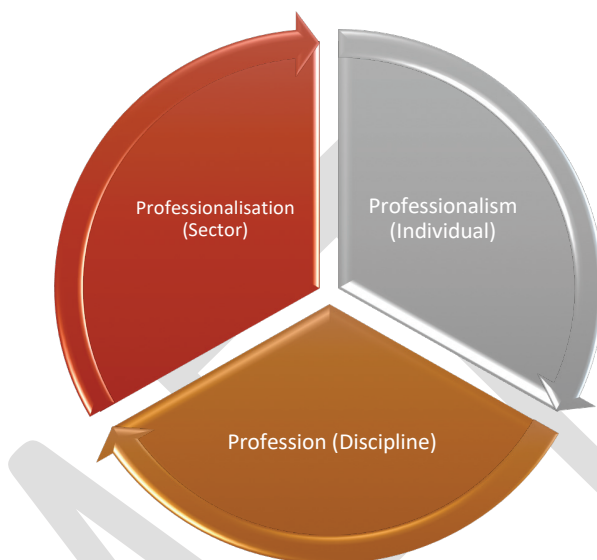
- 2.2 The current *Medium Term Strategic Framework (MTSF 2019-2024)* of Government, commits explicitly to the professionalisation of the Public Service as an imperative for the building of a capable, ethical and developmental state. The work of professionalising the Public Service is part of a bigger project of strengthening state capacity – thus it must be seen as one element of such. Other elements of this bigger project, which are all interlinked are: (i) the *White Paper process on the Transformation and Modernisation of Public Administration*; and (ii) appointment of a Head of the Public Service.

“A professional Public Service is one where people are recruited and promoted on the basis of merit and potential, rather than connections or political allegiance. This requires rigorous and transparent recruitment mechanisms. However, the Public Service will not be effective if it is elitist and aloof.

Public servants need to have an in-depth understanding of the sections of society with which they work. A highly skilled public service should also be representative of, and connected to, the communities it serves” – chapter 13 of the NDP

- 2.3 There is an assumption that professionalism is or should be an inherent characteristic in public representatives and public servants alike. However, experience has shown that this is merely wishful thinking and there is often little professionalism evident. Notwithstanding the reality, it is a justifiable expectation that a person who works as a public representative or a public servant must present a professional attitude at all times when dealing with the issues and concerns of those that he/she is expected to serve. There is also an assumption that people who have academic qualifications or are taken through some form training on the Code of Conduct and other programmes will demonstrate the required levels of professionalism in any profession, including those contained within the Public Service. However, there is adequate evidence from both the public and private sectors that

qualifications, in isolation from other essential elements of professions such as academic and social values, are the worst predictors of professionalism. Hence, in addition to meritocratic appointments and promotions, the Constitutional Values and Principles are the cornerstone upon which to build a Public Service that is ethical, responsible and accountable.



- 2.4 Professionalism is not only conduct that people adopt daily as they venture out to work or serve, in the way that the Constitution demands of public representatives and public servants. Professional conduct also includes such elements as how one speaks to others – co-workers, customers, or members of the public in the course of performing their duties. Respect, dignity, integrity, courteous behaviour, treating people with equality and observing non-racialism are all elements of professional conduct. So, while someone in the Public Service may be expected to be inherently imbued with the qualities of professionalism, it cannot be taken as a given that this behaviour will be routinely displayed. Standards and approaches should be entrenched and public representatives and public servants ought to be trained or taught to take the right decisions and actions that will reflect their professional conduct.
- 2.5 The following are some of the more pronounced concepts on the matter of the professionalisation of the Public Service:
- a. Professionalisation of the Public Service means that all public servants become a composite group of workers, subject to a single dispensation of professional registration and regulation, which is predicated on the view that they all work for the State in order to deliver a range of services to the people. This concept is seen as inextricably linked to the notion of the establishment of a single Public Service<sup>1</sup> across national and provincial government departments, municipalities and their entities.
  - b. Professionalisation of the Public Service simply refers to the subscription by all public servants to the values espoused in the *Public Service Charter*. In this context, public servants are required to live the commitment of upholding the



principles of *Batho Pele* by showing empathy towards the plight of the citizenry, especially those who rely on government goods and services for their daily living.

- c. Professionalisation of the Public Service refers to the uninterrupted career longevity of public servants who are there to do their job, regardless of any changes of Ministers, Members of the Executive Council or Councillors within the governing party in charge of the administration, or changes to political parties after elections. In this context, professionalisation is considered as the creation of an environment of integrity that insulates public servants from any political interference, which in turn, is viewed as a precondition for Government becoming an employer of choice by people who wish to pursue their job careers for a life time.
- d. The professionalisation of the Public Service is about according full recognition of the various professional categories within the Public Service, and subjecting them to registration with externally regulated professional bodies and associations. It also refers to the creation of additional professional categories of workers who are linked to some form of training, which leads to the external regulation of such categories of workers according to a particular standard, code of conduct and ethical framework.

One element of professionalisation is to help competent people with the know-how to sharpen State administration and governance.

2.6 It may be necessary to consider whether to treat these concepts as insular, stand-alone perspectives on this complex and dynamic matter, or to take a combination of the best elements of each of them, without according superiority of one over the others. The value system embraced by the *Constitution of the Republic of South Africa (1996)* is the starting point of every public administration and public service practice. It is the realisation of the fundamental rights and values in the Constitution that is the essence of South Africa's concept of professionalism which public servants and public administrators are duty bound to pursue with a strong nationalist vigour. Consistent with this value system, the Constitutional Values and Principles in section 195 of the Constitution prescribe a particular kind of governance and public leadership for the Public Service. Section 195 is authoritative in the sense that every public official must adhere to these values and principles without fail. However, creating and sustaining a professional Public Service cannot and should not be a compliance driven process but rather a higher calling driven by adherence to the Constitution.

2.7 In the 26 years of democratic public service, there has not been any decisive interventions in the professionalisation of the Public Service. There is a greater fixation on compliance, whilst neglecting to determine how compliance impacts on matters of professionalisation and performance. In the 6<sup>th</sup> Administration, there is recognition for a call to strategic and decisive interventions to professionalise the Public Service by setting the bar far higher than that of achieving clean audit outcomes. Lack of professionalism can have detrimental consequences (viz. fruitless expenditure and service delivery protests characterised by violence and fatalities) and manifests in, for example, nepotism in the absence of formal and relevant qualifications, political interference, rivalries, lack of accountability, low staff morale, serious and growing corruption, to name but a few of the consequences (Auditor-General of South Africa, 2010: 3).

## SECTION 2: THE NEED FOR PROFESSIONALISING THE SOUTH AFRICAN PUBLIC SERVICE

### 3. THE NATIONAL DEVELOPMENT PLAN: VISION 2030

- 3.1 In order to enable sustainable and inclusive development, the NDP places emphasis on the key developmental interventions of creating jobs and livelihoods; expanding infrastructure; transforming urban and rural spaces; improving education and training; building a capable state; fighting corruption and enhancing accountability. A capable state is an essential precondition for South Africa's development. According to the NDP, "there needs to be a uniformity of effort and competence across the entire public service" or else there is a "real risk that South Africa's national plan could fail because the state is incapable of implementation."
- 3.2 The *Diagnostic Overview (2011)* outlined the need to improve the skills of public servants – but also noted the following:
- The erosion of the State's role in producing skilled professionals (e.g. the closure of teacher and nursing colleges).
  - This erosion also applies to the training of engineers, planners and artisans. Past practices of engaging professional institutes in the training, selection and development of senior managers have largely been unsuccessful, while bodies like the Institute of Municipal Finance Officers and Municipal Engineers have little influence over appointments to critical positions in the Public Service.
  - The result has been a reduction in the number of professionals available to the State, and a looming crisis in the generational reproduction of professional expertise as the ageing cohorts with expertise and knowledge continue to leave the system.
- 3.3 The NDP further notes that the search for rapid solutions has resulted in attention being shifted from the primary priorities, specifically, skills shortages and a lack of professionalism which affects all aspects of the Public Service. At the executive management echelon levels, reporting and recruitment structures have allowed too much political interference in selecting and managing senior staff. The result of this has been unnecessary turbulence in senior positions, which has undermined the morale of public servants and, more importantly, the citizens' confidence in the state, resulting in negative public trust in governance and administration. At junior levels, there has been insufficient focus on providing stimulating career paths that ensure the reproduction of skills and foster a sense of professional shared purpose. The State needs a clear vision as to

#### CHAPTER 13 OF THE NATIONAL DEVELOPMENT PLAN:

Skills, a professional ethic and a commitment to public service, should be recognised and valued at all levels of the Public Service and local government.

Many skills can only be developed "on the job", but staff are often **promoted too rapidly**, before acquiring the experience needed for senior posts. This is, in part, a reflection of skills shortages in broader society; but **specific interventions within the Public Service** can help ameliorate this.

Services cannot be delivered without people with the **necessary specialist skills and knowledge** – whether they are nurses, doctors, engineers, planners, artisans or others.

There is a **shortage of professional skills in Government**, particularly at the local level. Government requires engineers to build, maintain and operate infrastructure. Even when these functions are contracted out, Government needs to have the technical expertise to commission and oversee contractors.

where the next generation of public servants will emerge from and how specialist professional skills will be reproduced for the future.

- 3.4 Moreover, the NDP states that reforms are essential to enable public office-bearers and functionaries to perform duties competently, efficiently, and masterly (professionally) by strengthening skills, enhancing morale, clarifying lines of accountability and building an ethos for the Public Service. Thus, from a public service perspective, the identification of service delivery constraints are paramount and are addressed in Chapter 13 of the NDP. As such, the NDP (2012: 364) states that irregular public service performance could be attributed to skills deficits and inappropriate staffing, amongst others. More importantly, the aforementioned document noted that there is a lack of a clear vision as to where the next generation of public servants will emanate from and how specialist/professional skills will be reproduced (NDP, 2012: 364). However, an aspect that is not touched on is the nature of the hypothetical professional skills that would be required by the Public Service cadre as well as how they would be acquired.
- 3.5 The NDP (2012: 371) furthermore recommends that careers in the Public Service should be deemed as careers of choice by professionals. Once again, this recommendation is made without identifying the professional skill set that would be needed to build a capable and competent labour force as well as the mechanism that would need to be utilised to achieve this. In an attempt to address the above-mentioned deficit and in the quest to build a capable and developmental state, the NDP has identified eight areas that need attention, namely to:
- a. Stabilise the political-administrative interface;
  - b. Make the Public Service and local government administration careers of choice;
  - c. Develop technical and specialist professional skills;
  - d. Strengthen delegation, accountability and oversight;
  - e. Improve inter-departmental coordination;
  - f. Take a proactive approach to improving relations between national, provincial and local government;
  - g. Strengthen local government; and
  - h. Clarify the governance of State Owned Entities.

According to the NDP, progress in these eight areas would contribute to the professionalisation of the Public Service.

#### **4. MEDIUM TERM STRATEGIC FRAMEWORK 2019-2024**

- 4.1 In support of the *NDP Vision 2030*, the *Medium Term Strategic Framework 2019 – 2024 (DPME, 2019)* sets out Government's strategic outlook for the next five years by focusing on the following priorities:

Priority 1: A Capable, Ethical and Developmental State

Priority 2: Economic Transformation and Job Creation

Priority 3: Education, Skills and Health

Priority 4: Consolidating the Social Wage through Reliable and Quality Basic Services

Priority 5: Spatial Integration, Human Settlements and Local Government

Priority 6: Social Cohesion and Safer Communities

Priority 7: A Better Africa and World.

- 4.2 Professionalisation of the Public Service is addressed through Priority 1 which underpins all seven priorities of the MTSF. Priority 1 puts forward a vision of strong leadership, a focus on people and an improved capability to implement Government plans. Facilitating this vision into action will involve a transition to a more functional and integrated Government, which is capacitated with professional, responsive and meritocratic public servants to strengthen relations and efficiency (MTSF 2019 – 2024: 29).
- 4.3 In further unpacking professionalism, the MTSF asserts that a developmental and meritocratic state has to develop professional capabilities in the areas of knowledge and skills, financial management, governance and accountability, infrastructure/facilities and equipment, operational (business process and practice) as well as ICT. The strategic framework also explains that an ethical State strengthens governance and accountability between citizens and Government. Key characteristics that should be demonstrated are honesty, ethical behaviour and integrity. Further required actions are to strengthen democratic institutions and the capability of the state to fight corruption while ensuring compliance with constitutional values and *Batho Pele* principles.
- 4.4 Outcome 3 (professional, meritocratic and ethical public administration) of Priority 1 requires the following outputs to be delivered:
  - a. A compulsory in-service training framework that is approved by 2020 and eight compulsory programmes rolled out by 2022
  - b. The recognition of professionals in the public sector by a professional body by 2023 (working in partnership with the Department of Public Service and Administration).
- 4.5 Professionalising means having a Public Service that is non-partisan. And for it to be non-partisan it must be depoliticised. In other words, departments must be insulated from the politics - the mandate of the bureaucracy is to loyally and diligently implement the political mandate, but not to be political actors themselves. To achieve this requires a few decisive reforms, including extending the tenure of HoDs, creating the post of Head of the Public Service, implementing occupation specific competency assessments (not just the generic competency assessments currently in use), rotation of HoDs every 7 years and at the same time implementing the revolving door policy (moving between academic and private institutions for limited periods in order to get more experience for the public service position), making secondment policies more flexible, and involving the Public Service Commission or their nominated experts in the interviews of DDGs and DGs.

## 5. ETHICS AND PSYCHOMETRIC TESTING

- 5.1 The ethical conduct of public servants is a foundational component of professionalism. From a systemic approach it is not adequate to only address the issue once the individual has been appointed. Dutelle and Taylor (2018:191) assert that ethical conduct needs to be considered during the recruitment process with specific reference to the following:
- a. How are the new recruits/employees tested to ensure a proper foundation in ethics-based decision making?
  - b. If testing is conducted, is it oral in nature, computer-based or written?
  - c. Does there appear to be a relationship between the age of recruits/ new employees and ethics violations?
  - d. What is the size of the organisation?
  - e. Are new recruits/employees assigned a mentor? If yes, did these employees display any incident of less/more ethics-based violations?
- 5.2 Gilman (2005) mentions that the *Stewart-Sprinthall test* was developed and applied to understand the distribution of ethical development in the public services in Russia, Poland and the United States. This diagnostic test suggested that each country required different elements within either an ethics code or a code of conduct. The variance detected was based on differing hierarchies of values (not different values) and historical experiences. The importance of this work, as well as the social psychology research at the Centre for the Study of Ethical Development at the University of Minnesota, has led to the uncovering of various key elements to deepen the understanding of what must go into an ethics code and why these will work. The first lesson is that individuals approach ethics problems with “different” lenses and therefore an ethics code must be able to address multiple levels of meaning. To clarify this, some individuals only want to know “what will happen to them” if they violate the code, others want to understand the rule. And still others want to know which principles underlie the specific rule(s). Good ethics codes should address all of these levels.
- 5.3 Because of value multiplicity in the public sector in Denmark, the authors set out to present and discuss value classifications in a typology of four modes of governance (hierarchy, clan, network, and market). Based on a survey of public managers by Andersen, Jorgensen, Kjeldsen, Pedersen and Vrangbæk (2012), a principal component analysis showed (and a confirmatory factor analysis validated) that public values can be classified in seven dimensions: the public at large, rule abidance, balancing interests, budget keeping, efficient supply, professionalism, and user focus. While these dimensions can be related to the four modes of governance mentioned above, it is also evident that the four modes of governance do not capture the full complexity of public managers’ world of values. In particular, the study revealed that political loyalty forms an additional value dimension together with being able to interpret the political climate, balance interests, and make networks. This result suggests that public managers perceive politicians as one societal actor amongst others and not as the ultimate superior in a hierarchical system. The perceived role of a public manager therefore is more that of a mediator than a loyal civil servant.



## 6. NOTION OF PROFESSIONALISATION

- 6.1 The multi-dimensional nature of the concept of professionalisation and the notion that professionalising the Public Service is a complex issue, linked to various schools of thought, is obvious in any study of the available literature. This literature review provides notes on the concepts of professionalism and professionalisation within the public service context and regulatory framework, followed by a synthesis of relevant public service sources on professionalism, initiatives to promote professionalism in other countries, and possibilities of professionalisation of public administration in South Africa. Evident in literature on the professionalisation of the Public Service is a nuanced discussion on the importance of work ethics, skills development initiatives, performance management and good governance in supporting professionalism.
- 6.2 It is important to acknowledge that professionalisation of the Public Service is mandated by the Constitution, relevant legislation and various policies. Hence, a discourse on notions relating to the professionalisation cannot fall outside the context of the Constitution and the NDP.
- 6.3 Professions began in the Middle Ages and are a subject of much sociological debate (See Abbott 1998; Freidson 2001). According to Davidson-Shivers and Barrington (2004), the degree to which an occupation is classified as a profession is subjective and evolves over time, hence a profession emerges when work becomes systematised and people must acquire relevant education and training to perform the work to a satisfactory standard and must also adhere to specific codes of conduct as they perform that work. This explains why law, medicine, the clergy and university professorates were historically regarded as “learned professions” and professions that emerged from industrialisation such as engineering, nursing, school teaching, accountancy and social work were classified as “occupational professions” (Davidson-Shivers and Barrington, 2004). However, these distinctions have become insignificant in the twenty first century because of (a) new forms of specialisation and their professionalisation within well-established professions, (b) the emergence of new occupations and professions such as those related with Information Technology, and (c) the interdependence of multiple professions and stakeholders in dealing with complex challenges. Equally, within the public sector context, a lot has been written about traditional (Mosher, 1978), hybrid (Colley & Guery, 2015) and new (Broadbent & Laughlin, 2002) professions in the Public Service, hence the cliché that the Public Service is a ‘profession with professions.’ So what does it mean for being a professional, and professionalism, in the Public Service?
- 6.4 Within the context of a profession, in its ordinary meaning, to be professional means to work and project oneself in a way that demonstrates superior levels of acquired knowledge, skills and competence as well as exemplary conduct, commitment to the profession and its associated code of ethics and service to the community.<sup>2</sup> Professionalism is therefore about the qualities and behaviour that one exhibits and the manner in which one conducts oneself in the work environment, whether it is in the public or private sector. Professionalism entails a high standard of work ethic and adherence to standards and principles pertaining to specific work, discipline and context and includes qualifications, skills, competencies and values.

- 6.5 Contrary to narrow conceptions that emphasise one or a few variables such as qualifications or experience, *professionalism is a multi-dimensional concept, process and outcome* that exists at the individual, organisational and societal level. At the individual level, it relates to traits such as skills, qualifications and experience in a given area coupled with the individual's own value system. In the second dimension, organisational ethos and their accompanying values and norms help bind members of an organisation to a common understanding of the organisation's mandate, culture and professional mission. The values and norms at both the individual and organisational level are influenced by the broader societal value system of the nation state, patriotism and the specific values and principles that bind people as a nation. Locating these levels in the South African constitutional context with specific reference to the public administration and public service means that being professional and professionalism is anchored on the Constitutional Values and Principles so as to realise the fundamental rights and values enshrined in the Constitution.
- 6.6 Although such levels of professionalism ought to be inherent in the Public Service, it is not innate to every public servant but has to be nurtured and cultivated through appropriate processes and systems within the broader public administration. To achieve this requires leadership, sound policies, skilled managers and workers, clear lines of accountability, appropriate systems, the consistent and fair application of rules and the strict adherence to the Constitutional Values and Principles in section 195 of the Constitution.
- 6.7 When the Constitutional Values and Principles are read purposefully and contextually, it becomes clear that their geneses are in fact the fundamental values in the Constitution and can be synthesised into human dignity, the achievement of equality and the advancement of human rights and freedoms. The synergy and nexus between the fundamental values and principles in section 195 of the Constitution is that the two represent the building blocks of a developmental state and a capable and professional public service. However, a development oriented public administration and a capable and professional public service as envisaged by the Constitution and the NDP will struggle to flourish if the foundational values underpinning it have not taken root. It is therefore incumbent upon the public administration and the public service to go beyond the simple textual interpretation of the Constitutional Values and Principles and reflect on the aspirations and transformative nature of the Constitution. It is only when Constitutional imperatives become second nature to every public servant and public representative that one can confidently assert that professionalism is inherent in the Public Service and that the delivery of services is in accordance with the fundamental rights and values of the Constitution.
- 6.8 Professionalism in the Public Service is more than the sum total of the qualifications, skills, experience and attributes that an individual possesses. Further, it is more than elementary compliance to the Code of Conduct and the *Batho Pele* Principles. To be professional and to exhibit professionalism in the public service requires the internalisation of the fundamental rights and values in the Constitution. In order to actualise these rights, values and principles, public officials must go beyond simple administrative competence and leadership. It would further require an effective public leadership to incorporate transformative constitutionalism into their decision making, which, in turn, requires the presence of transformational leaders who inspire their staff



to achieve outcomes that improve the capabilities of people in society so that they can also become active participants in shaping and consolidating South Africa's democracy. Building a capable and professional public service can only be realised through a form of public leadership in which public officials and public servants become stewards of the rights, values and principles in the Constitution. This level of public value orientation and leadership must be collective in nature with the obligation of senior administrators to shift their thinking toward the mobilisation and empowerment of others to create a governance system based on the fundamental Values and Principles of the Constitution that they live by.

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## SECTION 3: UNDERSTANDING PROFESSIONALISATION - THE CONSTITUTIONAL AND LEGISLATIVE CONTEXT

## 7. CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996

7.1 The *Constitution of the Republic of South Africa, 1996 (as amended)* is the supreme law of our country and provides the legal foundation for the existence of the Republic, sets out the rights and duties of its citizens, and defines the structure of the Government (Department of Justice and Constitutional Development, 2020). In this regard, South Africa is a constitutional democracy. Both the Constitution and the *National Development Plan (Vision 2030)* envisage a public service that is professional, accountable and developmental in building a capable state. The *Public Service Act, 1994*, as promulgated, the *Public Administration Management Act (Act 11 of 2014)* and the *Medium Term Strategic Framework 2019 - 2024* are all in line with the Constitution.

7.2 Section 195 (1) of the Constitution provides the basic values and principles of public administration, which includes a common ethos and value set in order to engender 'a high standard of professional ethics'. Such professional conduct includes the people-oriented and participatory manner in which policies are developed; transparency, efficiency and impartiality in rendering services; as well as accountability and integrity in management and institutional governance. Public administration also requires that good human resource management and career development practices be cultivated to maximise human potential.

7.3 The following clauses from section 195 of the Constitution provides an understanding of the Constitutional Values and Principles:

### 7.3.1 ***A high standard of professional ethics must be promoted and maintained***

On the surface, *ethics* appears to be a simple concept but delving deeper, it can be quite hard to grasp and even harder to practice. Whereas *values* determine what is "right" and what is "wrong" within a particular society, ethics is about *doing* what is right as a group or as an individual. It is a normative concept and the exercise of ethical judgement is based on the shared values embedded in a society. The *King IV Report (2016)* describes ethics as follows:

*Considering what is good and right for the self and the other, and it can be expressed in terms of the golden rule - to treat others as you would like to be treated yourself. In the context of organisations, ethics refers to ethical values applied to decision making, conduct, and the relationship between the organisation, its stakeholders and the broader society.*

Two things are significant in this description. Firstly, ethics is not about the self in isolation. It has a social quality that is relational to a given problem, situation or person. Secondly, in thinking and acting in an ethical manner, and to "treat others as you would like to be treated", the individual subjects him/herself to the cornerstone constitutional value of human dignity. In essence, ethics and the exercise of ethical judgment have, at their core, respect for the inherent dignity of others.

### 7.3.2 ***The promotion of efficient, economic and effective use of resources***

Government departments are entrusted with taxpayers' money to deliver services so they must ensure that funds are used specifically for the purposes they are voted for and within the given prescripts. This principle must be promoted and upheld to avoid the risk of public funds being diverted away from the priorities of government, thus compromising the positive impact on the lives of citizens. The efficient and effective use of resources contributes to improved service delivery and improving people's lives (providing quality education, better health services and improved access to services). It emphasises the provision of affordable services that are of an acceptable level and quality, and in this way, reflects the needs and priorities of citizens and the wider community.

### 7.3.3 ***Public administration must be development-oriented***

Understanding the development orientation of public administration requires a fuller comprehension of the aspirations of the Constitution. It is often said that South Africa's Constitution is transformative in nature as it inspires us as a nation, as a people and as a society to redesign our country's landscape in a manner that makes respect for the fundamental values it enshrines become a daily part of life. The fundamental values in the Constitution are explicitly stated and thus implicitly represent the building blocks of a capable developmental state. In many respects, this is the essence of transformative constitutionalism.

The Government of South Africa is not only obliged to ensure that all citizens benefit equally from its growth and development initiatives but also to create and implement the conditions in which substantive equality is realised. In efforts to reduce the socio-economic inequalities and fulfil expectations from previously disadvantaged citizens, the Government must commit itself to rapid socio-economic development by placing the alleviation of poverty, inequality and unemployment at the centre of its developmental agenda within a human rights discourse. In the case of public administration, development orientation refers to capacitated public administration institutions which can maintain an effective administration design and the implementation of developmental programmes. Another important dimension of development orientation is the mobilisation of all societal stakeholders behind the developmental agenda. This includes, on the one hand, partnerships with the private sector, and on the other hand, placing development in the hands of communities so that they take the initiative for their own development. It includes the need to promote patriotism and general benevolence amongst stakeholders from the private sector and communities.

### 7.3.4 ***Services must be provided impartially, fairly, equitably and without bias***

The values of human dignity, equality and advancement of human rights are behind the principle that requires public services to be provided impartially, fairly, equitably and without bias. This principle has a number of pre-suppositions which include elements of the fairness of the procedure applied in the delivery of services, and that where services require pre-application, these should be subjected to the same fairness and impartiality, especially fairness in respect of the quality of services. It requires that services should comply with the standards of quality and quantity and that they should be delivered without undue preferential treatment and discrimination of any form and kind.

### 7.3.5 ***People's needs must be responded to and public participation must be encouraged***

The government's key objective is to provide a better life for all. This can be achieved through responding effectively to people's needs. People's needs refer to government services which are further entrenched in the *Bill of Rights* and therefore should be treated as rights, not privileges. Public participation should become an integral part of service delivery in the Public Service. In this respect, the Public Service needs to work proactively with the citizenry to ensure that the voices of the widest possible public are heard and considered during the delivery of services. We should not perceive citizens only as consumers or beneficiaries of Government services, but as active role players in determining which services are to be delivered and how such services should be made available. As such, planning formats must allow for the voice of citizens to translate into Public Service programmes. The involvement of communities in decision-making enables them to own the process, creates the necessary buy-in and credibility, and lends legitimacy to decision-making.

### 7.3.6 ***Public administration must be accountable***

The *Preamble to the Constitution of South Africa (1996)* states that there is a need for "a system of democratic government to ensure accountability, responsiveness and openness". The Public Service should be a servant of the people, accessible, transparent and capable of providing excellent quality services. Accountability refers to the obligation of public servants, or an institution, to account for its activities, provide information about decisions and actions, explain and justify decisions as well as exercising discretion, accepting responsibility for these activities, disclosing the results in a transparent manner, be answerable for their actions, and most importantly, that there are consequences when duties and commitments are not met. It also includes the responsibility for cost effective financial, human and physical resources utilised by that individual or institution in pursuit of his/her or its objectives. The principle incorporates both external accountability, which requires that the relationship with the public is transparent, consultative, participative and democratic, and internal accountability which requires full accountability in terms of the reporting lines in an organisation.

### 7.3.7 ***Transparency must be fostered by providing the public with timely, accessible and accurate information***

This value is protected by the *Promotion of Access to Information Act (PAIA, 2000)* and lays the foundation for a democratic and open society in which Government is based on the will of the people and every citizen is equally protected by law. At the heart of this principle is the obligation to ensure that the citizens of the country have access to any information held by the State as well as any information that is required for the exercise or protection of any rights that is held by another person. A complementary requirement to PAIA in promoting transparency is the *Promotion of Administrative Justice Act (PAJA, 2000)* which requires the provision of reasons for administrative actions (i.e. by revealing "both sides of the coin" to citizens who request it). A public body is not necessarily transparent when it is effective and fast in answering requests for information from the public, but when it provides substantial

information without being requested to do so by the public, this indicates a real commitment to transparency.

**7.3.8 *Good human-resource management and career-development practices must be cultivated to maximise human potential***

The success of the public service depends on its capabilities to maintain a sound administration, deliver services to citizens and design and implement development programmes. These capabilities, in turn, depend on the skills, performance, integrity and motivation of the public service personnel corps.

Best personnel administration practices, suited to the South African context, need to be pursued. These include recruitment, career management, performance management and continuous professional development. In evaluating the effectiveness of personnel practices, important considerations are firstly, the purpose of the practice, and secondly, compliance with all personnel administration prescripts and labour agreements.

In committing him/herself to a career in the public service, a public servant is bound by the democratic nature of the state and the values that underpin it. In addition, an institutional system must be created that nurtures and manages the public servant to enable him/her to serve his/her country, contribute meaningfully to the betterment of the lives of his/her fellow citizens, be innovative in the development of new approaches to public administration and other technologies, and last but not least, have a productive and fulfilling work life.

**7.3.9 *Public administration must be broadly representative of the South African people, with employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past***

One of the priorities of the democratic government in 1994 was to establish a credible and legitimate public service that was free from employment inequalities and was broadly representative of the people of the country. The *White Paper on the Transformation of the Public Service (WPTPS) of 1995* defines Affirmative Action as laws, programmes or activities designed to redress past imbalances and ameliorate the conditions of individuals and groups who have been disadvantaged on the grounds of race, colour, gender or disability in the workplace. Affirmative Action can therefore be seen as a means to ensure representivity and equality in employment. It also means that specific provision is made to accommodate people with disabilities.

Besides requiring a Public Service incumbent to have the correct qualifications, this principle requires objectivity, fairness and the need to redress the imbalances of the past to achieve a broader representation. In this respect, emphasis has largely been placed on achieving nominal targets when appointing people, whilst underplaying the candidates' public value orientation, integrity and professionalism. It is now important to ensure that the transformation of public administration practices reflects our unique needs, aspirations and societal conditions and that it is designed for our specific context in a holistic manner. The Public Service should therefore reflect a representative society in all its richness, including the use of all official languages, organisational culture, symbols and the internalisation of the Constitutional Values and Principles, especially in relation to how these shape the way we treat vulnerable groups



in society, deal with any form of discrimination and manage state resources for the benefit and good of the public – in spite of the strengths and/or weaknesses of the applicable prescripts.

## 8 LEGISLATIVE CONTEXT

8.1 *Section 195(3) of the Constitution of South Africa (1996)* provides that national legislation (in this case the *Public Administration Management Act (PAMA, 2014)*) must ensure the promotion of the values and principles of public administration – this provision also contextualises the legal provisions for the professionalisation of public administration. The professionalisation of public administration should ideally cover every sphere of government, organ of state and public enterprise – if read in conjunction with section 195(2) of the Constitution.

8.2 Various pieces of legislation put emphasis on having a professional public administration and ensuring that its practices and principles epitomise the humane delivery of services. It should be noted that the administrative arm of the state has become a profession in its own right. And as it develops as a profession it is expected at all times to espouse the values of probity, neutrality and fairness, amongst many other values. The Public Service has embraced the merit-based principle of setting up career structures from recruitment to the various levels of promotion. It acknowledges that the administrative machinery should be run as an institution that supports decision-making and implements the policies and programmes of the government of the day, wherein public servants are expected to play a vital role in the sustainable development and governance of a nation. Further, as an institution, the Public Service ensures the stability of administration between transitions of power, which are the hallmarks of modern-day democracy. Given these crucial roles, the nation expects its public service to demonstrate professionalism and ethics in fulfilling its main role of delivering services to the people.

8.3 Professionalising the Public Service involves engendering a credible system in all practices, including appointments and filling of posts. Measures have been put in place with the *Public Service Act of 1994, (as amended)*, as well as the *Public Service Regulations of 2016*, to ensure that the imperatives of the Constitution are realised. These can be noted in *Section 11(2) of the Public Service Act*, which states that “in the making of any appointment in terms of section 9 in the Public Service:

- a) all persons who applied and qualify for the appointment concerned shall be considered; and
- b) the evaluation of persons shall be based on training, skills, competence, knowledge and the need to redress, in accordance with the *Employment Equity Act, 1998 (Act 55 of 1998)*, the imbalances of the past to achieve a Public Service broadly representative of the South African people, including representation according to race, gender and disability.”

The above therefore suggest a meritocratic Public Service based on competence and meeting the requirements of posts when appointments are being considered. Furthermore, the Public Service Regulations and sub-ordinate policy instruments, such

as Directives and Determinations issued by the MPSA aim to re-inforce professionalism in all respects.

- 8.4 Regulations 74-77 of the *Public Service Regulations of 2016* deal specifically with training in order to make sure that public servants are kept informed of recent developments in their various fields of practice. This is aimed at ensuring that their skills are kept “sharpened” so that they can deliver professional services to citizens. The rationale behind professionalism, as indicated above, is that public servants should be neutral, impartial, fair, competent and that they serve the public interest in an unbiased way when carrying out their duties.
- 8.5 Section 4 of the *Public Administration Management Act (PAMA) (Act No. 11 of 2014)* deals with the basic values and principles governing public administration, which are fundamental to professionalising the Public Service and which require each administrative body to institutionalise these values and principles. In terms of norms and standards, PAMA deals with the authority to set these values and principles in section 16 as well as establishing the office of standards and compliance in section 17. Furthermore, sections 11, 12 and 13 of the PAMA deal with capacity development and the ways in which professionalisation in the Public Service can be implemented. The following should be noted:
- a. Firstly, the NSG must deliver education and training that promotes the progressive realisation of the values and principles governing public administration and enhance the quality, extent and impact of the development of human resource capacity in institutions. This should include the professionalising of public servants and public sector institutions;
  - b. Secondly, the NSG must provide education and training or cause such education and training to be provided, or conduct or cause such examinations or tests to be conducted. The successful completion of specified education, training, examinations or tests should be seen as a prerequisite for specified appointments or transfers; and are compulsory in order to meet the development needs of any category of employees; and
  - c. Thirdly, the NSG must interact with and foster collaboration among training institutions, Higher Education Institutions (HEIs), Further Education and Training Institutions (FETs) and private sector training providers in furtherance of education and training initiatives.

From a capacity development intervention, these clauses in PAMA provide sufficient authority to institutionalise professionalisation in the Public Service.

- 8.6 In the sphere of local government, the *Municipal Systems Act (Act No 32 of 2000)* stipulates principles for municipal administration, entrenching the fact that local public administration is governed by the democratic values and principles embodied in the Constitution. All municipalities are expected to make an effort to establish their administrations in a professional way, as far as is possible within their administrative and financial capacity. The Act stipulates that a municipality must establish and organise its administration in a manner that enables it to, *inter alia*:



- Be responsive to the needs of the local community.
- Facilitate a culture of public service amongst staff.
- Be performance orientated and focussed on the objects and developmental duties of local government as set out in the *Constitution of South Africa* (1996).

8.7 These indicate the level of professionalism expected in municipalities as they deliver services to citizens. It is also expected that each municipality will develop its own human resource capacity to a level that enables it to perform its functions and exercise its powers in an economical, effective, efficient and accountable way. Sections 38-45 of the *Municipal Systems Act (2000)* deal with the performance management aspects of municipalities. Performance management is an important component of ensuring good performance and continuous development which can achieve the desired goals of professionalism that is expected when delivering services to the public. Furthermore, section 51 highlights that a municipality must within its administrative and financial capacity: establish and organise its administration in a manner that would enable the municipality to be responsive to the needs of the local community; facilitate a culture of public service and accountability amongst its staff; be performance orientated and focused on the objects of local government as set out in section 52 of the Constitution and its developmental duties as required by section 153 of the Constitution. Schedule 1 and 2 of the *Municipal Systems Act* further details the Code of Conduct for councillors and officials within a municipality (*Code of Conduct for Municipal Staff Members*) (2000), as well as expectations with regard to ethical conduct. All the above are ways of entrenching professionalism in local administration.

8.8 The *South African Qualifications Authority (SAQA) (Act No 58 of 1995)* also sets the professionalisation agenda by providing for learnerships that lead to recognised occupational qualifications; the financing of skills development by means of a levy-grant scheme and a *National Skills Fund*; the regulation of employment services; and for matters connected to the National Qualifications Framework (NQF), which sets out an institutional framework to devise and implement national, sector and workplace strategies to develop and improve the skills of the South African workforce and integrate those strategies within the National Qualifications Framework. The NQF is therefore a set of principles and guidelines by which records of learner achievement are registered to enable the national recognition of acquired skills and knowledge, thereby ensuring an integrated system that encourages Life Long Learning, which, in turn, contributes to the professionalisation of those who embark on this career path. Furthermore, the Act aims to provide opportunities for those in the South African workforce to gain recognised occupational qualifications as set out in the *Quality Council of Trade and Occupations (Act No 97 of 1998)*. It also aims to provide financing for skills development and provides for and regulates employment services. By implementing this Act, Government aims to improve the skills and productivity of its workforce.

8.9 Another piece of legislation that is significant within the professionalisation agenda in South Africa is the *Skills Development Act (1998)* which aims to expand the knowledge and competencies of the labour force in order to improve productivity and employment. The main aims of the Act are: to improve the quality of life of workers, their prospects of work and labour mobility; to improve productivity in the workplace and the competitiveness of employers; to increase the levels of investment in education and

training in the labour market and to improve the return on that investment; to promote self-employment; and to improve the delivery of services.

- 8.10 Accompanying the *Skills Development Act* is the *Skills Development Levy Act (1999)* which imposes a levy to encourage learning and development in South Africa and is determined by an employer's salary bill. The funds are expected to be used to develop and improve the skills of employees. The Act provides for the Public Service employer in the national and provincial spheres of government to budget at least one percent of its payroll for the education and training of its employees and to contribute funds to a Sector Education and Training Authority (SETA) where necessary. The primary aim of the *Skills Development Act* is to provide an institutional framework for implementing national, sector and workplace strategies to develop and improve the skills of the South African workforce. This is aimed at capacitating employees to be competent and professional in delivering services.
- 8.11 Critical to the professionalisation agenda is the responsible use of public funds, which is regulated by the *Public Finance Management Act (Act No 1 of 1999)* and the *Municipal Finance Management Act (2003)*. These Acts advocate for a professional utilisation of public funds, which is critical to basic economic governance and essential in establishing the performance, legitimacy and accountability of functional entities. Public financial management has to do with the effective administration of funds collected and spent by national and provincial government whilst the *Municipal Finance Management Act* deals with securing sound and sustainable management of the financial affairs of municipalities and other institutions in the local sphere of government; establishing treasury norms and standards for the local sphere of government; and providing for matters connected therewith.
- 8.12 Section 53 of the Local Government *Municipal Finance Management Act (Act No 56 of 2003)* indicates that the annual performance agreements as required in terms of section 57(1)(b) of the *Municipal Systems Act* for the municipal manager and all senior managers who comply with the Act in order to promote sound financial management are linked to the measurable performance objectives approved together with the budget and the service delivery and budget implementation plan; and are concluded in accordance with section 57(2) of the *Municipal Systems Act*. Furthermore, in order to ensure that professionalism is maintained at all times, section 78 indicates that senior managers and each official of a municipality exercising financial management responsibilities must take all reasonable steps within their respective areas of responsibility to ensure that the system of financial management and internal control established for the municipality is carried out diligently; that the financial and other resources of the municipality are utilised effectively, efficiently, economically and transparently; that any unauthorised, irregular or fruitless and wasteful expenditure and any other losses are prevented; that all revenue due to the municipality is collected; that the assets and liabilities of the municipality are managed effectively and that assets are safeguarded and maintained to the extent necessary; that all information required by the accounting officer for compliance with the provisions of the Act is timeously submitted to the accounting officer; and that the provisions of the Act are complied with.

## 9 PUBLIC SERVICE CHARTER

- 9.1 In ensuring that officials within the Public Service conduct themselves in a professional manner, a social contract has been entered into between the employer and workers, which is called the *Public Service Charter (PSCBC Resolution 1 of 2013)*. This is an agreement between the State and public servants in the form of a written and signed commitment which sets out their respective roles and responsibilities to improve performance, enhance and fast track the delivery of services to improve the lives of the people. Included in the Charter are values that govern public administration, as set out in Chapter 10 of the Constitution, which include professional ethics; transparency; accountability and good human resources management. The legislative context to the Charter includes the *1997 Batho Pele White Paper on Transforming Public Service delivery*.
- 9.2 Within the *Public Service Charter* is a *Code of Conduct for Public Servants*. This includes prohibitions on abusing positions of authority and a commitment to the optimal development of public servants. Officials are expected to be creative in their jobs and senior managers are expected to be prepared to serve the State at all times. The *Code of Conduct* requires that people are well dressed at work, that they not engage in transactions for personal gain, and that they are sober, honest and impartial. All information about personal gain is to be disclosed. This transparency is seen as a form of professional conduct as officials are expected to serve with diligence and impartiality.

## 10. CODES OF CONDUCT AND CODES OF ETHICS

- 10.1 One of the early signposts of intended professionalisation was the adoption of codes of good practice. Mpehle and Qwabe (2008) noted that to stimulate ethical behaviour and professionalism the South African government enacted a comprehensive legislative framework including, *inter alia*, the *Executive Member's Act, 1998 (Act 82 of 1998)* and the *Code of Conduct for Public Servants*. The first mentioned frameworks provide directives specifically to executive members of government on how to act in good faith and in the best interest of good governance. The *Code of Conduct for Public Servants* provides guidelines to all public office bearers and functionaries and also emphasises the use of public resources in an efficient, effective, transparent and accountable manner (Mpehle & Qwabe, 2008).
- 10.2 Although codes of conduct and codes of ethics are often seen as synonymous, they are different. Codes of Conduct and Codes of Ethics diverge in their content, aim and even in the administrative ethos that inspires them (Bar Cendon, 2000: 67). Codes of Conduct usually set provisions to define right and wrong behaviour, and even establish specific punishments for wrong conduct. They could be legal acts promulgated as parliamentary laws or executive regulations. They are prescriptive and give little autonomy for public officials, focussing on the core functions of the institution, rather than on general ethical ideals or principles. Hence the *South African Code of Conduct for Public Servants* acts as a guideline to public servants outlining what is ethically expected of them (as individuals and in their relationship with the legislatures, the executive, colleagues and members of the public). The Code contributes towards developing acceptable ethics and accountability in public officials and promotes

exemplary conduct. Officials are guilty of misconduct in terms of Section 20(t) of the *Public Service Act (Proclamation 103 of 1994)* if they fail to comply with any provisions of the Act.

- 10.3 Codes of Ethics, on the other hand, are a set of principles and standards that serve as guiding norms for the behaviour of public officials. They generally include ethical values and principles that are the basis of the institution they govern, recommend conduct and normally have a juridical character inferior to that of the law. Both Codes of Conduct and Codes of Ethics are necessary to promote public trust and confidence in the ethical performance of political office bearers and public officials, eliminating or reducing unethical behaviour, providing guidelines to public officials in their relationships with fellow public officials, political office bearers and with members of the public and sensitising both serving and aspiring public officials to the ethical foundations of Public Administration. As Clapper (1999: 387) argues, the importance of Codes of Ethics and Codes of Conduct is in their aspiration to channel the public official's personal morality and technical skills towards public service aims - in other words, public service "right-doing".
- 10.4 Such instruments also have limitations, evident in Public Administration literature, specifically as broad principles are often difficult to apply to particular situations as well as to the whole public sector, they are difficult to enforce (often lacking enforcement mechanisms), they are often ineffective in dealing with systematic maladministration (specially where internal practices encourage contradictory behaviour), and on their own they are not sufficient to promote ethical and professional conduct.



## SECTION 4: Progress to Date and Benchmarked Studies

## 11. INTRODUCTION

- 11.1 This section provides a progress analysis of the initiatives on professionalisation in the Public Service of South Africa and other selected countries. It provides notes on the concepts of professionalism and professionalisation within the South African Public Service context and regulatory framework. This is followed by a synthesis of relevant public service sources on professionalism, initiatives to promote professionalism in other countries, and the possibilities of achieving the professionalisation of public administration in South Africa. The literature provides a nuanced discussion on the importance of work ethics, skills development initiatives, performance management and good governance in supporting professionalism. Relevant literature from the NPC, DPSA, PSC and the NSG is reviewed in this framework. In addition, a comparative overview of initiatives to promote professionalism in the public service in specially selected countries is provided.
- 11.2 The initiatives to professionalise the Public Service have been undertaken through various projects and emphasis since democracy in 1994. The Presidential Review Commission (PRC), officially called *The Commission of Inquiry Regarding the Transformation and Reform of the Public Service*, was established in 1996 with a Terms of Reference that was inclusive of a quest for a professional Public Service. Furthermore, the *White Paper on the Transformation of the Public Service (1995)* also focused on the 'development of a professional work ethic' and 'elimination of corruption'. South Africa continued to grapple with professionalisation when they adopted the policy guidelines in the form of white papers, plans and policies which are discussed elsewhere in this framework.

## 12. SYNTHESIS OF RELEVANT PUBLIC SERVICE SOURCES ON PROFESSIONALISM

- 12.1 A review of programmes, documents, and reports from the DPSA, PSC, the NSG, DPME, and Local Government Sector Education and Training Authority (LGSETA) accentuating the professionalisation of the Public Service. Although their primary focus is not necessarily on 'professionalism', they provide important professional guidelines and are relevant to the professionalisation of the Public Service.

### 12.1.1 **Senior Management Service (SMS)**

The *Senior Management Service (SMS) Programme* was developed out of the recognition of the critical role that management plays in the effective and efficient functioning of the Public Service. Chapter 5 of the *Public Service Regulations, 2016 (PSR)* provides for the establishment of the SMS to:

- a. Promote a public service management culture of excellence based on the values and principles in section 195(1) of the Constitution and the provisions of the Act.
- b. Facilitate co-operation amongst management structures of departments.
- c. Transfer organisational, managerial, professional and strategic expertise across the Public Service.
- d. Provide an organised network for the dissemination of policy, strategy and expertise.



The purpose of the *SMS Handbook (2003 and as amended)* is to set out, in clear and concise terms, the conditions of employment and the roles of SMS members (DPSA, 2003). The handbook is meant to be an invaluable tool to guide and inform, not only senior managers in the Public Service – particularly those new to the SMS, but also other sectors and those who aspire to join this cadre of leaders in delivering a better life for the people of our nation (DPSA, 2003).

The *2016 Directive on Compulsory Capacity Development, Mandatory Training Days and Minimum Entry Requirements for members of the Senior Management Service* was necessitated by a need to address poor levels of performance and lack of training, resulting in inadequate service delivery. The purpose of this directive is three-fold:

- a. To determine the compulsory days of training for SMS members - currently 18 days over three years.
- b. To provide for pre-entry to the SMS course.
- c. To determine required qualifications for SMS posts.

The purpose of the SMS Pre-Entry Programme is to strengthen the recruitment process at Senior Management Service level and to ensure that senior managers are competent in their job role (NSG, 2018). The course is applicable to public servants and citizens who wish to apply for a position in the SMS of the Public Service provided that certain minimum requirements, qualifications and years of experience are met. The Directive recognises the importance of professionalisation by means of qualifications, experience and training. In fulfilment of the Directive, the *Pre-Entry to SMS course (Nyukela)* is being offered by the NSG since 1 April 2020.

#### 12.1.2 **Public Service Internship programme**

The *Public Service Internship programme* is a Public Service graduate work experience programme targeting unemployed graduates with the objective of providing them with workplace experience or an opportunity to practice the work skills that they have studied and will practice in future.

#### 12.1.3 **The Handbook for the Appointment of Persons to Boards of State and State Institutions**

The *Handbook for the Appointment of Persons to Boards of State Controlled Institutions or State-Owned-Enterprises* was approved by Cabinet on 17 September 2008. It was developed in response to the Cabinet's expectations that clear guidelines be developed for appointing persons to boards, including an explanation as to how Executive Authorities (Ministers) can deal with such appointments as well as a specification of the approval processes to be followed (DPSA, 2009). The purpose of the Handbook is to provide best practice guidelines to promote uniformity in the appointment of persons to boards of state and state controlled institutions. This supports government initiatives to promote transparency, accountability, sound administration and good governance practices in all organs of state, and builds on the good governance principles and practices provided for in the PFMA (DPSA, 2009), ensuring that members of the boards in state owned companies carry out their fiduciary duties professionally.

- 12.2 Circulars relevant to professionalising the public service include, *Integrity and Ethics Management, Conditions of Service, Corporate Governance, Human Resource Management and Development, and Delegations*. For instance, the circular on Integrity and ethics management gives approval to guides on implementation of the ethics committee (DPSA, 2019), the reporting of unethical conduct, corruption and non-compliance in the *Public Service Act, 1994* and *Public Service Regulations, 2016*, managing gifts in the public service, and others (DPSA, 2019). Furthermore, the circular gives effect to the directive on conducting business with an organ of State (DPSA, 2017) and the directive on other remunerative work outside the employee's employment in the relevant departments (DPSA, 2019).
- 12.3 The PSC is mandated in terms of the sections 195 and 196 of the *South African Constitution, 1996*, to promote and maintain a high standard of *professional ethics* throughout the Public Service. Its unambiguous tasks include investigating, monitoring, and evaluating the Public Service organisation and administration, as well as assessing the achievements and deficiency of Government programmes. In addition, the PSC must promote measures aimed at effective and efficient Public Service performance, and promote the values and principles of public administration espoused in the Constitution. Since 2014, the PSC has published several reports on the professionalisation of the Public Service, of which the following can be noted:
- 12.3.1 The report on *Building a Capable, Career-Orientated and Professional Public Service to Underpin a Capable and Developmental State in South Africa* (PSC, 2016), is a discussion document published by the PSC in May 2016. The report expounds on the key changes that the South African Public Service needs to make in order to build a capable, career-oriented and professional Public Service to underpin a developmental State. The document outlines the elements of building a capable, career-oriented and professional Public Service in terms of the following: a values driven Public Service, recruitment, promotion and career pathing, performance management, competencies of Public Service leadership, and a clear political administrative interface.
- In terms of a *values driven public service*, the discussion document emphasised the pivotal role of values, noted what the public service represents and set out clearly what the public should expect from public administration. The central theme and responsibility of the Public Service is the promotion of constitutional values outlined in Sections one and nine of the *Bill of Rights* as well as the public administration values in Section 195. It is consequently recommended that all public servants undergo a module of training on the values-base of Public Service; for which the PSC would need to advise the NSG on the curriculum content of such a module.
- 12.3.2 With regard to public service careers, the discussion document acknowledged that the NDP identified a number of proposals around the professionalisation of the Public Service. More specifically, the PSC (2016) explained that in order for South Africa to become a developmental state, a Public Service cadre able to design, implement and evaluate developmental programmes would be required. This cadre would require underscoring skills related to financial modelling, policy analysis, evaluation and process design, to mention but a few. As stated in the report, this type of work is mostly outsourced by the Public Service. It further stated that these skills are not



developed incidentally and long term careers, where these skills are developed in a structured and systematic manner, are required.

The discussion document further noted some weaknesses in the career system in the public service wherein firstly, it has previously been characterised as fragmented with decision making dispersed throughout the Public Service. Determining the inherent requirements of a job was delegated to executive authorities (Ministers) so no uniform objective appointment requirements were set and even these were inconsistently applied by thousands of selection committees. Secondly, it was noted that the careers were unstructured with no standardised probation, task proficiency, promotion and continued professional development requirements. The career system was an open system with all senior posts advertised outside the Public Service, with neither internal nor external candidates tested against objective criteria. Under these conditions, individuals build their careers by applying for posts everywhere, rather than having departments build a pool of skills in a structured manner and promoting candidates from that pool. Staff are not building careers in specific departments, whilst at the same time experiential learning is not structured well enough to enable the transfer of skills from one department to another. People move from one job to the other in the Public Service, many times through promotion, before becoming proficient in specific areas of professionalisation.

Owing to the above mentioned weaknesses in the Public Service career system, the discussion document (PSC, 2016) recommended that the *open career system with advertisement of all posts outside the public service will have to be changed to one where preference is given to promotions from a pool of candidates who have undergone a prescribed training programme and are certified to be able to perform a predetermined scope of work.*

Key recommendations in this regard included the following:

- a. Introducing a structured internship for candidates aspiring to the middle and senior management service;
- b. Dropping the requirement that all senior posts should be advertised outside the public service;
- c. Requiring that career paths should be structured by setting (and testing) task proficiency, promotion, continued professional development and prescribed training requirements; and
- d. That a promotion exam for entry into the middle and/or senior management service (rather than an exam at entry level because an entry examination may unfairly discriminate between candidates with highly unequal educational backgrounds) or a prescribed course (or courses) in relevant fields of study, designed by the National School of Government, be considered as a requirement for promotion into the MMS and SMS.

12.3.3 With regard to performance management the document asks the question whether the current system makes any difference to work performance and service delivery in the Public Service. Performance management in the Public Service, on both organisational and individual levels, is fundamentally flawed, mainly because measurable performance standards are not set and accountability has been eroded.

Poor day-to-day management of performance by supervisors – including poor supervision, poor people management, and poor operations management – contributes towards the failure of formal performance assessment.

It is recommended that the system be reviewed. A review of the performance management system cannot be done outside the context of accountability frameworks and it is consequently recommended that such frameworks be reviewed, especially in the context of service delivery units such as police stations and health districts, to better align responsibility, authority and accountability.

#### 12.3.4 **Competencies of Public Service leadership**

Competency assessment has been introduced for members of the SMS. However, the competency framework contains generic management competencies and does not test candidates against the functional or task requirements of the job. Also, in South Africa the results of the competency assessments have only been validated for development interventions and not for selection purposes. The framework is only to a limited degree aligned with the competency requirements for Public Service leadership in a developmental state. This calls for a review of the competency tools. It is consequently recommended that:

- The *South African Public Service SMS Competency Framework* be reviewed in order to incorporate competencies, indicators and behavioural attributes for the following competency dimensions: economic competencies; political competencies; and technical and/or functional competencies.
- Based on a representative sample of assessments, appropriate training programmes to fill competency gaps identified in the SMS group be designed and offered by the NSG.

12.3.5 The *Report on the Roundtable of the Professionalisation of the Public Service in South Africa* (PSC, 2018) explores the discussions during a roundtable that the PSC hosted on 25 September 2018 on the topical issue of the professionalisation of the Public Service and the efforts to build a career-oriented, capable and professional Public Service. The purpose of the roundtable was to assess the progress made thus far with the professionalisation of the Public Service since the adoption of the NDP, and to propose concrete initiatives that can be undertaken to deepen and consolidate the professionalisation process. A record of issues discussed during this roundtable were documented in the *Roundtable report* (PSC, 2018). The contributions made by various experts and stakeholders, as noted in the report, recognises the multi-dimensional nature of the concept of professionalisation, and the importance of context in its conceptualisation. A summary of findings presented in this report noted the following:

- a. The professionalisation of the Public Service cannot be discussed outside the context of the Constitution and the NDP (PSC, 2018). The report noted that the Constitution directs the public service to be professional, accountable and developmental while the NDP drives this imperative by promoting certain values and principles.
- b. Amidst the many definitions of professionalisation (depending on context) certain dimensions that were identified. That is, professionalism refers to skills and

- competencies, values and norms, code of conduct, and secondly meritocracy (PSC, 2018). Meritocracy sums up the issue of knowledge, skills and values. All this resonates very well with the NDP when it refers to a professional Public Service as one where persons are recruited on the basis of merit and potential rather than connection or political allegiance.
- c. A further important finding is that the institutional context also plays a role as there can be no development of the national goals, values and principles that are enshrined in the Constitution without a professional Public Service. In the absence of people who have the requisite skills, knowledge and commitment the implementation of the developmental agenda will not be attained.
  - d. Also, the report noted that throughout the discussions it was emphasised that the necessary tools exist for a professional Public Service in the form of policies, the Constitution as well as the NDP, but the caveat remains one of implementation of a professionalised Public Service.
  - e. There is therefore a critical need for training and development based on an appropriate curriculum that will speak to the NDP. The NDP has set targets to be achieved by 2030 in this regard. In respect of top level appointments, the hybrid system, where the PSC and the Administrative Head of the Public Service work together, was endorsed as requiring fast tracking. Furthermore, the decision of the Cabinet to introduce compulsory programmes, amongst others, those involving "evidence based policy making and implementation" was noted as crucial and the programmes must therefore be implemented.
- 12.4 As a way to ensure that the public servants carry themselves in a manner appropriate for the government sector, the NSG offers education, training and development exclusively for public servants in the hope of professionalising the Public Service. A qualitative study on *Professionalising the Public Sector: A South African Case* (NSG, 2019c) explores professionalisation in South Africa with reference to BRICS countries and an additional two African countries (the sample includes Brazil, Russia, India, China, South Africa as well as Botswana and Rwanda). The findings include the fact that South Africa and other selected countries experience corruption, ethical challenges and maladministration which are the antithesis of professionalism. However, all countries, especially Botswana, are lauded for the strength of the rule of law. Essentially, the conducive environment characterised by law and right intentions can lead to good possibilities of success on professionalisation. Attempts on professionalisation are convincing and evident, specifically regarding the existence of criteria such as required minimum qualifications, codes of conduct with relevant laws and relevant institutional establishments. As such, professionalism can be institutionalised given an enabling environment.
- 12.5 A research report, *Considerations on the NSG Role and Contribution to Public Sector Capacity Building from Selected Policy Documents and Oversight Reports* (NSG, 2018b), highlighted specific areas in oversight documents and reports that could be addressed through NSG interventions. The most common issues emanating from the reports, and those that should be addressed, relate to findings on: failures to comply with supply chain management (SCM) prescripts, failures to comply with laws and regulations; material adjustments to financial statements submitted for audits; material findings on the usefulness of performance information; material findings on the reliability of indicators and targets for performance reporting; the status of internal controls such as leadership, financial and performance management and governance;

consequence management; as well as aspects that had deteriorated and require intervention. In essence this report provides important preliminary information required for the rollout of mandatory programmes and the identification of relevant departments and entities which would require these programmes.

- 12.6 The NSG programme offering includes more than one hundred courses for public servants, ranging from induction to management and leadership. The *Compulsory Induction Programme (CIP)* which is compulsory for every newly appointed government employee, from entry level to middle-management levels, serves to introduce the employee to the Public Service, and also educate the employee about ethics and professionalism in the Public Service. Implementation of the *Compulsory Induction Programme* followed from a Directive issued on 31 October 2012 by the Minister for Public Service and Administration on the implementation of the *Compulsory Induction Programme (NSG, 2018a)*. The CIP programme is aimed at building a Public Service cadre that demonstrates developmental values, zeal, knowledge, skills and commitment to serving the ordinary citizens of South Africa. The programme challenges new entrants to embrace the values and mandate of the South African democratic state. It is mandatory for all new entrants to the Public Service to attend the CIP during the first twenty-four months of employment. Failure to successfully complete the CIP will result in the non-confirmation of permanent appointment in the Public Service, and illegibility to qualify for an annual pay progression incentive. Other induction programmes target senior managers in a differentiated manner that reflects a specific focus on the Director and Chief Director cohort and the cohort of Deputy-Director-General and Director-General.
- 12.7 Cabinet also approved, on 5 September 2018, a list of compulsory training programmes to be delivered by the NSG. The objectives of these programme offerings are to support efforts to create a highly competent and professionalised Public Service. The decision specifies compulsory training programmes to be attended and completed by all employees as listed below:
- i. The *Compulsory Induction Programme* (salary levels 1 – 14);
  - ii. The *Executive Induction Programme* (salary levels 15 – 16);
  - iii. The *Khaedu Training and Deployment to Service Delivery Sites* (salary levels 13 – 16);
  - iv. The *Senior Management Service (SMS) Pre-entry Programme* (applicants for positions on levels 13 – 16);
  - v. *Ethics in the Public Service* (salary levels 1 – 16);
  - vi. *Managing Performance in the Public Service* (salary levels 6 – 12);
  - vii. *Supply Chain Management for the Public Service* (salary levels 9 – 16);
  - viii. *Financial Management Delegations of Authority* (salary levels 9 – 16); and
  - ix. *Re-orientation in the Public Service* (salary levels 1 – 16).

Moreover, it should be noted that the training suites offered by the NSG mostly focus on Programme 1 (Administration) training interventions, for example Human Resources Management, Supply Chain Management to mention a few. However, the *National Development Plan Vision 2030 (2012: 423)* refers to the development of “technical and specialist professional skills”. The shortage of professional skills in

government, particularly at the local level, is of great concern with a dire need for appropriate intervention.

Furthermore, the definition of professionalism encompasses being competent, efficient, masterly and qualified. This implies that professionalism is an ongoing process of development (Edwards, 2008: 79). As such, continuous professional development is a pivotal aspect of professionalism and most professional bodies institute a system of continuous professional development points (CPD) as a prerequisite for registration to the body. The training interventions offered by the National School of Government are not related to continuous professional development as most training interventions are cross-sectional in nature (viz. once off interventions without progressive repeat or advancement in training levels).

- 12.8 Another important aspect that should be taken into consideration is that the majority of professions within the South African context are regulated by professional bodies and or associations with non-statutory bodies. For example, all health care workers (e.g. medical practitioners, psychologists, dentists, etc.) must be registered with the Health Practitioners Council of South Africa. Social workers, nursing personnel, human resources practitioners, auditors, chartered accountants, to mention a few, must be registered with their respective professional bodies. Training in terms of continuous professional development is regulated by the professional bodies and not subject to the work environment of the practitioner. Thus, regardless whether the practitioner is working in the private sector or the public service, the continuous professional development requirements will be similar and regulated by the professional body. The NSG does not have the mandate to train within these professions without the necessary accreditation by the professional bodies. So currently, if training does occur, CPD points will not necessarily accrue for the trainee.

### 13. PROFESSIONALISATION IN LOCAL GOVERNMENT

- 13.1 The *Local Government Sector Education and Training Authority (LGSETA, 2020)* provides an environment to facilitate the training and up-skilling of various employees and people involved in local government structures, as well as unemployed South Africans. This entails creating and implementing a variety of skills development interventions such as the *Sector Skills Plan (SSP)* and learning programmes aimed at local government employees and others working within spheres such as traditional leaders and ward councillors. Reports compiled by the LGSETA on professionalism are discussed as follows.
- 13.2.1 The report entitled: “*Professionalising/repositioning the Local Government Sector*” was compiled for the LGSETA in 2018. A summary of the final conclusions and recommendations encompass, for example, that skills shortages and administrative ineptitude are some of the major impediments to professionalism in local government. Patronage, lack of political leadership and political interference are also governance challenges faced by local government. Furthermore, awareness of ethical values underpinning HRD policies and strategies are deficient. A general lack of departmental plans and monitoring of the implementation thereof can be seen from the research reported on by the LGSETA.



13.2.2 Furthermore, a study on *'Improving professionalism in South African local government'* was documented by Kroukamp and Cloete (2018). To improve the performance and professionalism in the South African local government, this study proposed that particular competencies and capabilities be acquired by employees to promote more professional conduct; that an environment of more responsiveness, high performance and clear accountability be created; a culture of really putting people first be inculcated; financial sustainability and management be ensured; and that institutional capacity be improved through direct and indirect support interventions (Kroukamp & Cloete, 2018).

13.2.3 The study on *"Improving professionalism in South African local government"* (Kroukamp & Cloete, 2018) identified the values of loyalty, neutrality, transparency, diligence, punctuality effectiveness, impartiality, as well as other values that may be specific to the public services of individual countries. Kroukamp and Cloete (2018) further stated that *"Public Service professionalism embraces the notion that those who join the Public Service need to be inculcated with shared values and trained in basic skills to carry out professionally their official duties."*

#### 14. COMPARATIVE OVERVIEW WITH OTHER COUNTRIES

14.1 This section presents an overview of initiatives to promote professionalism in the public services of different countries, including the countries that are characterised as developmental states. Countries compared herein include Malawi, Brazil, Botswana, Russia, India and China. Lastly, the existence of the practice of ethics and psychometric testing is briefly reviewed.

##### 14.2 Malawi

14.2.1 In Malawi, post the 1994 multi-party elections, the resulting government launched a public sector reform programme, called the *Institutional Development Project*, with the World Bank (United Nations, 2000). One aftermath of the elections was an increasing pressure for the public service to demonstrate neutrality, integrity, courtesy, expertise and dedication (United Nations, 2000). A *Public Service Act* was promulgated in 1994 to provide equal access to public employment, merit based recruitment and promotion, and an increased predictability, accountability, and transparency in civil service policies and practices. In addition, an *Anti-Corruption Bureau and the Ombudsman's Office* were established. Further, an effort to trim the civil service was instigated in order to reduce the public sector wage bill as both the size and the costs had been growing at an alarming rate. The essence of the civil service reform in Malawi was to improve personnel management and control, reduce its size, establish a performance-and-skills based salary structure and increase remuneration of senior public servants to reflect parity with those in the private sector, within budgetary constraints. Malawi also reported a focus on improving human resources management by establishing a performance and skills related salary structure. With the assistance of the World Bank, the country has been increasing the remuneration of skilled staff at middle and senior levels. The goal of these reforms was to improve the efficiency of service delivery (United Nations, 2000).

14.2.2 Currently, the *Malawi Public Service Management Policy (2018 to 2022)* has been developed to guide Public Service management for an efficient and effective Public Service that will consistently deliver high quality services to its citizens and effectively implement policies and programmes to accelerate the growth and development of the country (Republic of Malawi, 2018). The policy has been developed to reposition the public service so that it can better serve the people of Malawi. Priority areas covered by this policy include, Entrenching Public Service Guiding Principles, Values and Ethos, and Improving Productivity and Performance in Public Service Institutions. Policy Priority Area 2 is aimed at the alignment of the Public Service to the National Development Agenda structure and size of the Public Service, allocation of resources to MDAs, and staffing in the Public Service. Priority Area 3 aims at enabling a policy, legislative and institutional environment. Priority Area 6 aims at improving public sector governance through combating corruption, fraud, theft and abuse of public resources; promoting inter-sectoral and multi-stakeholder collaboration, institutionalising meritocracy in appointments, promotions and deployment of public servants; promoting inclusiveness and equity; improving strategic leadership capacity in the Public Service; and improving records management in the Public Service.

### 14.3 Brazil

14.3.1 The Brazilian public administration has previously been characterised by patrimonialism and bureaucracy which disregarded efficiency. However, its public administration has gone through various reforms culminating in the current state of managerialism, aimed at bringing more transparency and accountability to public administrations over the last two decades (Puppim de Oliveira, 2017). However, some signs of patrimony and bureaucracy still exist in the public administration. Brazil has been hailed for reducing its high levels of poverty and inequality, and its strong industrial performance beginning in the mid-1990s is attributed to the fact that it has become a capable developmental state (PSC, 2018).

14.3.2 Recruitment into the Brazilian Public Service is based wholly on merit. Although Ministers in Brazil have discretionary powers to appoint those in the *Direcao Assessoramento Superiores* (DAS) or Senior Management categories, the trend is to appoint technocrats, based on experience and qualifications (PSC, 2018). The positions in the DAS system are discretionary appointments, are not part of the career civil service and are not permanent positions (PSC, 2018). Furthermore, the Brazilian state implements open, transparent competitive entrance examinations as the criterion for selection and appointment of public servants (PSC, 2018). These examinations are administered centrally by the Ministry of Planning, Budget and Management, but the examination itself is outsourced to statutory agencies and private sector organisations. With regard to promotion and career paths, candidates are hired at the entry level and they then move up in their occupational categories as they acquire seniority. This does not apply to those in the DAS system and commissioned positions (PSC, 2018). Thus, vacancies in the Public Service, except at entry point, are not open to outsiders. In a report by the PSC (2018) similar practices are described in other developmental states such as China, India, Malaysia, Mauritius, Singapore and Japan, wherein public servants have predictable career paths in the Public Service, based on experience and performance. Public servants are therefore appointed on a permanent basis until retirement subject to completion of probation periods.

14.3.3 The Brazilian National School of Public Administration (*Escola Nacional de Administração Pública – ENAP*) was established in 1986 and is linked to the Ministry of Planning, Budget and Management, with the main priority of enhancing the government capacity for managing public policies by developing competency amongst civil servants. The School offers training to public administration executives at high level. The courses offered are categorised under managerial development, Induction and specialisation. Located within managerial development is leadership development and manager development, which offers human resource management, public logistics, plurennial plan management, and public budget and finance. There is also e-learning which offers 26 free courses under ethics, public budget and finance, human resource management, information technology and information (IT&C), and procurement legislation. Within induction is the career induction courses and development courses for career progression. And lastly within the specialisation suite are programmes that qualify civil servants to exercise competencies related to areas relevant to the State.

#### 14.4 Botswana

14.4.1 Botswana is also characterised as a developing state with high levels of poverty and inequality, but is doing exceptionally well on rule of law. Rule of law is the driving force behind good corruption scores, especially since its performance regarding freedom of the press is more mediocre, and on e-citizens it only scores 3 (which still makes it the second best performer of the 22 African countries in the index) according to Sebudubudu, Khatib and Bozzini (2017: 32). Botswana's government system is an electoral democratic system, with its ruling party Botswana Democratic Party (BDP) having been in power since the country's independence in 1966. Botswana has a Code of Conduct for its Public Service that requires all government employees to behave in an ethical manner. The Code of Conduct applies to all employees, including those employed on a contractual basis, and also for those on senior and middle management level. Their Code of Conduct is designed in a way that will assist everyone to have a relationship with each other that is productive and fair.

14.4.2 In advancing the professionalising of its Public Service, Botswana Public Service College (BPSC) offers public officials an opportunity to enhance their administration and leadership skills to ensure that Botswana's reform agenda is effectively implemented (BPSC, 2020). The BPSC's main objective is to provide capacity building in the Public Service of Botswana. In order to achieve this, the College is divided into three centres, namely, Centre for Leadership Development, Centre for Public Administration and Management, and Centre for Organisational Excellence. Programmes offered by the College include: *Executive Leadership Programme*; *Senior Management Programme*; *Public Service Induction*; *Supervisory Induction*; *Project Management in the Public Service*; *Project Management for Executives*; *Finance for Non-Finance Managers*; *Budgeting in the Public Service*; and *Customer Service*.

14.4.3 In terms of some of the characteristics of Public Services in developmental states, Botswana has a merit-based recruitment system. Ministers are not involved in the appointment of public servants and do not sit on interviews (PSC, 2018). Instead interviews are conducted by the Appointment Boards established for each line department (PSC, 2018). Botswana has an open recruitment system wherein all positions are advertised to include outside candidates. With regard to a competency



framework for public service leadership in Botswana, senior management officers (inclusive of Deputy Directors, Directors and executive leaders) are required to undergo a competency assessment before they can be appointed or promoted. The generic leadership competencies emphasised by the Leadership Competency Framework and the BPSC include-: leadership; mastering complexity, a drive for results and stakeholder engagement. Technical competencies are addressed by the respective ministries (PSC, 2018).

## 14.5 The Russian Federation

14.5.1 The decree by the President of the Russian Federation (2012) on the main directions for improving the public administration system outlines initiatives with regard to the reformation and development of the civil service as follows:

- a. Provides the opportunity for the participation of the representatives of public councils under the government of the Russian Federation in the activities of competitive and evaluation committees of these bodies on a par by 1 September 2012.
- b. Based on standard procedure, provides suggestions for improving the remuneration system of civil servants which takes the labour market into account, including specific professional groups, and encourages them to work on an anti-corruption basis by 1 December 2012.
- c. Organises training for civil servants involved in providing public services to the population by 1 February 2013.

14.5.2 Russia's MGIMO University - School of Governance and Politics is mainly focused on creating a new generation of public officials who will be able to thrive in a highly competitive environment, a generation that is fluent in foreign languages and expert in strategic, innovation and crisis management, with a profound understanding of the current national and international political processes. The School of Governance and Politics specialises in *Public and Municipal Administration*, *Political Science* and *International Relations*. Students choose any one of these three special programmes during the application process, but third year students are given the opportunity to select a programme curriculum with a variety of disciplines, scientific research topics and an internship option. Within the Public and Municipal Administration are programmes such as *Federal and Regional Administration*, *Federal and Regional Property Management*, and *Economic Politics*. With Political Sciences, students choose between *Technologies of Public Policy*, *GR and International Lobbying* and *Political Conflictology*. The *International Relations Programme* also includes *Global Politics* as part of its offering. The School of Governance and Politics offers a Master's degree programmes that include *International Public and Business Administration*, a double degree programme linked with Macerata University in Italy, *Management of International Projects*, *Governance in State-owned Corporations*, *International Political Consulting*, *GR and International Lobbying*, *Internal Humanitarian Cooperation* and *External Relations of Regions*.

14.5.3 Russia's *Global Code of Conduct* includes a number of guiding principles grouped into five categories, namely, working with one another, working with clients and others,

acting with professional integrity, maintaining objectivity and independence, and respecting intellectual capital.

- 14.5.4 Russia appears to emphasise anti-corruption in the Public Service as the country is signatory to a number of international anti-corruption conventions such as the *OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions*; the *Council of Europe Criminal Law Convention on Corruption*; The *Strasbourg Convention of 1999*; the *UN Convention against Transnational Organised Crime of 2000* and the *UN Convention against Corruption of 2003*. These have been supplemented by the *1993 Constitution*, especially Articles 24(2) and 29(4), the *Federal Law on Counteraction against Corruption No 273-FZ*; the *Administrative Offences Code*; Articles 19.28 and 19.29 of the *Code of the Russian Federation on the Administrative Offences, No 195-FZ*, as well as *Federal Law No. 149-FZ on Information, Information Technologies and Information Protection* and *Federal Law No. 8-FZ on Providing Access to Information on the Activities of Government Bodies and Bodies of Local Self-Government*. Despite the emphasis on combating corruption, and notwithstanding all these efforts mentioned above, corruption evidently remains part and parcel of the public sector in Russia (Sayeed & Mantzaris, 2017: 97).

## 14.6 Peoples Republic of China

- 14.6.1 China developed a centralised, uniform system of bureaucratic administration capable of governing a huge population, with a system of impersonal, and merit-based bureaucratic recruitment (see discussion on Fukuyama in Thoma, 2011). The Chinese government opposes the system of electoral democracy as a way of selecting political leaders at higher levels of government. Instead, the Chinese government affirms “political meritocracy” described as the idea that the political system should aim to select and promote public officials with above average ability and virtue by such means as examinations and performance evaluations at lower levels of government (Bell, 2018). Bell argues that there is a large gap as corruption and lack of checks against abuses of power are obvious threats to political meritocracy. As such, the main task would be to reduce this gap.
- 14.6.2 The responsibility of unethical practices in the Public Service rests upon the Central Disciplinary Committee and the Ministry of Supervision, in addition to Auditing Bureaux, Corruption Inspection Offices for Financial and Fiscal Discipline, Corruption Reporting Centres, as well as internal and external corruption monitors. Penalties for crimes against these institutions include “steep fines, confiscation of property, imprisonment and/or the death penalty” (Sayeed & Mantzaris, 2017: 99).
- 14.6.3 Appointments to the Public Service in China are influenced by party membership and loyalty. The ruling party holds absolute power over cadres because political positions and civil service positions are fused into one, although it has ensured that those deployed are qualified and have the ability to perform the job they do (PSC, 2018). To ensure meritocracy in public administration and to manage nepotism, China implemented *Public Administration Civil Service Exams* for centuries (Dechsler, 2015: 113-116). Previously known as the *Imperial Examination System*, the exam was introduced in the second century BC (Emperor Wu of Han) and applied with mixed consistency, but from the sixth century it made possible the selection of the most

talented officials for government office, lasting more than 1300 years (from the Sui Dynasty in 587 AD, to the end of Qing Dynasty in 1904). Thereafter, the relatively modified civil-service exam continued up to this era. This is considered as the longest continuing public administration exam in the world, largely consisting of an open written examination entailing formal discussion of Confucianism and the link made between traditional Chinese education and politics. Note that Confucius was known as the first “teacher” in China and made teaching available as a vocation to be practised broadly in order to open up education to more people. Confucius was also known for his establishment of ethical, moral and social standards that later became known as Confucianism.

14.6.4 The Chinese Academy of Governance (CAG), previously known as China National School of Administration, was established in 1994 and was aimed at providing training for civil servants at the ministerial and provincial level who were at the department and bureau level. The CAG also provides training to Macao and Hong Kong’s civil servants. In addition, the CAG conducts scientific research, especially in the field of public administration and innovation.

14.6.5 The China Executive Leadership Academy Pudong (CELAP) is a national institution funded by the central government and aimed at leadership training and development (CELAP, 2013). The CELAP is jointly approved by the Central Committee of the Communist Party of China and State Council and was officially open in March 2005. The target participants of CELAP include a variety of senior executives including upper and middle-level Party and government officials, business executives, senior professionals, diplomats and military officers. The core competency training for target participants of CELAP focusses on the following (PSC, 2018):

- a. Economic development (i.e. the ability to mobilise resources, the ability to co-ordinate public services and the ability to learn and adapt as situations dictate).
- b. Values education, political ideology and moral education (what socialism is, awareness-building on the historical and current socio-economic development path adopted by China, cultural needs, why a clean government is needed, why the people’s standards of living need to improve).
- c. Capacity-building (financial innovation, strategic macro-economics, depending on the official’s area of responsibility).
- d. Leadership (fully understand party documents and government strategy).
- e. Behaviour-orientation (psychology, leadership styles, addressing the media, grooming, interpersonal skills, how to make a speech and organise a press conference).

## 14.7 India

14.7.1 In India, the examinations are administered to recruit public administrators for specific purposes (Tummala, 2015: 278-279). Exams for entry into the civil service, open for all citizens, are available for candidates who have a university degree and are at least 21 years old but not exceeding 30 years. The upper age limit for Scheduled Caste/Scheduled Tribes (SC/ST) and Other Classes (OBCs) candidates is 35 years in order to address previous inequalities. The exam for higher civil servants consists of three parts: Part 1 is a multiple-choice based aptitude test. Here unsuccessful

candidates do not continue with the rest of the process. Part 2 involves essay writing and Part 3 is a personality test. While each state has its own cadre of civil servants, the central administration has the Central Services (over 20, in all), divided into Groups and there is also the unique cadre, the All-India Services, serving both the Centre and the states. The Union Public Service Commission (UPSC) is responsible for recruitment and selection of personnel to both the All-India Services and the non-technical Central Services.

## 14.8 Selected other examples

- 14.8.1 The contextual application of examination for recruitment and promotion in various countries additional to those discussed above will now be covered. The overall underlying purpose of such initiatives, involving entry exams and continuous development training programmes is to professionalise public administration. The Republic of Korea (South Korea) have applied a system of examinations for public administration that is similar to the Chinese system. Other countries, like France, do not have general exams for citizens prior to entry to the public administration but they use competitive competency based exams to recruit officials, combined with interviews for advertised positions. In the example of France, civil servants are generally recruited through a range of competitive exams (specific qualifications, professional experience and age; and internal exams reserved for certain positions).
- 14.8.2 The starting point of professionalisation for the civil service of the former Eastern bloc country, Estonia, had a different trajectory from their Western counterparts as the state institutions and civil service system was built from scratch and there were no traditional public service professions in need of replacement. However, the changes and challenges affecting the development of senior civil servants in transition periods have been similar to other countries. As the focus of the competency model of the Estonian senior civil service is primarily on (self-) development, the centrally coordinated interventions have also been related to training and development. Multi-staged development programmes, specific trainings, master classes and workshops as well as individual activities such as mentoring or consulting, have been put in place. (Jarvalt, p14).
- 14.8.3 Based on the results of the assessment of the top officials' competencies, and by taking into account Estonia's strategic objectives in sustainable development, a program called "*Global Development Trends and a Future Estonia*" was designed and implemented for the secretary generals by the State Chancellery. With three main competencies in focus (having a vision, innovation and developing the network of cooperation) and following other countries' experience with similar programmes, the programme comprises of four modules, consisting of theoretical seminars conducted in Estonia as well as study trips to countries with the greatest experience in these particular fields (Jarvalt, p14).
- 14.8.4 Two other long-term development programmes have also been created for the Estonian Civil Service. The first one, called *Integro*, is for new senior managers who have been working in their current positions for less than two years. The other, *Tempora programme*, is designed for experienced senior managers who have been in office for more than five years. Both programmes have a similar structure, comprising workshops on management issues, trainings and master classes) as well as individual

development activities (e.g. mentoring and consulting). Each of these programmes includes a one-year *Policy Innovation Programme*, designed to increase the professionalism of Deputy Secretary Generals and Directors General of agencies in developing, implementing and analysing policies.

- 14.8.5 In Hungary, which is another former Soviet Eastern bloc country, a three-tier training system was introduced that includes a general examination in public administration aimed at updating the professional knowledge of officials already in place prior to the 1993 transition. The examination contents includes basic subjects such as institutions, the general principles of functioning of the administration, administrative procedure, principles of public finance, management and data protection. This examination system reflects the willingness to reinforce the unity of the public sector and is obligatory for all public service officials. Those who fail the examination must leave the administration.<sup>3</sup>
- 14.8.6 The professional public administration examination must be taken by all Public Service officials (with some exceptions) at a given moment in their career. This is a more practical examination than the general examination mentioned above, and covers a number of management principles as well as certain elements relating to the laws of the European Union (EU). The aim of this examination is to confirm the professional competence of Public Service officials and to prepare them for carrying out general tasks in the administrative area. Those who fail remain in the lower grades (e.g. employee II, junior clerk II, administrator II or referee II), which denies them access to numerous financial benefits, in particular the bonuses awarded to higher categories. Finally, high-level seminars are organised with the co-operation of international organisations and foundations. The Phare Programme of the EU is one of the most important of these training partnerships. A fairly large number of public officials attend these seminars, which allows them to expand their professional horizons internationally and advance significantly in their careers.

## SECTION 5: Proposals for Professionalising the Public Service



## 15. PROPOSED VALUE CHAIN FOR PROFESSIONALISING THE PUBLIC SERVICE

- 15.1 Professionalism and professional ethics within the Public Service cannot be promoted and institutionalised solely through a generic *Code of Conduct* because each profession or non-professionalised emerging occupation has its own peculiarities and each public sector institution has its unique ethical dilemmas. Therefore, every profession and department must have a foundational and effective system to observe, give feedback on, discuss ethical issues and promote professional behaviour. Interventions will have to become much more solution-driven to solve such dilemmas in the specific context of departments. Solutions will also have to address the practical steps that managers can take to establish a serving and caring culture that is appropriate to the differing contexts of each particular department.
- 15.2 In order to professionalise the Public Service, there is a need to develop and employ a more comprehensive and systematic approach. To support such a dynamic approach, the proposed value chain is outlined below:



### 15.3 Pre-Entry, Recruitment & Selection

- 15.3.1 This foremost pillar has to be influenced by pre-set education and training (provided by higher education institutions (HEIs) or other recognised institutions. It is also supported by a pre-public service entry training, test or exam (Section 4 of the *Public Service Act* – mandated to NSG). The NSG rollout of the *Nyukela programme* – a mandatory pre-entry vehicle to the Senior Management Service (SMS) – is being successfully rolled out and serves as part of the professionalisation of the SMS. This programme is also applicable to serving SMS members. Government has set minimum competency requirements for the SMS & MMS in national and provincial government, and MMs and managers in municipalities. The *DPSA Directive (2011)* provides for the existing SMS to be subjected to competency assessments for purposes of identifying skills / developmental gaps which can then be incorporated into personal development plans, yet it may not be fully implemented and followed up. Proposed new initiatives in this pillar will include:

- Engagements with HEI such as universities and universities of technology, especially departments/schools that deal with public management/administration and related fields in order to influence curriculum.
- Introduction of compulsory Public Service pre-employment orientation for people who aspire to join the Public Service (*applicable to those not in the Public Service yet*).
- Tightened pre-entry requirements informing meritocratic appointments, particularly at middle and senior management levels.

- Integrity tests, as part of the overall competency assessment.
- Involvement of the PSC and external experts during interview processes of DDGs and DGs – i.e. insulation from political influence or interference. Thereafter, proposals of recommended candidates to be made to executive authorities for consideration and recommendation to Cabinet.
- Appointment of a Head of Public Service to manage the political-administrative interface and the career incidents of HODs.
- Activation of the revolving door policy when specialist or technical skills are required in the Public Service.
- Defining a clear policy on succession planning in the Public Service, without creating opportunities for nepotism, favoritisms, etc.
- The Internship Programme needs to be ramped up - currently interns are in the system for two years and then released. A way needs to be found to harness their skills and create a link aimed at employing them when there are vacancies.

#### 15.4 Induction and On-Boarding

15.4.1 Induction into the Public Service must take place at the same time as Workplace Orientation is conducted. It is important that employees undergo a workplace orientation process to enable them to better understand the workplace and dynamics. The current experience of being inducted months or years after appointment does not add value. Whilst the *Compulsory Induction Programme (CIP)* and the *Executive Induction Programme (EIP)* remain key programmes towards professionalisation, the reality is the time period from appointment to CIP/EIP registration to CIP/EIP completion is long. There needs to be faster workplace orientation. Perhaps there is a need for an immediate commencement of CIP/EIP even before taking up a public administration position (as with the induction models of China and India). Alternatively, there may also be a need for mentorship programmes (especially SMS, specialist and technical positions) in the first six months of appointment.

15.4.2 An alternate option could be that the induction curriculum is covered as part of the pre-appointment/promotion training programmes. This could be availed online and a directive be made that prospective public servants need to complete this prior to applying to the Public Service - similar to the *Nyukela Programme* for prospective SMS members. There is also a need for occupation-specific knowledge sharing (e.g. engineers in government sharing knowledge amongst each other - otherwise known as a “community of practice”).

#### 15.5 Planning and Performance Management

15.5.1 The third pillar of the value chain builds on induction and onboarding towards an effective performance management system. Key aspects of professionalisation must be emphasised in the planning, performance management and appraisal systems, including performance standards and assessment instruments for different categories of employees. Performance management can also be aligned with professional body/association registration. The performance management system must also create the space for innovation and risk taking. Given that studies conducted by the PSC have confirmed that the existing performance management system has major weaknesses and often results in non-alignment between individual performance and organisational

performance, there is a need for the DPSA to review the performance management tools to make them fit for purpose.

## 15.6 Continuing Learning and Professional Development

15.6.1 In this aspect of professionalisation, we use the analogy of the “airline pilot returning to the simulator” - cross referenced with the DPSA directive for SMS to be periodically assessed against the SMS competency framework. We have to make a determination for a certain category of employees (including SMS, specialist, technical and some key functions of SCM, HR, Finance and Planning) to be professionalised and thereby gaining certification with professional bodies. For example, an engineer employed in the Public Service may be qualified in her/his field but because he/she is not professionalised through the Engineering Council he/she will not be able to certify or sign off certain projects. This hindrance must be addressed and changed in our public service.

15.6.2 Considering the PSC's recommendations, the NSG must determine the appropriate training and learning pathways to assist in the professionalisation of these categories of employees. A Continuous Professional Development (CPD) points system allied to further studies is recommended. Legislation (and the *Public Service Charter*) is clear that public servants must avail themselves for training, and this must, as far as possible, be compelled of them to achieve within a certain timeframe.

## 15.7 Career Progression and Career Incidents

15.7.1 The State must address the meritocratic public service within a democratic public administration. The MTSF 2019-2024 determines a professional, meritocratic and ethical public administration that has to develop professional capabilities in the following areas:

- Knowledge and skills;
- Financial management;
- Governance and accountability;
- Infrastructure/facilities and equipment;
- Operational (business process and practice);
- ICT; and
- Project Management.

15.7.2 The *Revolving Door Policy (2008)* provides for the movement of SMS between private sector, academia and the public sector to inculcate “fresh, current and inspirational learning and innovative ideas”. The enablers of the Revolving Door relationships are:

- Secondment of an SMS/HOD to an academic or other institution;
- Secondment of candidates from academia or other institutions to Public Service; and
- Granting of sabbatical leave to the SMS/HOD levels (and other levels of employees in the form of special leave, e.g. legally trained people who want to be admitted as attorneys/advocates).

15.8 Consequence management in the Public Service can be augmented through the mechanisms available to professional bodies when action needs to be taken against unprofessional behavior, misconduct and material irregularities. Non-adherence to the codes governing personal, professional and financial conduct can in the last resort result in de-registration of members, which has the additional penalty of preventing the ex-member from further practice within that profession as it is governed by the professional body. These codes of conduct would also apply to Public Service officials who belong to professional bodies and therefore serve as a powerful deterrent to the commitment of professional or material transgressions.

15.8.1 The *Public Audit Amendment Act (Act 5 of 2018)* gives additional authority to the Auditor General to identify material irregularities in an audit outcome, to recommend that legal or disciplinary action is taken by the Department and then to refer the matter to Parliament and a law enforcement agency if the department fails to take the recommended action. Further to this, the AG is also bestowed the power to appropriate the personal finances of the Accounting Officer of the department or institution in which material irregularities have been identified. This would serve as a further deterrent to acts of financial misconduct in the Public Service

## 16. PROFESSIONAL RECOGNITION OF A CATEGORY OF FUNCTIONS IN THE PUBLIC SERVICE

16.1 According to the South African Qualifications Authority (SAQA), the following definitions are relevant with regard to professional recognition:

- **Professional body** means any statutory or non-statutory body that sets professional standards and registers individual expert practitioners in an occupational field.
- **Professional designation** means a title or status conferred by a professional body in recognition of a person's expertise and/or right to practice in an occupational field.
- **Community of expert practitioners** means a group of knowledgeable or appropriately skilled practitioners in a formalised and well-defined profession or occupation.
- **Occupational qualification** means a qualification associated with a trade, occupation or profession resulting in learning in and for the workplace.

16.2 Furthermore, citing from Mokwele (2019), professional bodies maintain and develop professionalism, thus securing high quality services for society. According to the *Professional Associations Research Network (PARN)*, as cited by Mokwele (2019:3), professional bodies can be divided into the following types: (i) professional association; (ii) regulatory bodies; and (iii) learned societies.

16.3 Currently, the SAQA sets the policy and criteria for recognising a professional body and registering a professional designation. There is currently a schedule of statutory and non-statutory bodies registered with SAQA.

- 16.4 The partnerships and relationships between the State and professional bodies (statutory and non-statutory) is critical in the professionalisation of the Public Service. It puts in place the checks and balances to ensure that public servants fulfil their duties in a professional manner.

## 17. PROPOSED IMPLEMENTATION FRAMEWORK

- 17.1 The approach towards professionalising the Public Service is an immense task but a necessary one. Fundamentally, it is about giving full effect to professionalism and professionalisation in line with the basic values and principles articulated in section 195(1) of the Constitution. Part of the immensity of the task is the scope of applicability and the parameters of the national framework. It is a view that the framework must apply to administration in every sphere of government; organ of state and public enterprises – to which the basic values and principles of public administration apply, as provided for in section 195(2) of the Constitution.
- 17.2 In order to professionalise the Public Service, it is necessary to diversify its approach moving forward. There is a need for a broader policy framework for professionalisation of public administration, including setting norms and standards for identified categories of disciplines. In this regard, there is a need for consultations with government departments (e.g. Department of Co-operative Governance, and Department of Public Enterprises, and other entities which have direct reporting lines to members of the executive) as well as the South African Local Government Association (SALGA).
- 17.3 Given the significant amount of work already undertaken, this framework must be clear on what more is going to be done. Further engagements must be undertaken with other state institutions to determine what work they are doing, and also to determine the role of all state academies (national, provincial, local) in professionalisation. Additional issues for consideration include some of the following:
- Identify professional bodies and associations that are operating within the various disciplines to collaborate with government departments and institutions of higher learning.
  - Measures within public sector institutions to promote an environment that will be conducive for employees to thrive as professionals for the benefit of the Public Service and to enhance productivity.
  - Determine Recognition of Prior Learning (RPL) as part of professionalisation.
  - Consider competency testing in the public service, as well as curricula that can address professionalisation.
- 17.4 A proposed implementation framework over the short, medium and long-term is articulated below:

Professionalisation Pillar	Intervention	Responsibility
<b>Pre-Entry, Recruitment &amp; Selection</b>	Introduce compulsory Public Service pre-employment orientation for people who aspire to join the Public	National School of Government



Professionalisation Pillar	Intervention	Responsibility
	Service ( <i>applicable to those not yet in the Public Service</i> ).	
	Engagements with HEIs such as universities and universities of technology, especially departments/schools that deal with public management/administration and related fields in order to influence their curriculum.	National School of Government
	Integrity tests, as part of the competency assessment. Furthermore, competency assessment to test technical and specialist skills.	Department of Public Service and Administration Department of Co-operative Governance Department of Public Enterprises
	Involvement of the PSC and external experts during interview processes of DDGs and DGs – i.e insulation from political influence or interference. Proposals of recommended candidates to executive authorities for consideration and then recommendation to Cabinet.	Department of Public Service and Administration Office of the Public Service Commission
	Pre-Entry, Recruitment & Selection can also be aligned with professional bodies/ associations registration.	National School of Government Department of Public Service and Administration
<b>Induction and On-Boarding</b>	There is a need for an immediate commencement of CIP/EIP even before taking up a public administration position (e.g. induction models of China and India). Review of the Induction Programme is required.	National School of Government Department of Public Service and Administration
	Investigate the option for mentorship programmes (especially SMS, specialist	National School of Government



Professionalisation Pillar	Intervention	Responsibility
	and technical positions) in the first six months of appointment.	Department of Public Service and Administration
	Induction and on-boarding can also be aligned with professional bodies/ associations registration.	National School of Government  Department of Public Service and Administration
<b>Planning and Performance Management</b>	In order to address the poor alignment between individual performance and organisational performance, there is a need for the DPSA to review the performance management tools.	Department of Public Service and Administration
	Performance management can also be aligned with professional bodies/ associations registration.	National School of Government  Department of Public Service and Administration
<b>Continuing Learning and Professional Development</b>	Sign the determination for compulsory programmes which address such issues as ethics, gender mainstreaming, anti-corruption, values (how public servants deal with/ behave when serving the public)	National School of Government  Department of Public Service and Administration
	Need to make a determination for a certain category of employees (including SMS, specialist, technical and some key functions of Supply Chain Management (SCM), Human Resources (HR), Finance, and Planning) to be professionalised and be entitled to receive certification with relevant professional bodies.	Department of Public Service and Administration
	Considering the PSC's recommendations, the NSG must determine the	National School of Government

Professionalisation Pillar	Intervention	Responsibility
	appropriate training and learning pathways to assist in the professionalisation of these categories of employees.	
<b>Career Progression and Career Incidents</b>	Appointment of a Head of Public Service to manage the political-administrative interface and the career incidents of HODs	Department of Public Service and Administration
	Refresh the <i>Revolving Door Policy (2008)</i> which provides for the movement of SMS between private sector, academia and the public sector to provide them with “fresh, current and inspirational learning and innovative ideas”.	Department of Public Service and Administration
	Career Progression and Career Incidents can also be aligned with professional bodies/ associations registration.	National School of Government  Department of Public Service and Administration

17.5 Other key activities and issues for consideration supporting the implementation of the framework include:

- Initiating pilots to test the functionality of and modalities for assisting selected categories of public servants to be recognised/registered by professional bodies; and
- Determining the implications of professionalisation on current conditions of service and transition measures.
- Whilst the framework places emphasis on the SMS, it will eventually cascade throughout the entire public sector. It may be prudent for some category of public servants to rather start at the lower levels and cascade upwards. Therefore the framework will not focus exclusively on the SMS.
- The consultations with identified professional bodies and all other stakeholder engagements, as well as on scoped modalities of introducing integrity testing, must be undertaken. In this regard, consultations with the Council for Built Environment (CBE) and the Justice College have commenced, whilst other bodies are being identified for consultation.
- Other identified bodies and stakeholders already identified for consultation include: organised labour; the Engineering Council, the South African Institute for Chartered Accountants (SAICA), the Legal Practice Council, the South African Association of Public Administration and Management (SAAPAM) and the South African Qualifications Authority (SAQA).

- Public values and ethics to be introduced as part of the school and tertiary curriculum to build a cohort of citizens and public servants who are ethical and values driven. Similarly, the public must be included in ethics awareness programmes and in the promotion of Constitutional Values and Principles.
- The Constitutional Values and Principles must be embedded in the pre-employment training and development of all aspiring public servants and public representatives to ensure a level of professionalism that is consistent with the Constitution.
- Integrity tests should form part of the pre-employment process.
- Public Service occupations should be mapped/catalogued in order to identify the well established and emerging professions that exist in the Public Service, as well as the levels and benefits of external professionalisation linkages. The existing 'salary' classification system (SMS, MMS, OSD, etc.) is not effective for the purpose of professionalising the public service professions.
- Promotions into leadership positions in the public service should be grounded on principles of technical competence (qualifications plus proven effective experience), integrity, responsibility, accountability, transparency and commitment to the eradication of poverty, unemployment and inequality. Therefore, recruitment and selection instruments should be broadened to address the different elements of professionalism.
- Ethical standards must be effectively communicated to employees and employees must undergo continuous training on ethical challenges that confront their departments and professions. Ethics training is necessary to integrate ethical decision-making into the organisational culture and to reinforce ethical choices and accountability.
- The *Public Service Code of Conduct* should be supported with a framework to deal with corrective action because if unprofessional conduct is not sanctioned or punished, it gets elevated to a position of acceptable/tolerable behaviour and this gets repeated because of such indirect reinforcement. Therefore, consequence management is important to deter unethical conduct and other forms of unprofessional conduct.

## 18. CONCLUSION

- 18.1 The South African government remains committed towards professionalising the Public Service in order to ensure effective governance and efficient service delivery. This is evident in the work already undertaken towards professionalisation and the further work that is contained in this framework document. The matter of professionalism or professionalising the Public Service seems to be a complex issue due to a plethora of definitions and uncertainty as to the implementation thereof. Professionalism is a multi-layered concept and may be defined according to the scope of the profession concerned. Although there is no agreement on the definition of professionalism, there is an acknowledgement in literature that certain elements assist in the classification of an occupation as a profession (Theletsane, 2013: 178). Those elements include but are not limited to, relevant academic qualifications, code of ethics, formal training programmes, and a body regulating entry into a profession. Pugh (1989: 1) identified six elements of professionalism in public administration as, a conscious self-awareness of distinctive, shared attributes among a group of people, based on an explicit written knowledge base, commitment to apply this knowledge for the social good, according to a strictly adhered-to code of ethics and conduct, formalised within an organisational structure of sorts and formal recognition of outstanding performance.

- 18.2 Other elements that could contribute to a sound definition of professionalism are reflected in the purported specific professions. There is variation on the issue of a body that regulates the profession as belonging to a Public Service as an employer could be perceived as a body. Hence, the need to interpret professionalism within various contexts with the majority of defining elements in mind.
- 18.3 In modern times, professionalism denotes exclusive mastery of a body of knowledge with the debunked notion of a divine duty that was advanced during the medieval era (Panomariov and McCabe, 2017: 82). In essence, professions are earned primarily on the basis of competence and inherent commitment. In the medical field, for example, professionalism has been defined as a collection of attitudes, values, behaviours and relationships that act as the foundation of the health professional's contract with society (Barnhoorn, 2015).
- 18.4 Professions such as law, medicine and psychology have proven to qualify on the basis of many if not all elements. However, the public servants or civil servants are a complex category or a myriad of categories. The notion of professionalism in the Public Service is compounded by many professions within a profession that could result in the lack of unified and effective operations (Thornhill & Hanekom cited in Theletsane, 2013: 184). However, public services are on a quest to be professional. Noordegraaf (2007) cited in Kroukamp & Cloete (2018: 65) argues that managers work on the professionalisation of their activities. The need to professionalise applies to the broad spectrum of public administrators.
- 18.5 The United Nations: Department of Economic and Social Affairs (2000: 5) somehow accommodates Public Service as a profession when public sector professionalism was defined as the overall value that encompasses all the other values that guide the Public Service. Kroukamp and Cloete (2018) identified the necessary values for local government to be loyalty, neutrality, transparency, diligence, punctuality effectiveness, impartiality, as well as other values that may be specific to the Public Services of individual countries. Notably, people who become public servants must be introduced to shared values and training to enhance professional operations (Kroukamp & Cloete, 2018). As such, professionalism also embodies skills, competence, efficiency, and effectiveness (Mle, 2004). Importantly, public services, in spite of their unique circumstances of having a number of professions with the sector, has elements like values, common services, principles and many bodies, not a unified body, within it. Professionalism goes beyond a mere image, but also encompass how the incumbents carry themselves and provide service delivery in terms of academic, extra-curricular, and professional endeavours. Professionalisation is a process of being a professional who subscribes to a contextually defined professionalism.
- 18.6 One could therefore assume that "professionalism" is concerned with the competence, work practices, ethos, behaviour and attitudes that should typically be displayed by members of a specific profession. Professionalisation should, as a result of this, be seen is a process by which a particular occupation transforms itself into a fully-fledged profession, exhibiting the kind of characteristics enunciated in the discussion about Codes of Conduct and Codes of Ethics (see discussion in following section). If one understands professionalism as the qualities associated with a profession, especially the competencies, knowledge and skill amongst others, then this concept is, in part, borrowed from the private sector, and it requires the public servant to fulfil his/her role

efficiently with competence and precision, including a commitment to an ethic of product and service quality, and a need to be innovative. Distinctly, ethics are broadly applied to help unify, while professionalism helps to instil pride of place to the specific vocation of each profession.

**The closing date for public comments is 26 February 2021. All comments to be submitted to this email address:**

[Professionalisation@thensg.gov.za](mailto:Professionalisation@thensg.gov.za)

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