

Department of Traditional Affairs

Annual Performance Plan

2011 – 2012

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ABBREVIATIONS AND ACRONYMS

CRLRC	Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
CTLDC	Commission on Traditional Leadership Disputes and Claims
CoGTA	Cooperative Governance and Traditional Affairs
DoJ & CD	Department of Justice and Constitutional Development
DCoG	Department of Corporative Governance
DTA	Department of Traditional Affairs
DPSA	Department of Public Service and Administration
ENE	Estimates of National Expenditure
GIS	Geographic Information System
ISC	Institutional Support and Coordination
MEC	Member of the Executive Council
MTEF	Medium Term Expenditure Framework
MTSF	Medium Term Strategic Framework
MoU	Memorandum of Understanding
NT	National Treasury
NHTL	National House of Traditional Leaders
ODG	(Office of the Director-General)
PMDS	Performance Management Development System
RPL	Research Policy and Legislation
SALGA	South African Local Government Association
SMS	Senior Management Service
TC	Traditional Council

PART A STRATEGIC OVERVIEW

Foreword by the Acting Minister



Now, perhaps more than ever before in the country's history, there is a need to move with speed and a united sense of purpose and urgency towards the transformation of the institution of traditional leadership as an integral part of ensuring that the traditional communities are meaningfully integrated into sustainable programmes of social, political and economic development. This should amongst others include the provision for the legislative recognition and affirmation of the Khoi-San communities and leaders who have been in the margins of our country's history for many a century.

This Annual Performance Plan 2011/12 is therefore part of our journey to ensure that such initiatives and commitments which are clearly articulate in the strategic plan 2011 – 2014 are indeed met.

Accordingly, as the integral part of the Cooperative Governance and Traditional Affairs (CoGTA) family, the newly established Department of Traditional Affairs (DTA) has gone through a review of the strategic plan for 2009 - 2014. The main commitments made in 2009 in the DTA's five year strategic plan covering the entire Medium Term Strategic Framework period (2009 – 2014), are still on track to guide the expanded mandate of this newly established Department. The newly established DTA has undertaken a series of assessments to diagnose the state of governance within the institution of traditional affairs. This was an extensive consultative process with all key stakeholders at national, provincial and local government levels. The findings of this undertaking have informed the 2011-2014 Department of Traditional Affairs Strategic Plan and the Annual Performance Plan for 2011- 2012.

A Partnership Model will be developed based on the findings of this assessment work. This will enable focused attention on traditional affairs broadly, promoting cooperation, cohesion and coordination as well as ensuring effective and efficient monitoring and evaluation within the three spheres of government.

It is important to note that in 2011, the new Commission on Traditional Leadership Disputes and Claims was established to consider a total of 1322 claims and disputes. Furthermore, the two pieces of legislation governing the National House of Traditional Leaders (NHTL) and Governance Framework Act are being consolidated into a single

piece of legislation. The consolidation of these pieces of legislation will ensure an integrated approach to dealing with matters affecting traditional affairs, including the institution of traditional leadership in particular. More importantly, the legislation will give recognition to the Khoi-San communities, leadership and authority structures while creating a platform for them to take an active and meaningful part in governance structures of the institution of traditional leadership.

The DTA, in its coordination work, will develop effective protocols to improve partnerships and collaboration with national departments, entities, provincial departments and will also promote effective collaboration between municipalities and traditional leaders. In so doing, the DTA will use some best practice models in South Africa to promote constructive collaboration and partnerships. This will be supported by the Partnership Model which will be developed with various key stakeholders. In addition, the DTA will contribute towards achieving the objectives of Outcome 9 in three ways. Firstly, the department is currently amending Section 81 of the Municipal Structures Act to provide for substantive and meaningful participation of traditional leaders in Municipal Councils. Secondly, the Department through the National, Provincial and Local Houses of Traditional Leaders, will facilitate communication leading to the release of well placed land to Municipalities for housing, burial and other development purposes. Lastly, the DTA will strengthen partnerships at the local level to accelerate development and service delivery in support of Outcome 9 as well as the Local Government Turn Around Strategy.

This Annual Performance Plan therefore seeks to outline the key deliverables of the Department of Traditional Affairs for the 2011-2012 fiscal year in pursuit of our main objective “building a better life for all, particularly for those who live in remote rural areas under the jurisdiction of traditional leaders and whose lives are characterized by underdevelopment and abject poverty.

I therefore call on all stakeholders, especially the traditional leaders and communities to work closely with CoGTA in general and the DTA in particular in making sure that this Plan is implemented. Working Together, We can Do More!!



Mr EN MTHETHWA, MP

Acting Minister for Cooperative Governance and Traditional Affairs



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Official sign-off

It is hereby certified that this Annual Performance Plan 2011/12:

Was developed by the management of the Department of Traditional Affairs under the guidance of the Acting Minister for Cooperative Governance and Traditional Affairs, Mr. E N Mthethwa. Was prepared in line with the current Strategic Plan (2011-2014) of the Department of Traditional Affairs.

Accurately reflects the performance targets which the Department of Traditional Affairs will endeavor to achieve over the period 2011/12 given the resources made available in the budget for 2011/12 financial year.

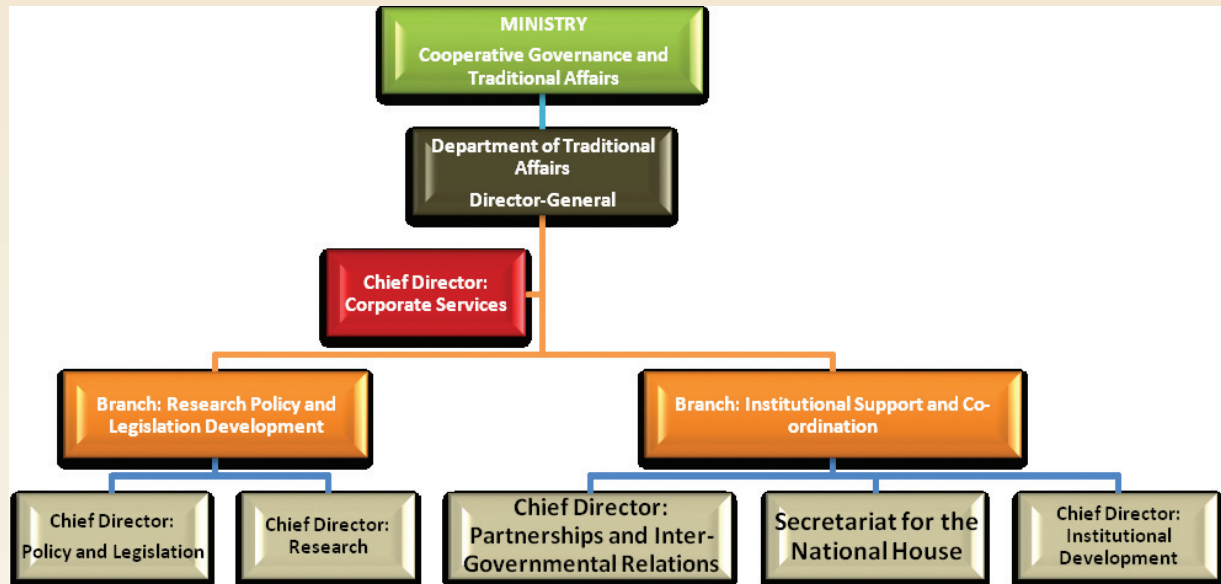
MS RS MOGALADI
Head Official responsible for Planning

MR M MTYHUDA
Chief Financial Officer

PROF MC NWAILA
Accounting Officer

ACTING MINISTER EN MTHETHWA, MP
Executive Authority

1. High Level Organisational Structure



All the due processes and procedures that must be followed with regard to the establishment of a new department have been adhered to. The decision to establish the DTA was taken by Cabinet in March 2008. The then DPLG appointed KPMG to configure the organizational structure and post establishment for the new department.

On the 11th of May 2009, the new Cabinet under Mr. Jacob Zuma, the President of the Republic of South Africa, was announced. The new government, embarked on the assessment of the effectiveness of the government programmes. It was found that there were several service delivery and development gaps. This impacted negatively on the communities. There was therefore a need to reorganize and align government programmes. As a result of this, some departments had to be split and others had to be created to improve service delivery. The then Department of Provincial and Local Government (DPLG) had to be changed to Cooperative Governance and Traditional Affairs (CoGTA). This change was effected to strengthen intergovernmental relations and to improve coordination. In addition, the Chief Directorate responsible for Traditional Leadership was elevated to a Department of Traditional Affairs consisting of three programmes; namely, Administration, Research, Policy and Legislation Development as well as Institutional Support and Coordination. The structure was approved by the Executive Authority.

2. Mandate

The strategic thrust of the Department of Traditional Affairs is to provide political, traditional and administrative leadership and management

Multi-Faceted Mandate:

Its role as an **Implementer**: in discharging this role, the Department will be leading government in implementing Act 41 of 2003, the White Paper on Traditional Leadership and Governance, and other existing or future national legislation relating to traditional affairs and will champion coherent and integrated planning, and the overall transformation and provision of support to the institution of traditional leadership.

DTA strategic role as a **Coordinator**: in discharging this role, the department will work closely with provincial departments, the national, provincial and local houses of traditional leaders, municipalities and traditional councils. In addition, DTA coordinates and monitors the work these stakeholders do, provides leadership and advice as well as supporting and evaluating their performance. The department also acts as a facilitator regarding the interaction between provincial and national departments, and it further ensures that an integrated approach towards traditional affairs is adopted by all spheres of government and key stakeholders.

Lastly, the DTA serves as a **Partner**: ensuring that traditional leadership becomes fully involved in the development of rural areas. In discharging this role, the department ensures that partnerships for the development of traditional community areas are advanced amongst organs of state and the private sector. This is done with the intention of promoting a coherent approach towards the transformation of the institution, and also to maximise the use of resources as well as donor aid.

3. Vision

An effective and efficient institution of traditional leadership that enhances sustainable development and service delivery.

4. Mission statement

To coordinate traditional affairs activities across government through:

- 4.1. Development of appropriate policies, systems and regulatory framework governing Traditional Affairs; Enhancement of organisational efficiency and effectiveness;
- 4.2. Establishment of capacity development, systems and partnership models;
- 4.3. Undertaking periodic research and development on traditional affairs matters; and
- 4.4. Monitoring and evaluation of performance of DTA and its entities.

5. Values

Guided by Principles of Batho Pele we adhere to the following values:

1. Honesty;
2. Integrity;
3. Respect;
4. Collegiality;
5. Commitment to service;
6. Activist Approach; and
7. Professionalism.

6. DTA Strategic Outcome Oriented Goals

DTA has developed three strategic outcome oriented goals for the institution and has aligned them with the six strategic objectives.

Strategic outcome Oriented Goal 1	Effective Department of Traditional Affairs
Goal Statement	Developed DTA to be a learning organisation by 2014

Strategic outcome Oriented Goal 2	Effective governance systems for traditional affairs
Goal Statement	Improved developmental and governance capacity and capability of traditional affairs, and the Institution of traditional leadership

Strategic outcome Oriented Goal 3	Sustainable partnerships and collaboration for service delivery
Goal Statement	Enhanced interface between local government and traditional leadership through fostering partnerships, social cohesion and developed traditional communities.

7. Key stakeholders and associated institutions

An assessment of the state of governance in the area of traditional affairs requires a consultative process with all key stakeholders, and the following stakeholders and their functions have been identified:

- Indigenous knowledge systems in collaboration with the Department of Arts and Culture, Science and Technology and relevant provincial departments and entities;
- Traditional courts and indigenous law in collaboration with Department of Justice and Constitutional Development and relevant provincial departments;
- Traditional community land and its administration by traditional leadership in collaboration with the Department of Rural Development and Land Reform and relevant provincial departments;
- Traditional healers and medicines in collaboration with the Department of Health, and relevant provincial departments;
- The development and promotion of cultural tourism in collaboration with the Department of Tourism;
- The provision of water and the promotion of environmental awareness and sensitisation of the usage of water as a scarce commodity in collaboration with the Department of Water and Environmental Affairs;
- Linguistic diversity and multilingualism in collaboration with the Department of Arts and Culture, CRL Rights Commission, Pan South African Language Board and relevant departments at provincial level
- Relationship between traditional communities and municipal structures in collaboration with the Department of Cooperative Governance and the relevant provincial departments; and
- The establishment of partnerships between the traditional leaders, traditional councils and municipalities to improve rural development and service delivery (All Sector Departments responsible for services).

8. Situational Analysis

8.1. Performance Delivery Environment

The Department of Traditional Affairs has three programmes as stated earlier, and the performance of the department for the 2011-2012 financial year will be provided for each of the programmes as follows:

Administration

The purpose of the Administration programme is to provide administrative and corporate services and to ensure that there are effective governance and internal control systems in the department.

Currently, this programme does not have corporate services; and the DTA has signed a Memorandum of Understanding with the Department of Cooperative Governance (DCoG) in August 2010, for DCoG to provide corporate services functions for DTA. DCoG will continue providing these services in the 2011/12 financial year. A joint steering committee has been established to make the MoU effective as a tool to ensure that the Department receives maximum corporate services support.

Research, Policy and Legislation

The purpose of the programme is to:

- Ensure that traditional communities are empowered by reviewing and developing the national support programme for traditional communities and their governance structures;
- Promote and integrate the role and place of the institution of traditional leadership in the South African governance system by establishing synergetic relations with other governance structures across the three spheres of government; and to
- Promote traditional knowledge by establishing a comprehensive, user friendly database.
- Establish profiles of all traditional communities in SA

The Research, Policy and Legislation Programme focuses on research into the various aspects of traditional affairs, including the institution of traditional leadership and ensures that proper policies, legislation and frameworks are developed and implemented to govern the coordination of the issues pertaining to traditional affairs and the functioning of traditional leadership. Furthermore, this programme deals with the development, refinement or amendment of policies and legislation related to traditional affairs, including the institution of traditional leadership.

The programme has embarked on the process of consolidating all national legislation pertaining to traditional affairs (National House of Traditional Leaders Act and Traditional Leadership and Governance Framework Act) into a single consolidated Bill i.e. National Traditional Affairs Bill. The consolidated Bill includes the recognition of the Khoi-San leadership and structures and required amendments resulting from the legal uncertainties and gaps to the Traditional Leadership and Governance Framework Act and the National House of Traditional Leaders Act.

Institutional Support and Coordination

The programme Institutional Support and Coordination is a newly established programme in the department which started in August 2010 with the appointment of the Programme Head as stated earlier. The purpose of the programme is to provide for systems and programmes for capacity building and the coordination of partnerships within the institution. This purpose requires cooperation, collaboration and coordination with all DTA partners and other interested stakeholders.

Good progress has been achieved despite the limited human resource capacity, and this was due to the general support from other units as enabled by the adoption of the project management approach in the department.

The branch coordinated the project on the assessment of the state of governance within traditional affairs, wherein a concept document was developed to inform the assessment process. A stakeholder analysis was undertaken through analysis of different pieces of legislation in order to determine the traditional affairs related functions performed by other departments and entities, and a methodology which informed the overall but customized approach for all provinces. This was followed by pre-engagements sessions with national departments, provinces and other public entities.

It can be reported that eight provincial departments of COGTA and offices of Premiers were engaged prior to the assessment process, and all were unanimous on the need for such a process.

To date, six provincial assessments were conducted in Northern Cape, Mpumalanga, Free State, Eastern Cape, Gauteng and Limpopo, whilst the North West and Kwa-Zulu Natal provinces will be assessed at a later date. The process is currently underway to analyse data from provinces and develop province specific and one composite national report. The general analysis revealed the following cross cutting issues:

- support to the institution is minimal in most provinces;
- limited resources to support the institution;
- poor relations between elected local government councilors and traditional leaders among others.

The national composite report will inform a number of DTA projects for the next MTEF, including a sector-wide strategy.

Furthermore, the Programme developed draft capacity building strategy which aims to coordinate the development of institutional systems, and personal development in a structured and well consulted approach. Existing capacity building structures will be an option for the coordination of the implementation of this strategy in the next financial year, and to date, interactions with some stakeholders such as the Local Government Sector Education and Training Authority already commenced.

8.2. Departmental Strategic Objectives

Strategic Objective 1: To ensure the functionality of the Department of Traditional Affairs by establishing its capacity and capability to deliver on its mandate.

The main focus of the programme is to establish governance systems for the effective functioning of the department and to ensure that it complies with all government prescripts. As part of the establishment of the department, the programme will develop internal control systems, policies, processes and procedures. Currently, all the posts in the corporate services unit of the department are not filled and it is envisaged that all the funded positions in the unit will be filled in this MTSF period.

As a result of the above, a Memorandum of Understanding has been developed between the Departments of Cooperative Governance (**DCoG**) and Traditional Affairs. The DCoG is expected to provide the necessary corporate services functions to DTA. A Steering Committee as stated earlier has also been established for implementation of the MoU.

Strategic Objective 2: To enhance alignment and standardization in the regulatory, institutional and support framework for traditional affairs across provinces and municipalities.

During the 2010-2011 financial year, the DTA developed the draft consolidated Traditional Affairs Bill aimed at providing for the alignment and standardization of traditional affairs legislation in order to ensure an integrated approach in dealing with all matters involving traditional affairs and also to provide for a user-friendly legislation affecting traditional communities. The alignment of the regulatory framework will promote uniformity and consistency in the treatment of traditional affairs matters throughout the country.

Strategic Objective 3: To ensure that traditional communities are empowered by reviewing and developing the national support programme for traditional communities and governance structures.

During the 2010 – 2011 financial year, the DTA developed the draft capacity building strategy (CBS) which provides for a holistic approach to the development of traditional houses and leaders in a structured and common approach. The department will undertake a consultative process with key stakeholders and partners on the CBS, and this will culminate in the establishment of capacity building coordinating forums at both national and provincial levels.

There will also be collaborative efforts with the Local Government Sector Education and Training Authority (LGSETA) to ensure coordination, sharing of resources and the utilization of existing forums and facilities with regard to traditional councils.

The department will take an incremental approach with regard to the implementation of the CBS, with more emphasis on the establishment of support systems for the traditional affairs houses in the first year. A development support agenda with key national and international development partners will also be developed, to enable the broader support on matters of capacity building for traditional affairs, and the specific development of traditional and leaders.

An Advisory Committee on Khoi-San matters will also be established to advise the Minister and the department on policy matters, but also provide feedback on government decisions and policy pronouncements to their communities.

Strategic Objective 4: To promote and integrate the role and place of traditional affairs and the institution of traditional leadership, in the South African governance system by establishing synergetic relations with other governance structures across the three spheres of government.

The DTA new and expanded mandate has increased the workload within the institution, and this calls for cooperation with different stakeholders. To that effect, the DTA undertook the assessment of the state of governance within traditional affairs with the purpose to determine the functionality within different traditional affairs structures, and ensure the integration of traditional affairs work with that of other stakeholders. Furthermore, a stakeholder analysis was undertaken where the different pieces of stakeholder legislation that impact traditional affairs were analysed and the traditional

affairs related issues identified. The intended outcomes of the assessment process will lead to amongst others, a transformed institution, complying with legislative prescripts and playing a critical role in development and service delivery.

During the next MTEF period, the following deliverables will be achieved, a Partnership Model will be developed to formalize the cooperation, collaboration and coordination between DTA and its stakeholders, a traditional affairs-wide strategy that gives effect to issues emanating from the assessment process, a document on the roles and functions of traditional leaders as identified by stakeholders.

Strategic Objective 5: To support DTA entities, by ensuring that they play a central role towards development and service delivery.

The DTA has the responsibility of overseeing the smooth running of the National House of Traditional Leaders, the CRL Commission and the Commission on Traditional Leadership Disputes and Claims.

The DTA provides these entities with support in terms of human, financial and other resources that would enable the said entities to achieve their respective mandates. During the MTSF period, the DTA examined and analysed the factors that have over the years lead to the leadership instability in the National House of Traditional Leaders. A five point strategy for dealing with the leadership instability was developed and adopted by the members of the House.

It is expected that during the 2011-2012 financial year, the said strategy will be implemented in order to provide the National House of Traditional Leaders with a unified and sustainable leadership dedicated to making a meaningful contribution to development and service delivery. Similarly, during the 2010-2011 financial year, the DTA supported the CRL Commission financially to enable the entity to meet its obligations and mandate. The DTA has provided research and legal support to the Commission on Traditional Leadership Disputes and Claims during the 2010-2011 financial year. This support will continue during the next MTSF period

Strategic objective 6: To enhance knowledge management within traditional affairs.

The DTA is required to develop policies and legislation aimed at improving the performance of the institution of traditional leadership regarding the latter's contribution to development and service delivery. Therefore, periodic applied research and evaluation of policies, programmes and projects is undertaken to determine the extent to which communities are benefiting from government initiatives. Effective monitoring and evaluation system needs to be strengthened in all provinces and municipalities to ensure submission of quality information that will assist in strategic planning, decision making and shape the policy direction.

Furthermore, national, provincial and local houses including traditional councils will continue to be supported to provide quality data that indicate improvement in policy and legislative implementation as well as development and service delivery. During the 2010-2011 financial years, the DTA embarked on a policy and legislative review and this enabled it to identify policy and legislative gaps in the implementation processes.

This has enabled the DTA to overhaul the National House of Traditional Leaders Act and the Traditional Leadership into one piece of legislation, incorporating amongst other things, the recognition of the Khoi-San communities, leadership and authority structures. Knowledge and information management is central to the development of the DTA. The DTA aims to provide knowledge and information management products and services for itself and the public at large. The aim of DTA is to develop systems that will enhance knowledge generation and sharing amongst all key stakeholders as basic ingredients for effective, innovative intervention, support and development efforts of the institution of traditional leadership and provinces at large.



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8.3. Organisational Environment

The Department of Traditional Affairs (DTA) was established to coordinate all government departments nationally, provincially and locally in all matters related to traditional affairs. This means that it must work with all spheres of government to ensure that government policies and programmes are implemented effectively and efficiently and that the voice of the rural communities is heard.

Upon the establishment of this department, the organizational structure was approved by the Minister of the Department of Public Service Administration (DPSA) with 122 posts, of which 76 was funded in the 2010 – 2011 financial year. Furthermore, the transfer of staff and relevant functions from the Department of Cooperative Governance, was done last year.

An Internal Technical Task Team was established to ensure that the transfer of functions to the Department of Traditional Affairs is concluded efficiently and effectively. With some of the functions being new, the need for the recruitment of new staff has become a necessity. In addition, SMS staff attached to the Chief Directorate Traditional Leadership and Institutions and the National House of Traditional Leaders were displaced and they all had to reapply and compete for posts, but still guaranteeing them security of tenure within public service. Furthermore staff below SMS from the chief directorate were successfully placed within the department.

For the past months, focus has been on recruiting senior management to fill all the critical posts. In order to provide capacity and support to the entities, five commissioners for the Commission on Traditional Leadership Disputes and Claims were appointed and inducted on the 13 December 2010. The Department of Traditional Affairs has ensured that its organizational structure is relevant to delivering on its key strategic focus areas.

The Department of Cooperative Governance will continue to provide Corporate Support to the new department through defined Service Level Agreements until the Department of Traditional Affairs has built its own cooperate services capacity in the next three years. In addition to the above, the National House of Traditional Leaders (NHTL) has also continued to give advice to the President and Minister on relevant issues, particularly on matters of policy.

Members of the NHTL and provincial houses are given opportunity and support to participate in policy processes involving the Traditional Courts Bill, the Traditional Leadership and Governance Framework Amendment Bill and the National House Amendment Bill.



9. Revision to legislative and other mandates

The work of the DTA in supporting the institution of traditional leadership, is informed by Chapter 12 of the Constitution, policies and all pieces of legislation administered by the department, national policies and laws relating to the public service as a whole, as well as those pieces of legislation that promote Constitutional goals such as equality and accountability.

9.1. The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)

The overarching mandate of the Department flows specifically from section 211 of the Constitution, which states that:

- (1) The institution, status and role of traditional leadership, according to customary law, are recognized, subject to the Constitution.
- (2) A traditional authority that observes a system of customary law may function subject to any applicable legislation and customs, which includes amendments to, or repeal of, that legislation or those customs.
- (3) The courts must apply customary law when that law is applicable, subject to the Constitution and any legislation that specifically deals with customary law.

Furthermore, section 212 of the Constitution states as follows:

- (1) National legislation may provide for a role for traditional leadership as an institution at local level on matters affecting local communities.
- (2) To deal with matters relating to traditional leadership, the role of traditional leaders, customary law and the customs of communities observing a system of customary law –
 - (a) national or provincial legislation may provide for the establishment of houses of traditional leaders; and
 - (b) National legislation may establish a council of traditional leaders.

The traditional leadership function is a functional area of concurrent national and provincial competence in terms of Part A of Schedule 4.

9.2. White Paper on Traditional Leadership and Governance, 2003

The White Paper sets out a national framework and norms and standards that define the role and place of the institution of traditional leadership within South Africa's system of democratic governance. It seeks to support and transform the institution in accordance with constitutional imperatives and to restore the integrity and legitimacy of the institution in line with the African indigenous law and customs subject to the Constitution.

9.3. Traditional Leadership and Governance Framework Act, 2003 (No. 41 of 2003) as amended and the National House of Traditional Leaders Act, 1997 (No. 10 of 1997) as amended

These two pieces of legislation are currently being overhauled and consolidated into one piece of legislation. The Act is currently being amended in the main to provide for the recognition of the Khoi-San communities and leadership. Furthermore, the Act is further being amended to address lacunae identified in the implementation of the Framework Act regarding the traditional communities and leadership. The latest amendments include provision for kings/queens councils as well as a fourth level, namely, principal traditional leadership.

9.4. Provincial Legislation

The following is a list of provincial legislation dealing with the institution of traditional leadership:

- Eastern Cape Traditional leadership and Governance Act, 2005 (Act No. 4 of 2005);
- Eastern Cape House of Traditional Leaders Act, 1995 (Act No. 1 of 1995);
- Free State Traditional leadership and Governance Act, 2005 (Act No. 8 of 2005);
- Free State House of Traditional Leaders Act, 1994 (Act No. 6 of 1994);
- KwaZulu-Natal Traditional leadership and Governance Act, 2005 (Act No. 5 of 2005);
- Limpopo Traditional leadership and Institutions Act, 2005 (Act No. 6 of 2005);
- Limpopo Houses of Traditional Leaders Act, 2005 (Act No. 5 of 2005);
- Mpumalanga Traditional leadership and Governance Act, 2006 (Act No. 3 of 2006);
- Mpumalanga Provincial House and Local Houses of Traditional Leaders Act, 2005 (Act No. 5 of 2005);
- North West Traditional leadership and Governance Act, 2005 (Act No. 2 of 2005);
and
- North West House of Traditional Leaders Act, 1994 (Act No. 12 of 1994) (as amended).

9.5. Other Public Service Legislation

The Department of Traditional leadership is also guided by the following Acts, which all government departments must comply with:

- Municipal Structures Act, 1998 (Act No 117 of 1998);
- Municipal Systems Act, 2000 (Act No 32 of 2000);
- Disaster Management Act, 2002 (Act No 57 of 2002);
- Intergovernmental Relations Framework Act, 2005 (Act No 12 of 2005);
- Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Act, 2002 (Act No 19 of 2002);
- Public Services Act, 1994 (Act No 103 of 1994);
- Public Finance Management Act, 1999 (Act No. 1 of 1999) and Treasury Regulations



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10. Overview of 2011-2012 Budget and MTEF Estimates for Department of Traditional Affairs

10.1 Expenditure estimates

Table 10.1.1 Traditional Affairs

Sub programme	Audited Outcome			Adjusted Appropriation	Medium-Term Expenditure Estimate		
	2007/08	2008/09	2009/10		2011/12	2012/13	2013/14
R million							
Management: Head of Traditional Affairs	-	-	-	4 571	8 809	9 771	11 721
Policy and Legislation for Traditional Affairs	6 552	9 875	9 634	10 728	10 166	11 245	12 087
Institutional Support and Coordination	-	-	-	7 770	11 093	12 663	13 295
National House of Traditional Leaders Fiscal Transfers	13 169	14 926	13 755	19 046	20 701	22 135	23 351
Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities	15 447	19 996	20 250	21 401	22 150	23 227	24 503
Commission on Traditional Leadership Disputes and Claims	10 573	11 496	12 604	10 561	10 850	11 378	12 003
Total	45 741	56 293	56 243	74 077	83 769	90 419	96 960
Change to 2010 Budget estimate				3 214	2 976	4 698	6 524

Table 10.1.2 Economic Classification												
Current payments	29 795	35 563	34 255	52 143	61 264	66 827	72 075					
Compensation of employees	10 133	10 855	11 811	31 694	38 561	42 220	45 351					
Goods and services of which:	19 662	24 708	22 444	20 449	22 703	24 607	26 724					
Administrative fees	3	1	1	7	7	8	8					
Advertising	161	460	522	868	987	1 047	1 102					
Assets less than the capitalization threshold	51	9	4	86	119	131	138					
Audit cost: External	-	-	-	-	11	12	13					
Catering: Departmental activities	776	1 058	585	1 445	1 406	1 495	1 577					
Communication	681	732	718	522	834	888	939					
Computer Services	-	-	-	970	1 004	1 070	1 128					
Consultants and professional services: Business and advisory services	6 392	6 757	6 653	5 923	3 329	3 546	3 750					
Consultants and professional services: Infrastructure and planning	-	-	-	-	1 044	1 101	1 162					



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Consultants and professional services: Legal cost	216	259	1 337	1 020	1 306	1 382	1 458
Contractors	34	57	10	825	1 629	1 695	1 751
Agency and support/ outsourced services	9	263	461	120	133	142	150
Entertainment	-	-	-	53	61	69	74
Inventory: Learner and teacher support material	-	10	-	-	-	-	-
Inventory: Material and supplies	-	8	-	-	-	-	-
Inventory: other consumables	-	7	3	-	-	-	-
Inventory: Stationery and printing	131	196	407	925	633	781	737
Lease payments	284	86	20	190	322	348	368
Property payments	-	-	-	-	84	90	95
Travel and substinence	10 352	13 840	11 381	6 104	8 060	9 059	9 938
Training and development	69	28	15	162	194	157	168
Operating expenditure	355	100	15	614	718	712	749
Venues and facilities	148	837	312	615	822	874	1 419

Transfer and subsidies	15 447	20 194	21 970	21 544	22 150	23 227	24 503
Provinces and Municipalities	-	-	-	143	-	-	-
Departmental agencies and accounts	15 447	19 996	20 250	21 401	22 150	23 227	24 503
Households	-	198	1 720	-	-	-	-
Payments for capital assets	499	536	18	390	355	365	382
Machinery and equipment	499	536	18	390	355	365	382
Payment for financial assets	-	-	-	0.1	-	-	-
Total	45 741	56 293	56 243	74 077	83 769	90 419	96 960
Details of selected transfers and subsidies							
Departmental agencies and accounts							
Departmental agencies (non-business entities)							
Current	15 447	19 996	20 250	21 401	22 150	23 227	24 503
Commission for the Promotion & Protection of the Rights of Cultural, Religious & Linguistic Communities	15 447	19 996	20 250	21 401	22 150	23 227	24 503
Households							
Household social benefits							
Current	-	198	-	-	-	-	-
Employee social benefit	-	198	-	-	-	-	-

Provinces and municipalities													
Municipalities													
Municipal bank accounts													
Current	-	-	-	143	-	-	-	-	-	-	-	-	-
Vehicle licences	-	-	-	143	-	-	-	-	-	-	-	-	-
Households													
Households other transfers													
Current	-	-	-	1 720	-	-	-	-	-	-	-	-	-
Traditional leaders act of grace	-	-	-	-	-	-	-	-	-	-	-	-	-

10.2 Relating Expenditure Trends to Strategic Outcome Oriented Goals

Over the MTEF period, spending will focus on establishing the programme as a stand-alone department. Between 2007/08 and 2010/11, expenditure increased from R45.7 million to R74.1 million, at an average annual rate of 17.4 per cent. The growth was due to an additional allocation to build capacity and to fund the National House of Traditional Leaders.

Expenditure is expected to increase to R97 million in 2013/14, at an average annual rate of 9.4 per cent. This growth is the result of building capacity over the medium term for the programme to establish itself as a stand-alone department. The bulk of the increase is reflected in spending in compensation of employees, which is expected to grow by R13.7 million over the medium term.

PART
B
PROGRAMME AND SUB
PROGRAMME PLANS



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11. DTA Strategic Objectives, Programmes Performance Indicators and Medium Term Targets

Programme 1: Administration

Strategic Objective 1: To ensure the functionality of the Department of Traditional Affairs by establishing its capacity and capability to deliver on its mandate

Performance Indicator	Projects	Audited/Actual Performance 2011	Estimated performance 2010/11	Medium -Term Targets		
				2011/12	2012/13	2013/14
DTA 2011-2014 Strategic Plan and Annual Performance Plans developed, tabled to Parliament and implemented	Development, implementation, monitoring of Departmental Strategic Plan for 2011-2014 and APPs	Organizational Structure, Strategic plan 2009-2014, Budget Vote,	DTA Strategic Plan 2009-2014	Develop, table and implement DTA 2011 - 2014 Strategic and Plan Annual Performance Plan for 2011-2012	Develop, table and implement Annual Performance Plan 2012-2013	Develop, table and implement Annual Performance Plan 2013-2014
DTA Strategic Focus reviewed	Review of DTA strategic focus	New Project	DTA Expanded Mandate			Review the Vision and strategic focus
DTA Planning and Reporting Guidelines developed, implemented and reviewed	Development, implementation, monitoring and Review DTA Planning and Reporting Guidelines	New Project	Implementation of DTA Planning and Reporting Guidelines	Develop and implement DTA Planning and Reporting Guidelines developed and implemented	Implementation of DTA Planning and Reporting Guidelines implemented and updated	Implementation and Review of DTA Planning and Reporting Guidelines implemented and reviewed

Change Management Strategy developed, implemented and reviewed	Development, implementation, monitoring and review Change management processes	New Project		Develop and implement change management strategy	Implement and monitor change management strategy	Review change management strategy
Sector wide Communication on structures established and plans developed	Development, Implementation and Review of DTA Communication and Marketing Strategy	Communication strategy and functional Website for the Department of Traditional Affairs developed and implemented by March 2010	Approved Communications and Marketing Strategy Operational DTA website	Implement and monitor DTA Marketing and Communication Strategy	Implement and monitor DTA Marketing and Communication Strategy	Implement and monitor DTA Marketing and Communication Strategy
DTA corporate governance systems established and implemented	Establishment and implementation of DTA Corporate Governance Systems	Approved Organizational Structure	Approved Organizational Structure	Internal Audit Policy and HR Policy developed	Risk Management, Supply Chain Management, Asset Management Policies and ICT Plan developed and implemented	Review and implement governance systems
DTA Corporate Services capacitated and fully functional by 2014	Capacitating DTA Corporate Service	Approved Organizational Structure	Approved Organizational Structure	Capacitate Finance and Internal Audit Units	Capacitate HR, Legal, IT and Supply Chain Management Units	Capacitate Asset Management and Facilities Management Units



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Programme 2: Research, Policy and Legislation

This programme is responsible for the following strategic objectives:

Strategic Objective 2: To enhance alignment and standardization in the regulatory, institutional and support framework for traditional affairs across provinces and municipalities

Performance Indicator	Projects	Audited/Actual Performance 2011	Estimated performance 2010/11	Medium - Term Targets		
				2011/12	2012/13	2013/14
Guidelines on Determination of the Number of Members of Traditional Councils developed, implemented and reviewed	Implementation of the Framework Act	Guideline Gazetted	Traditional Leadership and Governance Framework Act 2009 and applicable provincial legislation	Develop Guidelines on Determination of the Number of Members of Traditional Councils	Implement and monitor the Guidelines on Determination of the Number of Members of Traditional Councils	Implement and review the Guidelines on Determination of the Number of Members of Traditional Councils
National Traditional Affairs Bill developed, consulted on and introduce into Parliamentary process	Development of National Traditional Affairs Bill	Review and implement the Traditional Leadership Governance Framework Act and the National House of Traditional Leaders Amendment Act	Traditional Leadership and Governance Framework Act 2009 and applicable provincial legislation	Development of National Traditional affairs bill and introduction of bill into Parliament	National Traditional Affairs bill taken through Parliamentary processes	Implement and review the National Traditional Affairs Act dependent upon promulgation by the President



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Development of Legislation on Initiation	Enactment of Initiation Framework Bill	Policies on initiation, ukuthwala developed and implemented in partnership with affected State Departments and Organs of state	Ministerial policy priority enunciated on August 2009	Approve Policy on Initiation Development of Draft Bill and submission to legislation Committee	Consultation with relevant stakeholders and introduction of Bill into Parliament	Bill taken through Parliamentary processes
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Strategic Objective 6: To enhance knowledge management within traditional affairs

Performance Indicator	Projects	Audited/Actual Performance 2011	Estimated performance 2010/11	Medium - Term Targets		
				2011/12	2012/13	2013/14
Percentage research agenda implemented and reviewed	Development of a research agenda within traditional affairs	50% of targeted stakeholders and communities utilize the database on Traditional Affairs	Traditional Leadership and Governance Framework Act 2009 and applicable provincial legislation	Implement % of research Agenda	Implement % of research Agenda	Implement % of research Agenda implemented Review Research Agenda
Provincial profiles developed, updated and reviewed	Development of traditional affairs profiles in provinces (socio-economic, demographic etc.)	50% of targeted stakeholders and communities utilize the database on Traditional Affairs	DTA Data Base on Traditional communities, leaders and structures	Develop Provincial Profiles	Update and review Provincial Profiles	Update and review Provincial Profiles

Genealogical tool designed, developed and implemented	Development of genealogical tool for traditional communities.	50% of targeted stakeholders and communities utilise the database on Traditional Affairs	DTA Data Base on Traditional communities, leaders and structures	Design Genealogical Tool.	Develop Genealogical tool	Implement Genealogical tool.
Knowledge Management strategy for traditional affairs developed, implemented and reviewed.	Development of knowledge management strategy for traditional affairs	50% of targeted stakeholders and communities utilise the database on Traditional Affairs	Traditional Leadership and Governance Framework Act 2009 and applicable provincial legislation	Conduct knowledge management needs analysis. Develop Knowledge Management Strategy.	Implement Knowledge Management Strategy.	Implement and review the Knowledge Management Strategy.



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Programme 3: Institutional Support and Coordination

This programme is responsible for three strategic objects as depicted in a table below:

Strategic Objective 3: To ensure that traditional communities are empowered by reviewing and developing the national support programme for traditional communities and governance structures.

Performance Indicator	Projects	Audited/Actual Performance 2011	Estimated performance 2010/11	Medium - Term Targets		
				2011/12	2012/13	2013/14
Capacity building strategy approved and implemented	Development of a Capacity Building Strategy	Development of a skills development framework; Completion of a skills audit for Kings/Queens and Senior Traditional Leaders, headmen/women and Traditional Councils;	Draft Capacity Development strategy	Consultation and approval of Capacity Building Strategy		
				15% individual capacity building implemented and monitored.	30% individual capacity building implemented and monitored	55% individual capacity building implemented and monitored.
					15% environment capacity building implemented and monitored.	30% environment capacity building implemented and monitoring.



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National and Provincial capacity building forums established	Establishment of National and Provincial forums for Capacity Building,	New Project	Establish capacity building coordinating forums	Establish capacity building coordinating forums	Establish capacity building coordinating forums
Support systems for Houses of traditional Leaders.	Development of Institutional support systems for the Houses of Traditional Leaders	New Project	4 Provincial 1 National	3 Provincial	2 Provincial
			Coordinate the development of institutional support systems	Develop, implement and monitor institutional support systems	Review the support systems for
			3 Houses of traditional leaders	4 Houses of traditional leaders	2 Houses of traditional leaders.

Strategic Objective 4: To promote and integrate the role and place of traditional affairs and the institution of traditional leadership, in the South African governance system by establishing synergetic relations with other governance structures across the three spheres of government.

Performance Indicator	Projects	Audited/Actual Performance 2011	Estimated performance 2010/11	Medium -Term Targets		
				2011/12	2012/13	2013/14
Six (6) Provincial Assessment Reports	Development of the National and Provincial Assessment Reports	New Project	8 Pre-engagement assessments and 6 Assessment workshops on the state of governance in the area of traditional affairs	Adopt 6 Provincial Reports	Implementation of the Findings of the Assessment Reports	Implementation of the Findings of the Assessment Reports



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National Assessment Report	Adopt 1 National Report					
Partnership Model developed.	A DTA Partnership model developed	8 Pre-engagement assessments and 6 assessment workshops	New Project	Development of a Partnership Model	Implement the Partnership strategy Monitoring and Reporting on the Strategy	Implement the Partnership strategy Monitoring and Reporting on the Strategy

Strategic Objective 5: To support DTA entities, by ensuring that they play a central role towards development and service delivery.

Performance Indicator	Projects	Audited/Actual Performance 2011	Estimated performance 2010/11	Medium - Term Targets		
				2011/12	2012/13	2013/14
Annual Review and Planning Reports	Well coordinated and aligned strategic planning processes for entities	New Project	Entities Strategic Plans 2009- 2014	Coordinate the development of Annual Report for the National House of Traditional Leaders	Annual progress reports on the performance of the 3 Entities	Annual progress reports on the performance of the 3 Entities
Monitoring and reporting system developed, implemented and reviewed	Development of Monitoring and reporting system	New Project	Develop Monitoring and reporting system for the entities	Annual progress reports on the performance of the 3 Entities	Annual progress reports on the performance of the 3 Entities	Annual progress reports on the performance of the 3 Entities

12. DTA 2011-2012 Annual Performance Plan

The performance plan to a large extent is derived from the key strategic objectives and is aligned to both the measurable objectives and the strategy. This performance plan is also aligned to the MTEF period and it provides a summary of outputs, projects, performance indicators and quarterly targets which the department will use to assess its performance for the 2011/12 financial year.



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13. DTA Quarterly Performance Targets

Strategic Objective 1: To ensure the functionality of the Department of Traditional Affairs by establishing its capacity and capability to deliver on its mandate

Performance Indicator	Annual Target	Quarterly Targets			
		First Quarter	Second Quarter	Third Quarter	Fourth Quarter
% implementation of marketing and communication.	Implement and monitor DTA Marketing and Communication Strategy	Branding system	Marketing campaign	Marketing campaign	Marketing campaign
DTA Planning and Reporting Guidelines developed, implemented, monitored and reviewed	Develop and implement DTA Planning and Reporting Guidelines developed	Develop and implement DTA Planning and Reporting Guidelines developed	Implementation and monitoring of DTA Planning and Reporting Guidelines.	Implementation and monitoring of DTA Planning and Reporting Guidelines.	Implementation and monitoring of DTA Planning and Reporting Guidelines.
Change Management Strategy developed, implemented and reviewed	Develop and implement change management strategy	Concept document on Change Management endorsed by DTA EL	First Draft Change Management Strategy	Change Management Strategy approved and implemented	Change Management Strategy implemented



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Strategic Objective 2: To enhance alignment and standardization in the regulatory, institutional and support framework for traditional affairs across provinces and municipalities

Performance Indicator	Annual Target	Quarterly Targets			
		First Quarter	Second Quarter	Third Quarter	Fourth Quarter
National Traditional Affairs Bill introduced into Parliament	Bill introduced into Parliament	Draft Bill resulting from consultation with relevant stakeholders	Bill introduced to Parliament		
Policy on initiation approved and implemented	Approved policy on initiation	Draft Consultations report from meeting with the National stakeholders	Draft Consultation report from meeting with Provincial stakeholders	Submission of policy to Cabinet	Consulted Bill with Legislative Committee
Legislation on initiation developed			Policy Approval by Minister	Draft Bill developed	
Provincial profiles on traditional affairs developed	Provincial profiles	1 provincial profile document for FS Province.	Profile document for NW&GP.	Profile document for LMP & MP Provinces	Profile document for the KZN & NC Province



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Strategic Objective 3: To ensure that traditional communities are empowered by reviewing and developing the national support programme for traditional communities and governance structures

Performance Indicator	Annual Target	Quarterly Targets			
		First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Capacity building strategy approved and implemented	Consultation and approval of Capacity Building Strategy	Development of Capacity Building Implementation Plan.			
% implementation of capacity building programme.	15% capacity building programmes implemented		4% capacity building programmes implemented.	9% capacity building programmes implemented.	2% capacity building programmes implemented

Strategic Objective 4: To promote and integrate the role and place of traditional affairs and the institution of traditional leadership, in the South African governance system by establishing synergetic relations with other governance structures across the three spheres of government.

Performance Indicator	Annual Target	Quarterly Targets			
		First Quarter	Second Quarter	Third Quarter	Fourth Quarter
A DTA Partnership Model developed and implemented.	A DTA Partnership Model developed.	Conduct research on Partnership models Develop a draft partnership model	Consultation with Partners and Stakeholders on a draft Partnership Model	Partnership Model approved by Minister	Partnership Model implemented in two Provinces
Protocol Guidelines developed.	Protocol Guidelines developed.	Develop draft protocol guidelines	Draft Protocol Guidelines developed	Consultation with Partners and Stakeholders on draft Protocol Guidelines	Consultation with Partners and Stakeholders on draft Protocol Guidelines



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Strategic Objective 5: To support DTA entities, by ensuring that they play a central role towards development and service delivery

Performance Indicator	Annual Target	Quarterly Targets			
		First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Coordination and alignment of the entities' strategic planning processes	Coordinate the development of Annual Performance Plans and reports for entities	Coordinate the development of Annual Performance Plans and reports for Entities			Coordinate the development of Annual Report for the National House of Traditional Leaders
	Quarterly progress reports	Quarterly progress reports	Quarterly progress reports	Quarterly progress reports	Quarterly progress reports

Strategic Objective 6: To enhance knowledge management within traditional affairs

Performance Indicator	Annual Target	Quarterly Targets			
		First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Information Management system approved and implemented	Technical and data enhancement of existing system	E-D/BASE: Verification of data relating to: Traditional Communities, Membership of NHTL & PHTL (FS, NW, NC, GP)	Verification of data relating to: Traditional Communities, Membership of NHTL & PHTL (KZN, Limp, MP)	Verification of data relating to: Traditional Communities, Membership of NHTL & PHTL (EC) Technical specification document Upgrading ion of system to provide for Kingship/ Queenships	Software upgraded

PART C LINKS TO OTHER PLANS



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14. Public entities

Name of public entity	Mandate	Outputs	Current annual budget (R thousand)	Date of next evaluation
National House of Traditional Leaders (NHTL)	Established by legislation to represent the interests of the traditional community and advise government	<p>Improved capacity and capability of traditional leaders</p> <p>Effective involvement of traditional leadership on matters of service delivery and rural development</p> <p>Effective policies and legislation on matters of traditional leadership</p> <p>Preservation and promotion of culture, customs, traditions, language and values and policies on cultural practices</p> <p>Communication and Marketing Strategy</p>	R 20 701 million	2012
Commission on Traditional Leadership Disputes and Claims (CTLDC)	To investigate claims and disputes on traditional leadership	<p>Claims and Disputes finalized</p> <p>Effective Functioning of the Commission</p> <p>Traditional Leadership Dispute Resolution Guideline</p>	R 10 850 million	2012
Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRLRC)	<p>The commission focuses on:</p> <p>Recovering diminished heritages through research,</p> <p>Disseminating its findings, Education and advocacy.</p> <p>Resolution of conflicts between individuals, groups and communities.</p>	<p>The commission plans to:</p> <p>investigate 390 cases, develop and publish 63 research reports,</p> <p>host 420 dialogues and round table discussions,</p> <p>and roll out the establishment of community councils</p>	R 22 150 million	2012