

**DRAFT WHITE PAPER**

**AFFIRMATIVE ACTION IN THE PUBLIC  
SERVICE**

**Department of Public Service and Administration**

**3<sup>rd</sup> Draft  
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**CHAPTER 1:**

**INTRODUCTION**

*"To promote the achievements of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken"*

- Article 9 of the Constitution of South Africa

**Purpose of the White Paper**

1.1 This White Paper sets out the mandatory requirements and guidance on the steps which national departments and provincial administrations should take to develop and implement their affirmative action programmes.

**Background**

1.2 One of the post-1994 Government's foremost tasks has been to transform the Public Service into an efficient and effective instrument capable of delivering equitable services to all citizens and of driving the country's economic and social development, and of. However the Government inherited a Public Service which was divided on the basis of race and gender, and which virtually excluded people with disabilities. The Public Service thus lacked legitimacy and credibility in the eyes of the majority of South Africans. Restoring legitimacy and credibility through the development of a broadly representative Public Service has been seen, from the outset, as key to the transformation process. To this end, affirmative action policies were introduced for the first time in 1995 to bring into the administrative heart of government people from the groups who had been marginalised and systematically discriminated against by apartheid.

1.3 Since 1995, a legislative framework has been set in place - through the Constitution, and through labour legislation such as the Labour Relations Act 1995, the Basic Conditions of Employment Act, 1997 and the Employment Equity [Bill, currently before Parliament], which will institutionalize modern, democratic and equitable employment practices in both the public and private sectors. The transformation of the Public Service is being undertaken within this legislative framework. Stemming from the overarching vision for a modern and democratic Public Service set out in the White Paper on the Transformation of the Public Service, all aspects of management are being comprehensively reviewed and transformed,

including financial management and budgeting, service delivery, and the management and development of human resources.

1.4 In the field of human resource management and development, the White Paper on Public Service Training and Education, published in July 1997, and the White Paper on Managing People in a Transformed Public Service published in [month/year] provide a new framework for human resource development and management which should ensure, in the medium and longer term, an equitable, representative and well-skilled Public Service. However these measures will take time to deliver the desired results. Additional measures, in the form of affirmative action, are therefore needed in the interim to speed up the process, by providing practical ways of redressing the disadvantaged status of those groups - black people, women, and people with disabilities - who have suffered most from past discrimination.

1.5 Affirmative action is therefore defined as the additional steps which must be taken in order that those who have been historically disadvantaged are able to derive full benefit from an equitable employment environment.

1.6 In-May 1997, the Department of Public Service and Administration issued a Green Paper on a Conceptual Framework for Affirmative Action and the Management of Diversity in the Public Service, which argues that affirmative should be integrated into national and provincial departments' core businesses and, in particular, into their human resource management and development policies and practices. While welcoming the Green Paper's contribution to clarifying the key issues surrounding the affirmative action policies in the Public Service, national and provincial departments have pressed for clear direction on the steps which they should take to implement affirmative action policies as an integral part of their overall transformation programmes. This White Paper has been produced in response to this demand for clear direction and guidance on implementing affirmative action.

### **Achieving representation**

1.7 The Constitution requires that the composition of the Public Service will be broadly representative of South African society as a whole, and the White Paper on the Transformation of the Public Service sets out a number of specific targets to achieve this. The Employment Policy White Paper on Managing People in a Transformed Public Service describes how national and provincial departments will be required to transform their human resource practices in order to achieve increased representation. However these measures are unlikely, alone, to deliver the necessary results in the required timescale, as the following table indicates:

	<b>White Paper on the Transformation of the Public Service</b>	<b>Current Position</b>	<b>Gap to be filled</b>
Percentage of black people at management level	50% by 1999	38%	12%
Percentage of women recruited from outside the Public Service to middle and senior management level	30% by 1999	11%	19%
Percentage of people with disabilities	2% by 2005	0.02%	1.98%

\* Approximate figures. It is a feature of Me situation inherited from the pre-1994 dispensation that reliable information on the stands of black people, women and people with disabilities have not been systematically collected.

1.8 The targets in the White Paper on the Transformation of the Public Service are *minimum* national targets. They do not represent the ultimate goal, which is that all group-e and levels within the Public Service should be representative of society as a whole. For example, the target of 2% for people with disabilities is still well below the 5% of people with disabilities in society as a whole; and the 30% figure for the recruitment of women is only an interim step to achieving the approximately 50% which full demographic representation requires. The targets in the White Paper on the Transformation of the Public Service therefore represent only a *baseline*, on which national and provincial departments should aim to improve. Moreover, departments must also develop more refined targets to deal with specific inequalities within particular national and provincial departments, occupation groups, levels and geographic regions. The Government will review and re-set the national minimum targets in 1999 and every three years thereafter.

### **Redressing disadvantage**

1.9 Despite the removal, since 1994, of statutory and other formal barriers to entry to and advancement within the Public Service, and despite the creation of an increasingly equitable employment environment through improved human resource management practices, there are some people who have been so severely disadvantaged that they will require additional help in order to be able to benefit from the opportunities of employment equity. For example:

- Systematic educational discrimination against black people and the blocking of opportunities for economic advancement have denied many the formal educational qualifications and necessary experience for entry into and advancement within certain types of occupations, especially technical occupations and managerial level posts. Within the Public Service, the majority of black people are to be found doing low level work;
- Similarly, gender stereotyping has resulted in the majority of women being employed in lower level work in traditionally feminine areas, such as education and health, with very few in decision-making positions. Even where women are well qualified and experienced, the predominance of males at management level has resulted in a culture in which male behaviour patterns are perceived to be the norm, and in which women often find it difficult to be accepted as equals by their male colleagues. These problems are compounded by a working environment which makes few concessions to domestic responsibilities, such as child-rearing, which are still primarily a female concern;
- Prejudice, stereotyping and ignorance of how to manage disability in the workplace continues to limit the recruitment of people with disability. Most public service organizations make few concessions to the needs of people with disabilities. Negative attitudes, inaccessible and unsupportive working environments, and inadequate training and development opportunities all make it difficult, if not impossible for people with disabilities to gain employment and advancement within the Public Service.

1.10 Affirmative action will help to alleviate the disadvantages caused by these discriminatory practices, and enable black people, women and people with disabilities to benefit on a fair basis from the opportunities that an equitable Public Service offers them.

### **Developing a more diverse management culture**

1.11 The White Paper on Managing People in a Transformed Public Service explains the importance of developing a diverse management culture not only in order to support representation and to achieve democratic legitimacy, but also to increase efficiency and effectiveness, and to improve service delivery. It goes on to describe the measures that national and provincial departments should introduce in order to develop a more genuinely diverse and inclusive management culture. Affirmative action will be needed to give practical support and additional focus to these measures.

### **Scope of the White Paper**

1.12 The policies set out in this White Paper are primarily focused on the three groups within society - black people, women, and people with disabilities - who are identified in the Employment Equity [Bill] as having suffered most from past discrimination, and who are therefore most in need of support to enable them to achieve employment equity. 'Black people' for this purpose also includes coloured people and Indians. 'Disability' includes *all* those whose physical condition renders them vulnerable to discrimination. Within the three target groups there are some individuals and sub-groups, such as black women in rural areas, who have suffered proportionately more than others. Affirmative action programmes must take account of these differences, and not rely on blanket solutions. However this does not invalidate the need to address the generic needs of the three target groups.

1.13 Although affirmative action in the Public Service is focused on the three target groups, the underlying principles are equally appropriate to all individuals and groups who have suffered from discrimination and whose affirmation is essential to building a democratic Public Service in the new South Africa.

1.14 The mandatory provisions in the White Paper apply to national departments and provincial administrations, and were developed in consultation with them and with other key stakeholders within and outside the Public Service. However the policies are equally relevant to the wider public sector, and it is expected that this White Paper will assist other areas of the public sector, such as local authorities and state enterprises to develop and implement their own affirmative action programmes .

### **Structure of the White Paper**

1.15 Chapter 2 of the White Paper sets out the goal and objectives of the affirmative action policies, and the principles which will govern their implementation. Chapter 3 describes how affirmative action programmes should be developed and implemented, and the mandatory requirements which must be included in such programmes. Chapter 4 explains the steps which will be taken, following the publication of this White Paper, to assist national departments and provincial administrations with implementation.

## **CHAPTER 2:**

### **SETTING THE COURSE FOR AFFIRMATIVE ACTION**

#### **Goal**

##### **2.1**

*The goal of affirmative action in the Public Service is to speed up the creation of a democratic, representative, equitable, efficient and service-orientated Public Service, which encourages and enables those who have been historically disadvantaged by unfair discrimination to join the Public Service and subsequently to fulfil their maximum potential within it.*

## **Objectives**

2.2 The objectives of the Public Service affirmative action policy are, within the framework of the Employment Equity [Act] and other labour and Public Service legislation, to:

1. 1: Speed up the achievement and progressive improvement of the numeric targets set out in the White Paper on the Transformation of the Public Service.
2. 2: Develop and introduce practical measures to support the advancement within the Public Service of black people, women and people with disabilities.
3. 3: Inculcate a Public Service culture which values diversity and supports the affirmation of those who have previously been unfairly disadvantaged.

## **Achieving the objectives**

2.3 The requirement to achieve broad representation within the Public Service is firmly established by the Constitution, and the role of affirmative action in helping to achieve this is supported by subsequent statutes and by policy documents such as the White Paper on the Transformation of the Public Service. However, affirmative action programmes will need to be developed and implemented in accordance with certain key principles in order to align them with other transformation goals.

### Integration with improved human resource management and development practices

2.4 Affirmative action programmes will only succeed if they are used as essential tools for improving the management and development of human resources. They must therefore become fully integrated with human resource management and development practices, rather than being superimposed upon them. This means that implementing affirmative action will be the responsibility of every manager, rather than solely of specially designated staff.

### A more productive, service delivery-oriented Public Service

2.5 Affirmative action programmes must play an important part in improving efficiency and productivity by maximising the contribution of a more diverse workforce. Moreover, a more representative workforce will assist in the development of a more responsive relationship with recipients of public services, for example by increasing the numbers of public servants who speak African languages, and who have an in-depth understanding of the needs of historically disadvantaged sections of the community.

### Cost effectiveness

2.6 Affirmative action does not override the goal of achieving an efficient and cost-effective Public Service. Rather, it ensures that, within the overall resources available, those who are employed in the Public Service represent the diversity of the country's population and are able to fully deploy their skills and talents for the benefit of the

citizens that they serve, and of their own development. The cost of securing the recruitment and advancement of black people, women and people with disabilities should therefore be measured against the cost of *not* taking affirmative action - for example in terms of under-utilisation of human resources, high turnover of key staff, and in failing to provide customer-oriented public services. Investing wisely in affirmative action programmes will result in greater job satisfaction, more competent workforces that improve the efficiency of Departments, and will assist in retaining the services of employees from the three target groups. The Public Service will become an 'employer of choice', sought after by members of the target groups because of its good practice.

2.7 Given the need to contain public expenditure, affirmative action programmes must be funded primarily by reorienting a proportion of the significant amounts of money already being spent on working accommodation and facilities, working benefits, training and development; and from savings from eliminating waste and inefficiency.

#### Communication, participation and openness

2.8 Affirmative action programmes depend above all on the willing support of public servants themselves, whether or not they are the beneficiaries of the programmes. It is essential that the rationale and purpose of affirmative action policies are fully communicated, understood and accepted throughout the Public Service. Further, affirmative action programmes should be developed in consultation with employees themselves, and with the representatives of organised labour. Openness is an important factor in ensuring support and acceptance of affirmative action. Affirmative action programmes should therefore be transparent, in terms of their objectives, activities and results, and open to scrutiny both by public servants within the organization and by the public. They should also contain speedy and effective mechanisms for resolving conflicts and misunderstandings which may arise in the workplace as a result of implementing affirmative action policies

#### **Principles which will guide affirmative action**

2.9 In the light of the above, affirmative action in the Public Service will be underpinned by the following principles:

##### **Integration with human resource management and development**

Affirmative action programmes must be integrated with other human resource management and development practices, especially the management of diversity.

##### **Productivity and Improved service delivery**

Affirmative action programmes must promote the development of more innovative work practices which maximise productivity and increase customer-responsiveness.

##### **Cost effectiveness**

Affirmative action programmes must focus on steps which optimise the Public service's human and financial resources.

##### **Communication**

The purpose of affirmative action policies and programmes must be fully communicated to all public servants.

**Participation**

Affirmative action programmes must be developed with the active participation of employees at all levels, and with representatives of organised labour.

**Transparency**

Affirmative action programmes and practices must be open to scrutiny within and outside the Public Service.

**CHAPTER 3:****DEVELOPING AND MANAGING AN AFFIRMATIVE ACTION - PROGRAMME****Introduction**

3.1 Affirmative action is not an activity undertaken in addition to other administrative tasks, but an essential tool for achieving the organisation's strategic and operational goals. It follows that affirmative action is not an isolated function carried out only by specially appointed staff, but rather an integral element of every aspect of the organisation's management practices. A well-prepared and well-managed programme will be required to ensure that affirmative action is firmly embedded in departmental management systems and practices.

3.2 National departments' and provincial administrations' affirmative action programmes will be shaped and managed to reflect their own particular Circumstances. Nevertheless, in order to ensure that the Government's affirmative action policies are implemented consistently throughout the Public Service, and that they comply with the statutory requirements of the Employment Equity [Bill], programmes must contain certain common elements. The following paragraphs set out the minimum mandatory requirements and offer a guidance for the development and management of affirmative action programmes.

3.3 The mandatory requirements will be incorporated into the new Public Service Regulations to be issued by the Minister for Public Service and Administration. The guidance will be developed into more detailed guidelines, to be developed in consultation with national and provincial departments, during the implementation phase which will follow closely on the publication of this White Paper.

**Affirmative action programmes - mandatory requirements**

3.4 Public Service affirmative action programmes must contain, as a minimum, the following:

**Numeric targets**

The broad numeric targets set out in the White Paper on the Transformation of the Public Service for each of the three target groups must be translated into time bound targets for each of the department's main occupational groups. Progressive targets must also be included for the period beyond 1999 (2005 in the case of people with disabilities) aimed at achieving full demographic representation within a specified time period.

### Employee profile

Departments must maintain accurate statistics, updated annually, in respect of each of black people, women and people with disabilities, on:

- the total number of employees in each group, broken down by rank and occupational class
- the number and type of training and development programmes provided and the number of employees who participated in these programmes
- the number of employees recruited in the previous 12 months, and the occupational groups and ranks to which they were recruited
- the number of employees promoted in the previous 12 months and the ranks to which they were promoted

Comparative statistics must also be maintained in respect of employees outside the three target groups

### Affirmative action survey

The programme must include an in-depth survey, repeated at annual intervals, to assess the needs, priorities and perceptions of both all staff, both within and outside the three target groups.

### Management Practices Review

The programme must include a regular review of management practices to determine whether these constitute barriers to the recruitment and advancement of members of the three target groups; and what changes are needed to remedy the defects.

### Performance Management

Implementation of and demonstrable support for the organisation's affirmative action policies must be included in each employee's performance assessment criteria.

### Affirmative action plan

An affirmative action plan must be prepared and promulgated throughout the organization, setting out:

- affirmative action objectives and time bound targets for their achievement
- who will be responsible for achieving them
- the financial and other resources to be allocated to achieving affirmative action objectives and targets
- monitoring, reporting and evaluation arrangements
- formal and informal procedures for resolving conflict
- consultation arrangements

### Responsibilities

The responsibility of key players within the department for implementing the department's affirmative action programme must be identified, including the:



- Minister or MEC
- Director-General or Head of Department
- Line managers
- Head of Human Resources and other senior managers; and
- Affirmative action programme manager

### Policy statement

A policy statement, approved by the Minister or MEC, must be communicated throughout the department, setting out the department's commitment to affirmative action, including the information set out above, and how the policy will be implemented.

## **Guidance on developing an affirmative action programme**

### Establishing a business case for affirmative action

3.5 The case for affirmative action must be firmly rooted in the department's core business goals. Affirmative action objectives which demonstrate how affirmative action will lead to, for example, improved productivity, improved service delivery, capacity-building and employee development, must therefore be incorporated in the department's strategic plans, and in its Medium Term Expenditure Framework. Existing plans and frameworks must now be reviewed and revised as necessary. Specific objectives must be included in the Department's human resource management and development plans for recruiting and advancing each of the three target groups within the department's main occupational groups. Operational plans must identify who is responsible for achieving the objectives, and what resources will be allocated for this purpose. The 'business case' for affirmative action must be clearly articulated-and understood throughout the organization.

### Establishing the current baseline

3.6 Decisions about what action should be taken to achieve the department's affirmative action objectives need to be taken in the light of accurate information about the current baseline, i.e.: the existing status, needs and priorities of each of the three target groups; and the capacity of the organization to deliver the required results. The baseline must be established by means of an *Employee Profile* and a *Management Practice Review*. In the case of provincial administrations, these must be completed for each department.

### Employee profile

3.7 The profile must comprise a *statistical survey* and an affirmative action *needs survey*. The *statistical survey* must establish, annually, for black people, women and people with disabilities:

- the total number of employees
- the number of employees within each occupational group
- the number of employees at each rank

- the number and type of training and development programmes provided and the number of employees who participated in these programmes
- the number of employees recruited from outside the Public Service in the previous 12 months, and the occupational groups and ranks to which they were recruited
- the number of employees promoted in the previous 12 months and the ranks to which they were promoted

3.8 The affirmative action *needs survey* must establish, annually, the needs and priorities of each of the three target groups on their, and the barriers which they perceive to achieving employment equity. The survey must cover, among other things: ° human resource and other management practices ° training and career development ° working hours, travel and other conditions of service ° accommodation and facilities ° management style and organizational culture. Comparative information must also be collected for all other employees.

### Management Practice Review

3.9 An examination of all aspects of management must then be undertaken to determine whether existing practices and processes are capable of supporting the organisation's affirmative action objectives. The Review must determine not only whether any of the practices place barriers to the achievement of employment equity by members of the three target groups (or are perceived by them to do so); but also where changes are needed to accommodate and advance members of the three target groups. The Review must be carried out at least every three years, and must cover, among other things:

Human resource management practices, including:

- Human resource planning
- Job specifications
- Advertising
- Recruitment
- Selection
- Probation
- Performance management
- Career management
- Promotion
- Transfers
- Conduct and discipline
- Mechanisms for dealing with complaints against discriminatory behaviour and resolving conflict
- Termination of service

Human resource development, including:

- Pre-entry training and development
- Induction and orientation training
- Range and content of formal training courses (internal and external), and opportunities and selection for such courses
- Opportunities and support for further education for career-enhancing qualifications
- On-the job training
- Monitoring and coaching schemes

#### Conditions of service, including:

- Working hours
- Leave arrangements
- Support for employees with domestic responsibilities
- Childcare arrangements
- Travel to work arrangements
- Office accommodation, equipment and facilities for people with disabilities

#### Financial management:

- Preparation and approval of budgets
- Allocation of financial resources

#### Corporate style, including

#### Language

- Internal communications
- Dress code
- Management style
- Behavioural code - implicit and explicit

#### Affirmative action plan

3.10 The baseline information provided by the Employee Profile and the Management Practice Review will enable the organization to identify the gap between where it is now, and where it needs to be in order to achieve its affirmative action objectives. An affirmative action plan must then be drawn up to fill this 'improvement gap'. Employees themselves will provide the main source of ideas for the improvements that are needed, and the plan must therefore be drawn up on the basis of an organisation-wide consultative exercise.

3.11 The affirmative action plan must be practical and realistic, and be specific to each of the three target groups. The plan must include:

- Numeric goals for the recruitment, career-related training, development and advancement of members of each of the three target groups within a specified time period
- Targets and dates for changes to existing structures, practices and procedures which will contribute to the achievement of these goals
- Standards for corporate behaviour and management style which will support the affirmation of each of the three target groups
- The avenues for complaint open to individual employees if they believe that they have been the subject of discrimination, or their legitimate needs and priorities have been undermined; and the action which will be taken against employees who are found guilty of discriminatory behaviour
- Clear guidance on the roles and responsibilities of managers and employees at all levels for supporting the achievement of affirmative action
- Guidance on the affirmative action criteria which should be included in performance assessments
- Creative ideas for fostering a culture of diversity
- The financial and other resources which will be provided for affirmative action activities
- Monitoring, reporting and evaluation arrangements

### **Communication and participation**

3.12 Key to implementing affirmative action programmes that are effective and sustainable is the commitment and support of staff throughout the organization, and of organised labour. It is essential to gaining that commitment and support to ensure that the goals and objectives of affirmative action are understood, and accepted by all staff - not only those who are the direct beneficiaries - to be in the interests of the entire organization. Departments will therefore need to develop a sustained and effective communication programme which enables staff to see affirmative action as a positive tool for achieving the organisation's core business goals, in terms of optimising the skills, talents and cultural diversity of the workforce in order to improve service delivery and increase efficiency and effectiveness; as well as creating an equitable and representative employment environment. The programme should be based on two-way communication which ensures that staff at all levels are kept informed of plans and achievements, and which takes their views into account. The process should be sufficiently robust to ensure that genuine concerns and anxieties are dealt with, and that issues are addressed openly and honestly, without undermining the commitment to affirmative action.

3.13 The most effective affirmative action programmes are likely to be those in which staff themselves feel a genuine sense of ownership. The key to developing a sense of ownership is the active participation of staff. In many cases it will be the staff themselves who will have the best ideas about the practical steps which should be taken, and affirmative action programmes should therefore be undertaken as a participative exercise, drawing on the ideas of staff at all levels.

### **Managing an affirmative action programme**

3.14 It will be clear from the foregoing paragraphs that developing and implementing an affirmative action programme will involve everyone in the organisation, from top

management to the most junior staff, and that managing the process will be a major undertaking. The following paragraphs set out the roles and responsibilities of those who have key roles to play.

### Ministers and MECs

3.15 Responsibility for ensuring that the Government's affirmative action policies are implemented rests ultimately with Ministers and MECs, who must answer to their legislatures for their departments' performance. Ministers/MECs should therefore formally approve their organisation's affirmative action programme, and regularly monitor its implementation. Equally as important as these formal measures, however, is the Minister/MECs leadership role in promoting understanding of and support for affirmative action through, for example, including references to affirmative action in public statements and speeches, signing the departmental policy statement, taking a personal interest in affirmative action activities within the department, and ensuring that affirmative action measures are assigned priority and resources within the department's transformation programme.

### Directors-General and Heads of Department

3.16 While ultimate responsibility rests with Ministers and MECs, it is the Director-General or Head of Department who must ensure the development and implementation of the affirmative action programmes on their behalf. Development and implementation of the programme should therefore be one of the criteria against which the Director-General's or Head of Department's performance is assessed, and this should be included in his or her performance contract.

3.17 The Director-General or Head of Department is responsible for, among other things:

- providing leadership and demonstrating personal commitment and support for the affirmative action programme
- putting institutional mechanisms in place for the efficient and effective implementation of the affirmative action programme
- assigning responsibility and resources for the affirmative action programme
- ensuring that the purpose and rationale for affirmative action is understood and accepted throughout the organization
- ensuring that affirmative action is integrated into the organisation's strategic and operational plans, and into its management practices
- ensuring that objectives and targets are set for delivering the Government's affirmative action goals

### Line managers

3.18 Increasingly, in the transformed Public Service, responsibility for human resources and financial management will be delegated to line managers. Line

managers will therefore be primarily responsible for putting resource and other practices through which the affirmative action programme will be implemented. For example, they will have a clear responsibility for the recruitment, training,

performance management and career development of employees within their components from the three target groups.

3.19 Line managers will also, on a day-to-day basis, be the people who, by their behaviour and example, and by their active support for those within the target groups, must demonstrate the organisation's commitment. Moreover, as the people who will interact most closely with groups, they will be an essential channel of communication between those who are responsible for driving the affirmative action programme and the intended beneficiaries of the programme. Line managers' implementation of affirmative action must therefore be one of the central indicators. Moreover, line managers' should be provided with guidance to exercise their affirmative action responsibilities.

#### Heads of human resources

3.20 Given the central importance of human resource management and development as a means of implementing affirmative action, the Head of human resources will play a key role in the successful implementation of affirmative action programmes. The integration of affirmative action principles and objectives into human resource management and development practices, should therefore be one of the main objectives of the Head of human resources' operational plan, and one of the main criteria on which his or her performance should be assessed. In particular, the Head of human resources will be responsible for integrating affirmative action into all human resource management and development practices, including:

- Incorporating specific targets for achieving the numeric goals set out in the White Paper on the Transformation of the Public Service into human resource planning recruitment, and promotion practices
- Ensuring that recruitment advertising reaches and attracts candidates from the three target groups
- Ensuring that job descriptions and selection criteria do not place overt or implicit barriers to the recruitment and advancement of members of the target groups.
- Ensuring that selection panels are appropriately trained in selection and interviewing techniques
- Ensuring that affirmative action objectives are incorporated into the performance management system, and that performance in supporting affirmative action is included in the assessment of staff at all levels
- Enhancing training, development and monitoring programmes for members of the three target groups, ensuring that these are tailored to their individual needs, that the necessary resources are made available for them, and that participation in such programmes is supported by line managers
- Ensuring that line managers are trained to undertake their responsibilities for career development of members of their staff from the three target groups.
- Maintaining personnel records which enable progress in implementing the affirmative action programme to be accurately tracked over time.

#### Heads of Finance and Provisioning

3.21 Those who are responsible for the organisation's financial and material

resources will also have a vital role to play in implement programmes, since decisions about how resources should be allocated and spent will impact directly on the ability of the organization to promote affirmative action priorities. Their role will be to ensure that, within the overall resources available, funds are identified and earmarked for affirmative action projects. They will also be responsible for ensuring that affirmative action projects are cost-effective and in line with the organisation's strategic and operational plans. To the extent that additional funds are required, the head of finance will be responsible for advising the Director-General or head of department where savings can be made in other areas to finance affirmative action activities.

3.22 Those responsible for preparing and approving budgets should therefore ensure that budget bids from individual components include affirmative action objectives. Examples of the types of expenditure which will require particularly close scrutiny might be:

- Training and development activities, to ensure that there is adequate funding for the enhancement of opportunities for those from the three target groups
- Working accommodation, facilities and equipment, to ensure that these include adequate provision for people with disabilities, and for woman
- Travel schemes, to ensure that these recognise the particular difficulties of black people whose homes are at a distance from their places of work, or who do not have access to safe and reliable public transport; women whose journeys to and from work are complicated by the need to deliver and collect children from school or child-minders; and people with disabilities who cannot use public transport or drive their own vehicles

3.23 Departmental budgets must identify funds which are earmarked for affirmative action activities, so that top management, when approving the budget, can see the total amount involved and consider whether this is adequate to achieve the organisation's affirmative action objectives. This can be done either by creating a single fund, on which individual projects can draw, or by allocating specific amounts to individual components.

#### Those responsible for other aspects of departmental management and administration

3.24 There are other aspects of departmental administration which can significantly affect the implementation of affirmative action, and those responsible for them will need to bring them into line with affirmative action objectives. These include:

- Working hours and leave, which should be sufficiently flexible to facilitate increased employment opportunities for, for example, people with family responsibilities, or who are pursuing external studies, or who have transport problems. More innovative approaches to working hours should also benefit the public, for example by enabling offices to open earlier and to stay open later.
- Childcare provision, to enable people, predominantly women, to pursue their careers while bringing up children
- Working environment, which should cater for people with disabilities

#### Members of the three target groups

3.25 Successful affirmative action programmes depend, ultimately, on the extent to which they are used positively by those who are intended to benefit from them. It is

therefore essential, if affirmative action is to achieve its objectives, that black people, women and people with disabilities see themselves as active partners with the organization in the process. They should, for example:

- respond positively to opportunities for training, development and career enhancement
- make their priorities and concerns clear to their line manager
- be open and positive about their own values and seek to help others to understand them
- contribute actively to the organisation's business goals
- be unapologetic about their status as beneficiaries of affirmative action.

#### Employees outside the three target groups

3.26 Employees who are not members of the three target groups have an important role to play in supporting the affirmative action programme. They should:

- actively seek to understand the concerns and values of the three target groups, and demonstrate, through their attitudes and behaviour, that they support its aims
- take an active part in developing affirmative action programmes
- refuse to tolerate attitudes or behaviour among their colleagues which undermines the values of the target groups, which is overtly or tacitly discriminatory, or which hinders their advancement
- contribute actively to the organisation's business goals

#### Affirmative action programme manager

3.27 Because of the wide-ranging nature of the affirmative action programme, the Director-General or head of department must designate someone to manage the programme on a day-to-day basis. The tasks of the affirmative action manager include:

- Developing the programme and preparing a policy statement
- Ensuring the purpose and content of the programme is communicated and understood
- Ensuring that the mandatory elements of the programme are strictly adhered to.
- Ensuring that those with responsibility for implementing various aspects of the programme do so to the required standard and within the specified time scales.
- Facilitating transverse activities
- Providing expert advice and guidance
- Reviewing progress and reporting results.

3.28 Given national and provincial departments' delegated responsibility for organising and managing their departments, and their varying size, functions and structure, departments must decide whether a single individual can undertake the tasks unaided, or even in combination with other duties, or whether they will need additional staff to help them. Departments must also decide on the appropriate level and location of the affirmative action programme manager within the organisation,



The criteria for deciding on the level and location are among others, that the affirmative action programme manager should:

- report on affirmative action directly to the Director-General or Head of Department; and be able to act on his or her authority;
- be sufficiently senior to be able to require employees at every level within the organization to fulfill their affirmative action responsibilities;
- be located within the organization in a position where he or she has access to all parts of the organization.

### Transformation structures

3.29 In some departments, a transformation unit or group is already involved in developing affirmative action programmes. These structures can materially assist the implementation process, for example by operating as a forum for generating ideas and innovation, and for monitoring progress. However, since transformation structures do not exercise executive authority, they should not be assigned the responsibilities set out in paragraphs 3.27 and 3.28 above.

## **CHAPTER 4:**

### **IMPLEMENTATION**

#### **Introduction**

4.1 In line with the fundamental shift of authority and responsibility for Public Service management from the center to national departments and provinces, this White Paper provides a basic framework for implement policies. The responsibility for turning policy into practice rests firmly with national and provincial departments.

#### **Steps to success**

4.2 In putting into practice the requirements set out in this White Paper, a systematic approach should be adopted. The following steps, linked to the guidance set out in chapter 3 of this White Paper, will help to ensure a comprehensive implementation strategy:

##### Step 1: Assign responsibility

Clarify the respective roles and responsibilities of the Minister/MEC, Director-General/Head of Department and other key players for direction and development and implementation of the affirmative action programme (paragraphs 3.15 - 3.26) and assign day-to-day responsibility to a nominated person within the department for managing the programme (paragraphs 3.27 - 3.28).

##### Step 2: Establish the business case for affirmative action

Set out the case for affirmative action in terms of the department's strategic and operational goals; and set tangible goals and objectives for affirmative action (paragraph 3.5).

##### Step 4: Establish the current baseline

Assemble the facts and figures about the current status and needs of each of the three

target groups, and comparative facts and figures about all other employees (paragraphs 3.6 - 3.8).

Step 5: Identify the 'improvement gap'

Critically review existing management procedures, practices the desired affirmative action goals and objectives, and against the baseline information and identify the gap between where the department is now, and where it wants to be (paragraph 3.9).

Step 6: Develop an affirmative action plan

Develop a practical and realistic affirmative action plan to fill the 'improvement gap', built on the expressed needs and perceptions of the three target groups, and taking account of the views and perceptions of *all* employees (paragraphs 3.10 - 3.11).

Step 7: Issue an affirmative action policy statement

Issue a statement committing the department to achieving its affirmative action goals, objectives and projects (paragraph 3.4).

Step 8: Communicate

Communicate the affirmative action programme interactively throughout the department. Encourage constructive criticism (paragraphs 3.12 - 3.13).

Step 9: Evaluate

Review progress against the affirmative action programme at regular intervals and be prepared to amend the programme in the light of experience.

**The role of the Department of Public Service and Administration**

4.3 In order to ensure that affirmative action policies are applied speedily and consistently throughout the Public Service, the Department of Public Service and Administration will support departments' efforts in several ways. First, it will conduct, in conjunction with departments, a Public Service-wide communication campaign, aimed at familiarizing all public servants with the goals, objectives and principles set out in this White Paper.

4.4 The Department of Public Service and Administration will also develop, in conjunction with national and provincial departments, practical guidelines for developing affirmative action programmes, building on existing good practice from within the Public Service and more widely. The Department will also seek to establish a network of affirmative action practitioners who, by sharing ideas and experience, can facilitate the development and rapid absorption of a corpus of good practice.

4.5 In implementing their affirmative action programmes, it is likely that national and provincial departments will on occasions find that progress is hampered by centrally-controlled rules and regulations. The Department of Public Service and Administration, in conjunction with other departments as required, will seek to abolish or amend rules and regulations which unnecessarily restrict affirmative action activities and initiatives.

4.6 The Department of Public Service and Administration will also evaluate and report to the Portfolio Committee on Public Service and Administration on the effectiveness of the policies set out in this White Paper, and propose refinements as necessary in the light of experience. The Department will, in particular, review

national and provincial departments' progress in achieving numerical targets for representation, and will propose improved and refined targets with the aim of reaching the ultimate goal of full demographic representation.

### **Accountability for implementation**

4.7 Responsibility and accountability for implementing affirmative action rests with national and provincial departments and, ultimately, with the Ministers and MECs in charge of them. Within departments, the implementation of affirmative action policies will be incorporated into individual managers' performance objectives and, specifically, into the performance contracts between Directors-General and Ministers/MECs.

4.8 At the institutional level, the main mechanisms for ensuring progress will be the departmental affirmative action programme and the reporting of results in the departmental annual report. The affirmative action programme must be submitted to the Department of Labour under the provisions of the Employment Equity [Act]. The documents will provide the opportunity for bodies such as the Public Service Commission, and relevant portfolio committees to monitor the activities of individual departments and provinces in achieving affirmative action objectives.

4.9 The Department of Public Service and Administration will also use these documents to evaluate and report to Parliament on the effectiveness of the policy in 1999, and at three-yearly intervals thereafter, and to propose improved national minimum targets for representation of the three target groups, as well as any amendments to the policy which is desirable in the light of experience.

4.10 The Portfolio Committee on Public Service and Administration may institute regular hearings to scrutinise the performance of national departments and provincial administrations in implementing affirmative action policies, and to hold the Department of Public Service and Administration to account for the overall success of the policies.