



Monitoring Fact Sheet on Complaints Lodged with the Public Service Commission during the 2007/2008 Financial Year



Published in the Republic of South Africa by:

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Compiled by Branch: Integrity and Anti-Corruption

Distributed by Directorate: Communication and Information Services

Printed by: Shereno Printers

ISBN: 978-0-621-38034-7
RP: 197/2008



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Introduction

The Public Service Commission (PSC) is pleased to present this fact sheet on complaints lodged with the PSC by members of the public and public servants through its *Rules of the Public Service Commission for Lodging of Complaints regarding the Public Service* (Complaints Rules), as well as the *National Anti-Corruption Hotline* (NACH).

In pursuance of its constitutional mandate to investigate the actions, decisions and/or omissions of Government departments, the PSC has established two complaint access mechanisms, namely the Complaints Rules and the NACH. Complaints lodged through these mechanisms include, inter alia, complaints about poor service delivery and suspected acts of corruption and related activities experienced in the Public Service. Although the NACH was established for the reporting and management of corruption related complaints, in practice a large proportion of service delivery and non-corruption related complaints are also lodged with the PSC.

Statistics regarding complaints lodged with the PSC are analysed annually in order to identify trends regarding areas of poor service delivery and suspected acts of corruption and related activities in the Public Service. In this regard, baseline information was established with a previous report on the analysis of trends on complaints lodged with the PSC during the 2004/2005 and 2005/2006 financial years¹, followed by a second report covering the 2006/2007 financial year².

Purpose of the Monitoring Fact Sheet

Subsequent to the latest assessment, this fact sheet was compiled with the aim of providing a synopsis of the number of complaints lodged during the 2007/2008 financial year, their origin, nature and status. For comparative purposes, corresponding statistics in respect of the two previous financial years are also provided.

The number of complaints lodged with the PSC has declined significantly

A total of 333 complaints were lodged with the PSC during the 2007/2008 financial year. Of these, 159 complaints (i.e. 48%) were lodged through the NACH whilst 174 complaints (i.e. 52%) were lodged through the Complaints Rules. A summary of complaints lodged with the PSC through the NACH is reflected in **Table I** below:

¹ Republic of South Africa. Public Service Commission. *Trend analysis on complaints lodged with the Public Service Commission during the 2004/2005 and 2005/2006 financial years*. Pretoria. October 2006.

² Republic of South Africa. Public Service Commission. *Trend analysis on complaints lodged with the Public Service Commission during the 2006/2007 financial year*. Pretoria. October 2007

TABLE 1: TOTAL NUMBER OF COMPLAINTS LODGED WITH THE PSC THROUGH THE NACH

<i>Institution involved</i>	<i>2005/2006</i>	<i>2006/2007</i>	<i>2007/2008</i>
National departments	353 (46.5%)	123 (46%)	88 (55%)
Provincial departments	293 (38.5%)	110 (41%)	51 (32%)
Local Government	96 (13%)	30 (11%)	19 (12%)
Private companies	15 (2%)	5 (2%)	1 (1%)
National & Provincial departments	-	-	-
Unknown	-	-	-
TOTAL (100%)	757	268	159

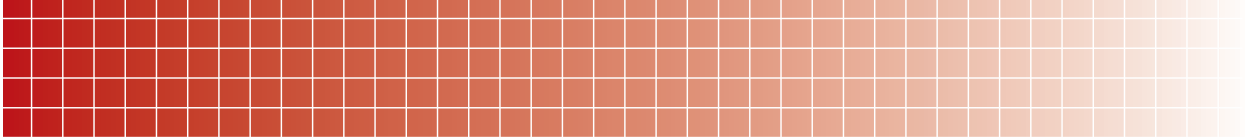
From **Table 1** above it is evident that since the 2005/2006 financial year, there has been a sharp decline of 79% in the number of complaints lodged with the PSC through the NACH, i.e. from 757 complaints in the 2005/2006 financial year to 268 complaints in 2006/2007, and 159 complaints in 2007/2008. In addition, the number of complaints lodged with the PSC through the NACH impacting on National departments declined from 123 complaints in the 2006/2007 financial year to 88 in 2007/2008. A similar trend was experienced with complaints impacting on Provincial Departments in that the number of complaints lodged with the PSC through the NACH declined from 110 in the 2006/2007 financial year to 51 in 2007/2008.

The decline can be attributed to the active measures taken by the PSC to discourage the use of the NACH to report non-corruption and service delivery complaints. The latter measures include the conducting of workshops and distribution of information pamphlets.

A summary of complaints received through the PSC's Complaints Rules is provided in **Table 2** below:

TABLE 2: TOTAL NUMBER OF COMPLAINTS LODGED WITH THE PSC THROUGH THE COMPLAINTS RULES

<i>Institution involved</i>	<i>2005/2006</i>	<i>2006/2007</i>	<i>2007/2008</i>
National departments	67 (58%)	118 (54%)	97 (56%)
Provincial departments	38 (33%)	72 (33%)	53 (30%)
Local Government	4 (3%)	2 (1%)	4 (2.5%)
Private companies	5 (4%)	18 (8%)	7 (4%)
National & Provincial departments	-	-	7 (4%)
Unknown	2 (2%)	8 (4%)	6 (3.5%)
TOTAL (100%)	116	218	174



Seven complaints (i.e. 4%) were lodged with the PSC during the 2007/2008 financial year that involved departments both at the National and Provincial Level of Government.

Whilst complaints lodged through the Complaints Rules increased with 88% during the 2005/2006 to 2006/2007 financial years, from 116 to 218 complaints, a decline of 20% was experienced in the 2007/2008 financial year from 218 complaints to 174.

Furthermore, the number of complaints lodged with the PSC through the Complaints Rules impacting on National departments declined from 118 complaints in the 2006/2007 financial year to 97 in 2007/2008. Similarly, the number of complaints lodged with the PSC through the Complaints Rules declined from 72 in the 2006/2007 financial year to 53 in 2007/2008 in respect of Provincial departments.

**Departments
implicated in
complaints
lodged with
the PSC**

The least number of complaints lodged with the PSC through the NACH during the 2007/2008 financial year, as well as those lodged through the Complaints Rules, impacted on departments in the Northern Cape. The highest number of complaints lodged with the PSC through the NACH and the Complaints Rules during the same period impacted on departments in Gauteng.

The trend regarding the number of complaints lodged with the PSC during the 2007/2008 financial year, impacting on the Provincial Level of Government, is graphically illustrated as follows:

FIGURE 1: NUMBER OF COMPLAINTS LODGED WITH THE PSC THROUGH THE NACH DURING THE 2007/2008 FINANCIAL YEAR

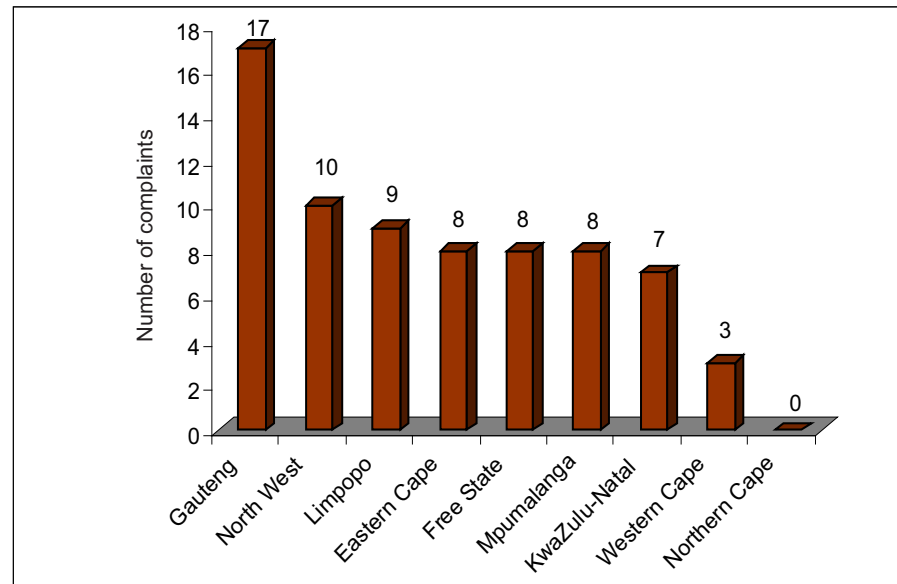
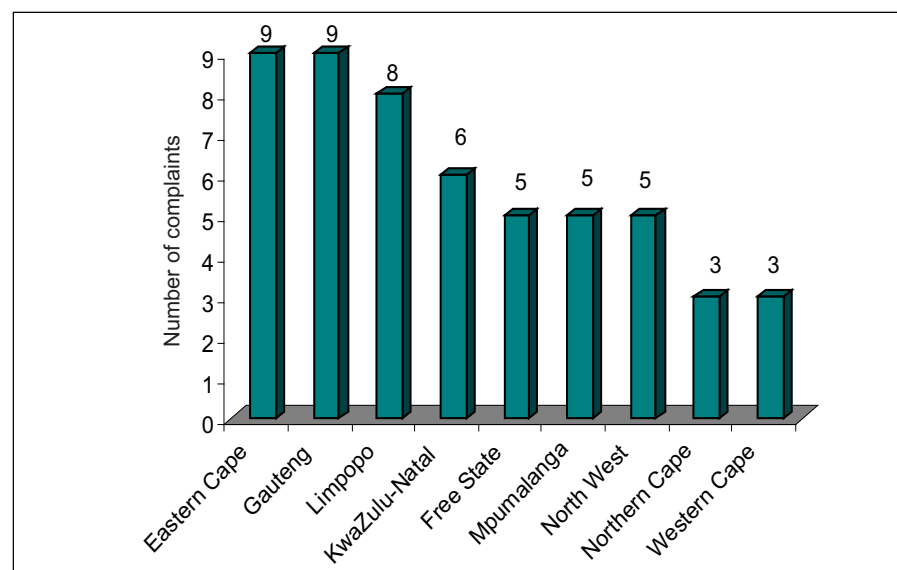


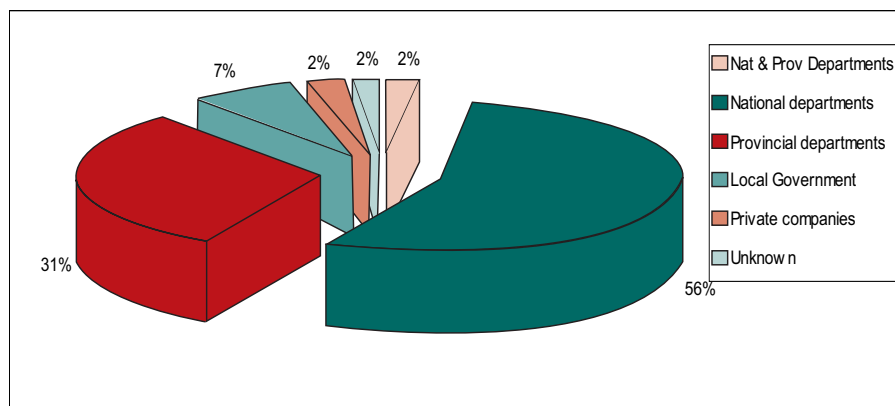
FIGURE 2: NUMBER OF COMPLAINTS LODGED WITH THE PSC THROUGH THE COMPLAINTS RULES DURING THE 2007/2008 FINANCIAL YEAR



Number of complaints lodged with the PSC

From **Tables 1** and **2**, it is evident that the majority of complaints lodged with the PSC during the 2007/2008 financial year involved national departments, followed by provincial departments, local government and private companies. These trends are further illustrated as follows in **Figure 3**:

FIGURE 3: SOURCES OF COMPLAINTS LODGED WITH THE PSC DURING THE 2007/2008 FINANCIAL YEAR



Source of complaints lodged with the PSC

Tables 3 and **4** below illustrate the various sources (or origin) of complaints lodged with the PSC during the 2005/2006 to 2007/2008 financial years:

TABLE 3: SOURCE OF COMPLAINTS LODGED WITH THE PSC THROUGH THE NACH

Sources	2005/2006	2006/2007	2007/2008
Anonymous complainants	292 (38%)	149 (56%)	86 (54%)
NACH complainants who identified themselves	465 (62%)	119 (44%)	73 (46%)
Members of the public	-	-	-
Public servants	-	-	-
Legislatures/EAs	-	-	-
Own accord	-	-	-
TOTAL (100%)	757	268	159

As indicated in **Table 3**, in the 2006/2007 financial year there were 149 (56%) NACH complainants who chose to remain anonymous whilst the remaining 119 (44%) complainants revealed their identity. This trend was repeated in the 2007/2008 financial year where 86 (54%) of the complainants chose to remain anonymous while the remaining 73 (46%) revealed their identity.

These trends could be indicative of complainants' concerns with regard to possible victimization and intimidation as a result of their "whistleblowing".

TABLE 4: SOURCE OF COMPLAINTS LODGED WITH THE PSC THROUGH THE COMPLAINTS RULES

Sources	2005/2006	2006/2007	2007/2008
Anonymous complainants	22 (19%)	41 (19%)	34 (19%)
NACH complainants that identified themselves	n/a	n/a	n/a
Members of the public	47 (40%)	53 (24%)	71 (41%)
Public servants	44 (38%)	97 (44%)	54 (31%)
Legislatures/EAs	3 (3%)	19 (9%)	8 (5%)
Own accord	-	8 (4%)	7 (4%)
TOTAL (100%)	116	218	174

While there was a decrease of 44% in the number of complaints lodged with the PSC by public servants through the Complaints Rules from 97 in the 2006/2007 financial year to only 54 in the 2007/2008 financial year, there was an increase of 35% in complaints lodged by members of the public during the same period (i.e. from 53 to 71 complaints). This increase may be ascribed to an increase in the awareness of the Complaints Rules, as well as in the credibility of the PSC in the eyes of the public.

Types of complaints lodged with the PSC

Complaints relating to the matters reflected in **Tables 5** and **6** below were lodged with the PSC through the NACH and the Complaints Rules respectively during the period under review:

TABLE 5: NATURE OF COMPLAINTS LODGED WITH THE PSC THROUGH THE NACH

Nature of complaint	2005/2006	2006/2007	2007/2008
Human Resource (HR) related	92 (12%)	49 (18%)	49 (31%)
Unethical behaviour	271 (37%)	135 (50%)	74 (46%)
Service delivery	142 (19%)	53 (20%)	25 (16%)
Corruption/Maladministration	-	-	-
Unfair labour practice	46 (6%)	11 (4%)	3 (2%)
Irregularities & discrimination	4 (0.5%)	5 (2%)	1 (0.5%)
Pension enquiry	32 (4%)	3 (1.5%)	1 (0.5%)
Prison conditions	125 (17%)	4 (1.5%)	3 (2%)
Grievance	28 (3.5%)	2 (1%)	3 (2%)
Outcome of court case	9 (1%)	5 (2%)	-
TOTAL (100%)	749	268	159

According to the statistics reflected in **Table 5** above, the largest number of complaints lodged with the PSC through the NACH during the 2007/2008 financial year related to unethical behaviour (i.e. 74 complaints).

TABLE 6: NATURE OF COMPLAINTS LODGED WITH THE PSC THROUGH THE COMPLAINTS RULES

Nature of complaint	2005/2006	2006/2007	2007/2008
Human Resource (HR) related	25 (22%)	74 (37%)	52 (36%)
Unethical behaviour	23 (20%)	23 (11.5%)	16 (11%)
Service delivery	12 (10%)	16 (8%)	30 (20.5%)
Corruption/Maladministration	19 (17%)	22 (11%)	28 (19%)
Unfair labour practice	16 (14%)	20 (10%)	8 (5.5%)
Irregularities & discrimination	10 (9%)	29 (14.5%)	5 (3%)
Pension enquiry	9 (8%)	9 (4.5%)	3 (2%)
Prison conditions	-	-	1 (1%)
Grievance	-	-	-
Outcome of court case	-	7 (3.5%)	3 (2%)
TOTAL (100%)	114	200	146

Note: The above totals exclude cases where the nature of complaints could not be determined as a result of a lack of information provided by the complainants. In such instances, steps are taken by the PSC to obtain outstanding information from complainants, where possible.

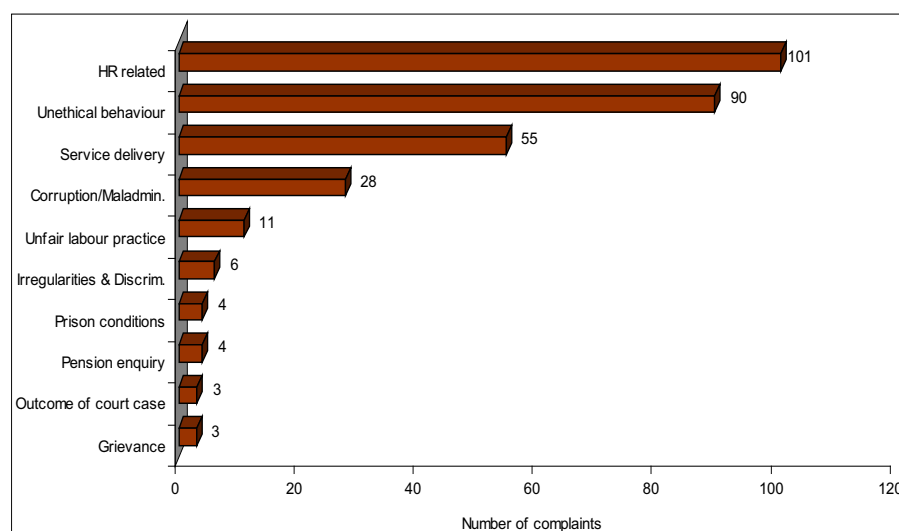
Whilst the largest number of complaints lodged with the PSC through the NACH during the 2007/2008 financial year related to unethical behaviour, the largest number of complaints lodged through the Complaints Rules related to HR issues (i.e. 52 complaints).

However, the combined number of complaints lodged during the 2007/2008 financial year through the NACH and the Complaints Rules, indicates that the highest number of complaints, i.e. 101 (representing 33% of all complaints lodged) related to HR issues such as the recruitment and selection process, as well as appointments and promotions. This suggests that employees prefer to make use of mechanisms such as the NACH and Complaints Rules to lodge formal grievances and may have concerns regarding the extent to which their grievances will be addressed through the formal grievance procedure.

The second highest combined number of complaints lodged related to unethical behaviour (30% of complaints lodged), followed by the 55 service delivery related complaints (18% of complaints).

The total number of complaints lodged with the PSC during the 2007/2008 financial year through the NACH and the Complaints Rules is graphically illustrated in **Figure 4** below, according to the nature of the complaints:

FIGURE 4: NATURE OF COMPLAINTS LODGED WITH THE PSC DURING THE 2007/2008 FINANCIAL YEAR



Number of complaints that were finalised

Protocol followed by the PSC during the management of complaints allows for, amongst others, –

- the referral of complaints to the relevant stakeholders to investigate and provide feedback to the PSC;
- analysing feedback received; and
- investigating and finalisation of complaints.

Progress relating to the finalisation of complaints lodged with the PSC through the NACH and the Complaints Rules respectively is reflected in **Tables 7** and **8**:

TABLE 7: STATUS OF COMPLAINTS LODGED WITH THE PSC THROUGH THE NACH

Status of complaint	2005/2006	2006/2007	2007/2008
Complaints finalised & closed	247 (21%)	30 (7%)	36 (23%)
Referred to depts to investigate	386 (33%)	194 (41%)	64 (40%)
Still in progress	124 (11%)	44 (9%)	30 (19%)
No feedback received & reminder sent	308 (27%)	147 (31%)	23 (14%)
Receipt acknowledged by Dept	89 (8%)	55 (12%)	6 (4%)
TOTAL (100%)	1 154	470	159

TABLE 8: STATUS OF COMPLAINTS LODGED WITH THE PSC THROUGH THE COMPLAINTS RULES

Status of complaint	2005/2006	2006/2007	2007/2008
Complaints finalised & closed	56 (48%)	60 (27%)	103 (59%)
Referred to depts to investigate	30 (26%)	28 (13%)	29 (17%)
Still in progress	30 (26%)	130 (59%)	33 (19%)
No feedback received & reminder sent	-	3 (1%)	7 (4%)
Receipt acknowledged by Dept	-	-	2 (1%)
TOTAL (100%)	116	221	174

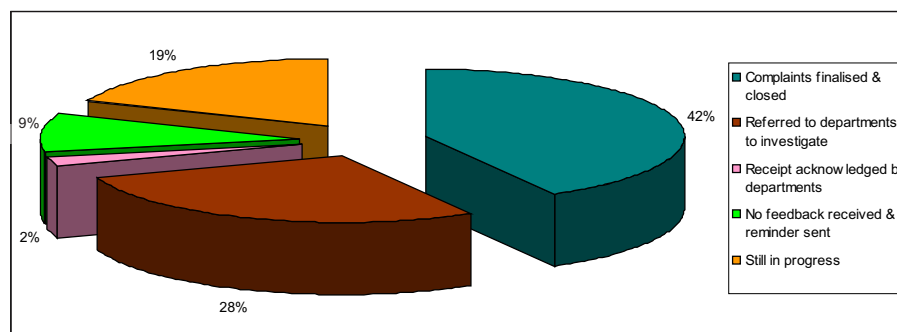
Whilst 42% of complaints lodged with the PSC during the 2007/2008 financial year were finalised and closed (i.e. 36 complaints lodged through the NACH and 103 lodged through the Complaints Rules), the status of the remaining 194 complaints (i.e. 58%) was as follows:

- 93 complaints (i.e. 28%) were referred to departments to investigate, of which only 8 acknowledged receipt. Of these, 64 complaints were lodged through the NACH and 29 through the Complaints Rules.
- In respect of 30 complaints (i.e. 9%) no feedback was received from departments and reminders were submitted. Of these, 23 were complaints lodged through the NACH while the other 7 were complaints lodged through the Complaints Rules.
- 63 complaints (i.e. 19%) were still in the process of being investigated. Of these, 30 complaints were lodged through the NACH and 33 through the Complaints Rules.

A further breakdown of the 63 complaints that were still in the process of being investigated (i.e. 30 complaints lodged through the NACH and 33 through the Complaints Rules) revealed that 16 complaints were in the process of being analysed whilst the remaining 47 were referred to the relevant departments.

Trends regarding the status of complaints lodged with the PSC are graphically illustrated in **Figure 5**:

FIGURE 5: STATUS OF COMPLAINTS LODGED WITH THE PSC DURING THE 2007/2008 FINANCIAL YEAR



Statistics regarding outstanding information

In **Table 7** above it is indicated that in terms of 23 of the complaints lodged with the PSC through the NACH during the 2007/2008 financial year and referred to the relevant departments to investigate and/or provide comments, no feedback was received and reminders had to be submitted to them. Similarly, the same applies to seven of the complaints lodged through the Complaints Rules, as indicated in **Table 8** above.

Details relating to the National and Provincial departments from whom no feedback was received, are reflected in **Tables 9** and **10**:

TABLE 9: COMPLAINTS LODGED WITH THE PSC THROUGH THE NACH DURING THE 2007/2008 FINANCIAL YEAR, REFERRED TO DEPARTMENTS WITH NO RESPONSES FORTHCOMING

Level	Province	Department	No of complaints
Provincial	Eastern Cape	Health	1
		Local Government & Housing	1
	Free State	Education	1
		Tourism, Environment & Economic Affairs	1
	Gauteng	Health	1
		Local Government	1
		Public Transport, Roads & Works	1
	Limpopo	Health & Welfare	1
		Local Government & Housing	2
	Mpumalanga	Health & Social Services	1
	North West	Education	1
		Local Government	3
Office of the Premier		1	
National		-	Arts & Culture
		Health	1
		Justice & Constitutional Development	2
		Labour	1
		Water Affairs & Forestry	1
TOTAL			23

TABLE 10: COMPLAINTS LODGED WITH THE PSC THROUGH THE COMPLAINTS RULES DURING THE 2007/2008 FINANCIAL YEAR, REFERRED TO DEPARTMENTS WITH NO RESPONSES FORTHCOMING

Level	Province	Department	No of complaints
Provincial	Eastern Cape	Health	2
		Economic Affairs, Environment & Tourism	1
National	-	Land Affairs	1
		SAMDI	1
		NPA	1
		GEPF	1
TOTAL			7

Desk-top
audits
finalised

The manner in which complaints received were investigated is indicated in **Tables 11** and **12** below, per financial year:

TABLE 11: TOTAL NUMBER OF COMPLAINTS LODGED WITH THE PSC THROUGH THE NACH THAT WERE FINALISED AND CLOSED

Reason for finalizing/ closing complaint	2005/2006	2006/2007	2007/2008
Outside PSC's constitutional mandate	156 (63%)	12 (40%)	3 (8%)
Desk-top audit conducted	6 (2%)	9 (30%)	25 (69%)
Desk-top audit & investigation conducted	-	-	1 (3%)
Complaint lacking in detail	6 (2%)	2 (7%)	-
Add-on: Existing complaint	78 (32%)	7 (23%)	7 (20%)
Complaint withdrawn	1 (1%)	-	-
TOTAL (100%)	247	30	36

TABLE 12: TOTAL NUMBER OF COMPLAINTS LODGED WITH THE PSC THROUGH THE COMPLAINTS RULES THAT WERE FINALISED AND CLOSED

Reason for finalizing/ closing complaint	2005/2006	2006/2007	2007/2008
Outside PSC's constitutional mandate	30 (35%)	28 (32%)	55 (53%)
Desk-top audit conducted	11 (13%)	40 (45%)	30 (29%)
Desk-top audit & investigation conducted	45 (52%)	20 (23%)	10 (10%)
Complaint lacking in detail	-	-	7 (7%)
Add-on: Existing complaint	-	-	-
Complaint withdrawn	-	-	1 (1%)
TOTAL (100%)	86	88	103

According to the statistics reflected in **Tables 11** and **12** above, -

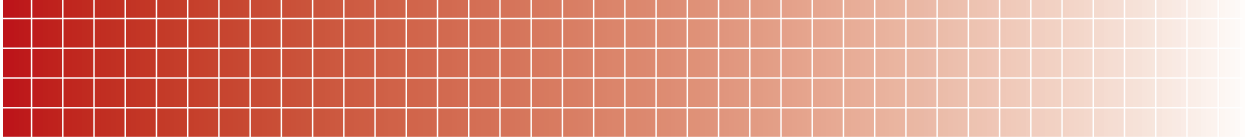
- a total of 58 complaints (i.e. 41%) lodged with the PSC during the 2007/2008 financial year were closed as a result of the fact that they did not fall within the jurisdiction of the PSC. Of these, three complaints were lodged through the NACH and 55 through the Complaints Rules. Where possible, these complaints were referred to the appropriate departments/ institutions for further handling;
- a further 55 complaints (i.e. 40%) were finalised and closed subsequent to the conducting of desk-top audits. Of these, 25 complaints were lodged through the NACH and 30 through the Complaints Rules;
- in addition to the above-mentioned number of complaints finalised and closed subsequent to the conducting of desk-top audits, a further 11 complaints (i.e. 8%) were closed after desk-top audits and investigations were conducted. Of these, one complaint was lodged through the NACH and 10 through the Complaints Rules; and
- whilst a decrease of 78% was experienced in the number of complaints lodged through the Complaints Rules that were finalised subsequent to the conducting of desk-top audits and investigations (i.e. from 45 in the 2005/2006 financial year to only 10 in 2007/2008), the number of NACH complaints finalised subsequent to desk-top audits increased by 317% (from 6 complaints in the 2005/2006 financial year to 25 in 2007/2008). The latter trend is ascribed to the ability of the PSC to adapt its work methodology for the optimal utilization of its limited resources.

Outcome of complaints lodged

During the investigation of complaints by means of desk-top audits and/ or *in-loco* inspections, evidence is gathered in order to assess the merits of the allegations made. During the 2007/2008 financial year, allegations relating to the majority of complaints investigated and finalised were found to be unsubstantiated (i.e. 71%). This is contrary to the trend experienced during the 2005/2006 and 2006/2007 financial years, as reflected in the **Table 13** below:

TABLE 13: OUTCOME OF INVESTIGATIONS CONDUCTED BY THE PSC, PER FINANCIAL YEAR

Complaints, upon investigation, found to be –	Financial year		
	2005/2006	2006/2007	2007/2008
Substantiated	62%	63%	29%
Not substantiated	38%	37%	71%



The turn-around in the number of complaints substantiated *vis-à-vis* those found to be unsubstantiated during the 2007/2008 financial year could be indicative of an emerging trend whereby complainants are utilizing complaint access mechanisms to lodge frivolous complaints (i.e. complaints of a less serious nature). This aspect will be closely monitored by the PSC in the ensuing year.

CONCLUSION The PSC remains committed to the handling of complaints in an effective & efficient manner, as reflected in previous reports on the analysis of trends in complaints lodged during the 2004/2005, 2005/2006 and 2006/2007 financial years. The statistics for the 2007/2008 financial year reflected in this fact sheet, when compared to that of previous financial years, will enable the PSC to determine definite trends in complaints received and dealt with. Care will therefore be taken by the PSC to ensure that its resources are aligned accordingly to address such emerging trends.

As indicated in the fact sheet a number of departments are not providing information to the PSC timeously which impacts negatively on the finalisation of investigations. Departments are implored to address this situation to ensure that the access mechanisms established maintain their credibility.