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EVALUATING THE MPUMALANGA ARTS AND CULTURE COUNCIL ACT

Millicent Nomsa Shabangu

A research report submitted to the Faculty of Management, University of the Witwatersrand, in partial fulfillment of the requirements for the degree of Master of Management (in the field of Public and Development Management).

April, 2007

Abstract

In accordance with the principles of redress and affirmative action, the post-apartheid South African government has identified the need for transformation of the arts and culture dispensation. The ongoing exploitation of artists and cultural groups has been a concern. The national Department of Arts and Culture developed the National Arts Council (NAC) Act intended for the creation, promotion and protection of South African arts and culture. This study examined the implementation process of the NAC Act in Mpumalanga and concludes with recommendations. The study relied on qualitative research, collected through interviews. Some of the findings of the research were that institutional arrangements were not made; and that there is no system for monitoring and evaluation within the Department of Sport, Recreation, Arts and Culture. It is recommended that institutional arrangements should be made on the reporting system within the department; that suitable mechanisms be put in place to monitor the department's expenditure; and that a monitoring and evaluation system should be developed.

Declaration

I declare that this report is my own, unaided work. It is submitted in partial fulfillment of the requirements of the degree of Master of Management (in the field of Public and Development Management) at the University of the Witwatersrand, Johannesburg. It has not been submitted before for any degree or examination in any other University.

_____

Millicent Nomsa Shabangu

April, 2007.

Dedication

For Ngoako and Tiisetso, with thanks for your understanding and support while I was doing this research report.

Acknowledgement

I am grateful to my supervisor, Dr Anthoni van Nieuwkerk for his guidance throughout the research process, the Department of Sport, Recreation, Arts and Culture and the Mpumalanga Arts and Culture Council for making the basic data available. Without their assistance, this research would not have been possible.

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LIST OF ABBREVIATIONS

AC : Arts and Culture

DET : Department of Education and Training

DSRAC : Department of Sport, Recreation, Arts and Culture

EXCO : Executive Council Committee

HLIS : Heritage, Libraries and Information Services

HoD : Head of Department

MACC : Mpumalanga Arts and Culture Council

MEC : Member of the Executive Council

NAC : National Arts Council

NGO : Non-Governmental Organisation

PGNC : Provincial Geographic Names Committee

SCORE : Sport Coaches' OutReach

SR : Sport and Recreation

CHAPTER 1

1. INTRODUCTION

The aim of this report is to analyse the policy implementation process related to the Mpumalanga Arts and Culture Council (MACC) Act No. 2 of 1999. The study will look at the implementation process followed by the Mpumalanga Department of Sport, Recreation, Arts and Culture (DSRAC); give analysis of the process and concludes with recommendations.

In compliance with the national mandate of bringing equity to the arts and culture dispensation, the Mpumalanga DSRAC developed the MACC Act No. 2 of 1999. The Act started to be in operation in November 1999 and that was evident by the establishment of a structure known as the Mpumalanga Arts and Culture Council (MACC), which was to ensure that arts and culture is developed and promoted. Despite the existence of the policy there are still problems with regard to the development and promotion of arts and culture in the Province.

One tends to agree with Mutahaba, et al. (1992: 43) that prior to implementation a full investigation of deficiencies in the policy, process, policy implementation, should be performed.

The challenge is to look at the policy implementation process followed by the department, analyse the process and make recommendations. The study will give an analysis of the policy, as Dye (1995: 6) puts it that, policy analysis involves an effort to develop and test general propositions about the causes and consequences of public policy and to accumulate reliable research findings in general relevance. Dunn (1994:15) also indicates that policy analysis seeks to create, critically assess, and communicate policy-relevant knowledge within one or more phases of the policy-making process. These phases represent ongoing activities that occur through time.

The study will outline the research problem; the research method used; the literature review; presentation of research data; the general analysis of the research; and concludes with recommendations.

2. THE RESEARCH PROBLEM

A number of individual artists and cultural groups are unemployed and depend on their talents for a living. Different prices are charged on the same items produced and the same service rendered. A number of artists could be found in one street selling the same artworks in different prices; hence there is no uniformity with regard to the prices. The same is also found with the cultural groups and the performing artists. Consumers and recipients of their products and services take advantage of that and end up exploiting them. It is against this background that the national Department of Arts and Culture developed the National Arts Council (NAC) Act which is aimed to uphold and promote the right of any person to freedom in the practice of arts; to give the historically disadvantaged such additional help and resources as are required to give them greater access to arts; and to address historical imbalances in the provision of infrastructure for the promotion of arts (National Arts Council Act No. 56 of 1997).

In compliance with the national mandate, the Mpumalanga Department of Sport, Recreation, Arts and Culture (DSRAC) developed its own policy known as the Mpumalanga Arts and Culture Council (MACC) Act of 1999. The main objective of the policy is to develop and promote arts and culture in the province. Despite the existence of the policy, the development and promotion of arts and culture is not taking place.

The following examples indicate that the policy has failed:

On the 21st of March 2005, the DSRAC celebrated the Human Rights Day at Gert Sibande Region. A number of cultural groups and artists from the three regions in the Province were invited to perform at the event, and according to government regulations they have to be paid within a month after they have rendered their services. Most of those artists and cultural groups were unable to attend because they had no money to pay for their transport to the event (DSRAC Quarterly Report: January-March 2005).

The prices charged by the artists on the artworks still differ irrespective of the fact that they are selling the same products. There is no uniformity on their rates and also there is no value for money on their products (DSRAC Annual Report: 2005/2006).

There is still no professionalism in the arts and culture industry. The way they package their products and the way they present themselves to their customers is not up to standard. A lot needs to be done in order for their products to be marketable and also to compete in the market industry (DSRAC Annual Report: 2005/2006).

3. RESEARCH METHOD

3.1 Qualitative Research

This report is focusing on the policy implementation process, and therefore, the research method used is the qualitative research. The qualitative research method is used because the study is based on problem solving and fact finding approach.

3.2 Data Collection Method

The data collection procedure is through interviews, that is face to face interviews or one-on-one interviews. The advantage of this type of interviews is that informants can provide historical information, and it also allows the researcher control over the line of questioning. As Swanepoel cited by de Coning (2004: 104) indicates, informal, one-on-one conversation remains one of the best ways of gathering information and of obtaining a perspective. Interviews need not be formal affairs, an easy, informal and friendly attitude on the part of the interviewer puts the interviewee at ease and if the interviewer shows obvious eagerness and enthusiasm to learn something from the interviewee, the latter will be keen to offer the information.

3.3 Research Techniques

An in-depth literature review was done which has assisted in giving a view of different authors on the policy implementation process. A Member of the Executive Council (MEC); the Head of Department (HOD); the Director for Arts and Culture; Research, Planning and Policy Sectional Head; and ten different line managers within the department have been interviewed. The above-cited group has been interviewed because they were involved in the policy implementation process of the MACC policy and others are directly or indirectly affected by the policy. The information provided by the interviewees and the literature review have assisted the researcher in making comparisons and also drawing up conclusions and recommendations.

3.4 Scope and limitations of the study

The study is not a full Master's Dissertation nor a report for consultancy purposes, as cited in the guidelines for research report (2002:4). It is a research report structured to focus on the analysis of the policy implementation process of

the MACC Act. Due to time constraints, the researcher have tried to avoid other issues which might have resulted in providing a thick document; and also due to the fact that it is not a dissertation but a research report, only key issues of the policy implementation process will be discussed. It is limited to public policy implementation process hence the focus on the Mpumalanga Provincial Department of Culture, Sport and Recreation.

CHAPTER 2
LITERATURE REVIEW

1. INTRODUCTION

Before we can go further with our study, it is important to define key concepts used in the report. The concepts used in this study include policy, policy making, policy analysis, implementation, monitoring, and evaluation. The concepts' definition will assist the researcher to establish key elements of the study. After the definition of concepts, the policy process will be outlined which will assist in understanding how policy implementation fits in the policy process; thereafter the policy implementation process will be discussed in relation to what different authors have written; monitoring and evaluation as key to policy implementation will also be discussed; and the conclusion will be drawn based on the literature review.

1.1 Policy

Dunn (1994: 20) defines policy as a statement of intent with basic principles to be pursued to attain specific goals. Saasa (1985: 145) defines policy as a conscious, goal-setting process undertaken by actors in the decision-making system and that it includes the identification of the means of achieving such goals. Dunn (1994: 62) defines policy as a complex pattern of interdependent collective choices, including decisions not to act, made by governmental bodies and officials.

1.2 Policy making

Dunn (1994: 15) defines policy making as a process comprising of activities that are essentially political. Dye (1995: 22) indicates that policy making involves agenda setting, formulating proposals, legitimating policy, implementing policy, and evaluating policy.

Anderson (1997: 67) cites that policy formulation involves developing pertinent and acceptable proposed courses of action for dealing with public problems. Dye (1995: 23) also cites that the way policies are made affects the content of public policy.

1.3 Policy Analysis

Dye (1995: 6) puts it that policy analysis involves an effort to develop and test general propositions about the causes and consequences of public policy and to accumulate reliable research findings in general relevance. Dunn (1994: 15) also indicates that policy analysis seeks to create, critically assess, and communicate policy-relevant knowledge within one or more phases of the policy-making process.

1.4 Implementation

Kerzner (2001: 82) defines implementation as the process in which all planned actions are executed. Colebatch (1998: 56-57) indicates that when the policy-makers' intentions have been carried out, the desired objectives should have been achieved: this is implementation. But if what we find on the ground is significantly different from these goals, then the policy has not been implemented. Implementation is only a matter of what the organisation decides to do.

1.5 Monitoring

De Coning (2004:28) defines monitoring as the recording and interpretation of criteria, indicators and information, based on objectives, for the purposes of evaluation.

The Handbook on monitoring and evaluating for results defines monitoring as a continuing function that aims primarily to provide the management and main stakeholders of an ongoing intervention with early indications of progress, or lack thereof, in the achievement of results (http://www.evaluate-europe.net).

Dunn (1994: 19) indicates that monitoring provides policy-relevant knowledge about the consequences of previously adopted policies, thus assisting policy-makers in the policy implementation phase. Monitoring helps to assess degrees of compliance, discover unintended consequences of policies and programmes, identify implementational obstacles and constraints, and locate sources of responsibility for departures from policies.

Monitoring does not only result in conclusions about the extent to which problems have been alleviated, it also may contribute to the clarification and critique of values driving a policy, aid in the adjustment or reformulation of policies, and establish a basis for restructuring problems (Dunn, 1994: 19).

1.6 Evaluation

Fox and Meyer cited by Cloete and Wissink (2000: 211) define evaluation as the use of a policy-analytic research method or technique to measure performance programmes so that the continuous change in activities can be determined with a view to improving effectivity, especially their impact on the conditions they are supposed to change; also the systematic measurement of performance in terms of specific policies, guidelines and procedures; passing judgement on others,

assessing blame or praise; the use of research techniques to measure the past performance of a specific programme - in particular the programme's impact on the conditions it seeks to modify - for the purpose of changing the operation of the programme so as to improve its effectiveness at achieving its objectives.

Cloete and Wissink (2000: 211) define policy evaluation as the process of finding out about a public policy in action, the means being employed and the objectives being served. He also highlighted that one of the reasons for policy evaluation is to measure progress towards the achievement of policy objectives. Dye (1995: 5) defines policy evaluation as a learning process about the consequences, or impacts of public policy. Patton, et al. (1993: 368) indicates that policy evaluation is not simply an activity that takes place at the end of the policy cycle, it should be considered from the beginning.

2. THE POLICY PROCESS

Dye (2005: 31) indicates that policy studies often focus on how policies are made rather than on their content or their causes and consequences. The study of how policies are made generally considers a series of activities, or processes, that occur within a political system.

Van Niekerk, et al., cited by de Coning (2004: 90) indicate that policy making is the key process in spelling out intentions and objectives. It cannot be viewed in isolation from other administrative processes, such as financing, organizing, human resource management, and control. Policy is goal-oriented and aimed at the resolution of a perceived problem. A policy is larger than a decision and should be viewed as a "big decision" on how future, smaller decisions will be taken. These smaller decisions are concerned with the implementation of the policy. It is in this context that one can view policy making as an attempt to bring consistency to the operations of an organisation.

De Coning (2004: 90) also cites that a policy usually involves a series of more specific decisions, sometimes in a rational sequence. Even when the sequence is more erratic, a policy is typically generated by interactions among many, more or less consciously related, decisions. The study of policy usually involves tracing multiple interactions among many individuals, many groups, and many institutions. Policy also involves action as well as inaction. In other words, policy makers may fail to act and/or take deliberate decisions not to act. Policy as inaction is, however, much more difficult to pin down and analyse than policy as action, since it involves perceived behaviour and intent.

Dunn (1994: 15) indicates that the process of policy analysis is a series of intellectual activities carried out within a process comprised of activities that are essentially political. These political activities can be described usefully as the policy-making process and visualized as a series of interdependent phases arrayed through time: agenda setting, policy formulation, policy adoption, policy implementation, and policy assessment. Dunn also indicates that a policy is larger than a decision; it involves a series of more specific decisions, sometimes in a rational sequence.

Dye (1995: 21) cites that political processes and behaviours have been a central focus of political science for several decades. Modern “behavioural” political science since World War II has studied the activities of voters, interest groups, legislators, presidents, etc. One of the main purposes has been to discover patterns of activities or “processes.” Some political scientists have tried to group various activities according to their relationship with public policy. The result was the following set of policy processes: problem identification; agenda setting; policy formulation; policy legitimation; policy implementation; policy evaluation.

According to Dye (1995: 31), it is not the content of the public policy that is to be studied but rather the processes by which public policy are developed, implemented, and changed. Despite the narrow focus of the process model, it is still useful in helping us to understand the various activities involved in policy making. He also indicates that it may be helpful to think about policy making as a series of processes, in the real world these activities seldom occur in a neat, step-by-step sequence. Rather these processes often occur simultaneously, each one collapsing into the others. Different political actors and institutions may be engaged in different processes at the same time, even in the same policy area. Policy making is seldom as neat as the process model. Nonetheless, it is often useful for analytical purposes to break policy making into component units in order to understand better how policies are made.

Radin cited by van Dyk (1999:14) describes the policy process as a conversation between decision-makers, advisors, analysts and researchers, stakeholders and other interested parties. According to van Dyk (1999: 15) every policy process is unique, influenced by a range of factors, and at the micro-level even influenced by personalities. The participants in the policy conversation also change the form of their involvement during the course of a policy process. The agenda-setting stage might be very political, requiring community-based organizations and non-governmental organisations (NGOs) to mobilise at the grassroots in order to place a particular issue firmly on the policy agenda. Once the process moves into the policy analysis stage, popular interest in that issue might wane and it may be left to technical experts and policy analysts, drawn from universities, consultancies and government.

Fox, et al (1991: 32) indicates that the policy process has different stages that can be distinguished for identification and study but they are mutually dependent on each other for information and resources to maintain the system. The policy making process does not begin with a clean slate. Often decisions are taken without following a full investigation of the issues.

According to Fox, et al., the policy-making process is complex, perceived to be disorderly and appears to have no beginning or end, and it exists between boundaries which are most uncertain and relevant.

During the policy making process, a policy could be in one or more stage simultaneously or it could move from one stage to another or move backward depending on the need of the moment. Policy making process could be seen as a political sub-process within the policy process (Fox, et al., 1991: 31).

Hogwood and Gunn (1984: 4) found it useful to analyse the policy in terms of a number of stages through which a policy may pass: deciding to decide (issue search or agenda-setting); deciding how to decide (or issue filtration); forecasting; setting objectives and priorities; options analysis; policy implementation, monitoring and control; evaluation and review; and finally, policy maintenance, succession or termination. The authors emphasise that this framework provides an aid to understanding how different kinds of analysis can be brought to bear at different stages of the policy process and stress that what is being advocated is not a simple-minded carry out analysis where one step follows the next.

The interactive nature of policy processes is an important principle for a discussion of policy making processes. In a discussion of the policy cycle, observe that there is a natural tendency, for purposes of exposition, to treat the policy process in a linear form. They provide a classical quotation from Alice in Wonderland (Lewis Carroll), namely “Begin at the beginning and go on till you come to the end; then stop,” and then warn that the danger with this sequence of a policy arrow ending in termination or non-termination is that it may fail to explore other possible outcomes of the policy process, or the implications of the cyclical nature of the policy process. Although policy processes therefore follow a cyclical process, care should be taken to view such cycle in a dynamic way, in

which certain phases or stages need not necessarily take place (Hogwood and Peters, 1983: 9).

Hanekom (1987: 8) argues that “by breaking down public policy into different phases it is possible to get a picture of its nature”. The following phases are identified by Anderson (1997: 4-6): policy demands, representing community needs that necessitate action by the authorities; policy decisions, made by the authorities and which result in action; policy statements, that is making the authorities’ intentions public; policy outcomes, results of the steps taken to satisfy demands.

3. THE POLICY IMPLEMENTATION PROCESS

De Coning (1994: 13) cites that in the implementation stage all the inputs and the feedback are translated into operational policy. Followed by the planning, programming and budgeting of prioritised programmes and projects. Management and monitoring of the policy is important at this stage. Together with policy analysis and evaluation, the implementation of policy is a crucial phase. The practicability of policy options developed during the policy analysis stage has to be tested in the real world.

Anderson (1997: 214) calls policy implementation as policy administration, and defines it as what happens after a bill becomes law. According to Anderson, policy implementation consists of those players, organisations, procedures, techniques, and target groups that are involved in carrying policies, whether of legislative, executive, or judicial origin, into effect in an endeavor to accomplish their goals. Policy implementation is neither a routine nor a highly predictable process. In actuality it is frequently difficult, sometimes impossible, to neatly separate a policy’s adoption from its implementation.

Dye (1995:52) cites that implementation involves all of the activities designed to carry out the policies enacted by the legislative branch. These activities include the creation of new organisations or the assignment of new responsibilities to existing organisations. These organisations must translate laws into operational rules and regulations. They must hire personnel, draw up contracts, spend money, and perform tasks. All of these activities involve decisions by bureaucrats – decisions that determine policy. According to Dye, policy implementation involves the implementation of policies through organised bureaucracies, public expenditures, and the activities of executive agencies.

Anderson (1997: 216) also agrees with Dye that policy implementation is formally the province of a complex array of administrative agencies, referred to as bureaucrats. According to Anderson, the bureaucrats perform most of the day-to-day work of government; their actions affect citizens more regularly and directly than those of other governmental bodies. Dunn (2004: 45) also concurs with Dye and Anderson that in policy implementation an adopted policy is carried out by administrative units that mobilise financial and human resources to comply with the policy.

De Coning (2000: 26) cites that, it is today widely recognised that development management and the implementation of programmes and projects is the joint responsibility of government, the private sector and NGOs. This relationship may be complex and specific actions for specific role players need to be identified. Hanekom (1987: 54) cites that, the implementation of a public policy in government involves three stages, namely: the translation of policy into government policy, and second, translation into administrative policy, and then third, attention to the monitoring and evaluation of implementation.

An emphasis in this context is being placed on the active management and ongoing review of the content of the above translated policy levels. In this regard it is important to point out that policy implementation most often fails in

developing countries because of insufficient institutional arrangements. Essentially, a discussion of policy implementation would have to focus on programme and project management.

In public policy, authors such as Rein (1983: 123-128) and Hanekom (1987: 60) distinguish three interdependent stages of policy implementation. The first stage is the development of particular implementation guidelines. This dimension includes priority determination and budgeting. Second, the translation of executive policy into administrative policies should involve issues such as human resources provision, work procedures and organisational arrangements; and third, it should include the overseeing of implementation. In a formal sense this may refer to financial accounts but in contemporary management terms it does not only imply control but also leadership of an enabling nature so that corrective action and review may come about during implementation.

Cloete (2000:131) cites that the political executive institutions and office-bearers have to take the initiative in the implementation of policies approved by legislation. According to Cloete, the implementation stage of a policy consists of different activities, namely: financing, staffing (personnel provision and utilisation), organising, and the determination of work procedures.

Mutahaba and Balogun (1992: 43) indicate that policy implementation requires commitment on the part of the initiators, it needs financial and human resources, which are in short supply. According to the above authors, most public policies fail because they have not been sufficiently analysed, hence, their implications – political as well as resource-oriented are not clearly understood from the outset.

4. CONCLUSION

Different authors indicate that the policy process has different stages or phases, and one of the stages is the policy implementation stage. According to the authors, the implementation part of the policy is for the bureaucrats or the administrative units or agencies. Hanekom's approach to policy implementation is selected to be used in this report as it clearly identifies the three main stages to be considered in the implementation of a public policy in government, as this report entails a government public policy. In the next chapter, the three stages of policy implementation will be discussed to get a broader view of the implementation process.

CHAPTER 3
HANEKOM'S APPROACH TO POLICY IMPLEMENTATION

1. INTRODUCTION

This chapter focuses on Hanekom's approach to policy implementation. According to Hanekom (1987: 60), policy implementation involves three stages, namely, the translation of policy into government policy, second, the translation of policy into administrative policy, and then third, attention to the monitoring and evaluation of implementation. Hanekom's approach to policy implementation is relevant in this study because it focuses more on the public sector rather than the private sector, hence this report.

2. TRANSLATION OF POLICY INTO GOVERNMENT POLICY

Cloete (2000: 130) cites that a political party which comes into power, its leaders will become ministers and top political executive office-bearers of the various state departments or other administrative institutions. These executive institutions will then assist the ministers in transforming party policy into government policy. The policy of the government will still be based largely on party political sentiment.

The business of government is to make choices and to strategically manage resources towards achieving the goals those choices imply. Public policy is the product of these choices, setting the parameters within which government departments and others operating within the sphere of particular policies are either intended or made to function. Within government, planning of and budgeting for programmes and projects cannot occur properly without such policy parameters; and it also forms basis for monitoring and evaluation of programmes and projects (Valadez, et al., cited by de Coning, 1994: 59-61).

As the ultimate choices are political, politicians in a democracy should take full responsibility for making them. Democratic policy debate implies that much of the process should be open and uncontrolled. However, the managerial challenge within government is to mobilise and manage the appropriate capacities to make, analyse, implement and evaluate policies. To do this, government needs political leadership to make choices and take responsibility for their outcomes. The impact of strong and focused chief executives who set visionary policy parameters is visible in countries like Australia; Indonesia and the United Kingdom. Policy roleplayers and observers in these countries emphasise the importance of "political will" in introducing successful policy and planning programmes. Such political leadership mostly comes from the head of government, but could also derive from other ministers or the government as an entity. It is often because the prime minister or president is prepared to provide political weight and authority to major policy positions, that shifts happen (de Coning, 2004: 30-31).

Hogwood and Gunn (1984: 265) cite that in principle, assertive political leadership does not run counter to democracy at all. The point is that such leadership can be tested and challenged through the electoral process and the separation of powers or checks and balances; hence, it serves the political process well if the leadership is assertive. Policy makers and analysts in South Africa as in most other countries nowadays need to engage ever more seriously in debate, consensual processes and liaison with lobby groups.

According to de Coning (2004: 31-32) the above has important implications for the way political leaders manage technocrats as well as the relationship between government and interest groups from civil society. As far as the role of the technocrats is concerned, government should obviously, if it perceives such a need, augment its ability to make technical judgements by acquiring appropriate

in-house or external capacities. But it cannot shift the responsibility for decisions to technocrats and maintain an effectively working political relationship with officialdom and the electorate. Technocrats have to support government; they are not supposed to run it. If they do, the entire logic and premise of the democratic system becomes distorted.

Control of information and know-how is a source of power in any decision-making process and politicians have a difficult task to manage this in such a way that political authority is placed where the constitutional logic of the democratic system intends it to be. But there is often an awareness of the dilemmas in this regard. This does not necessarily resolve those dilemmas, but at least keeps them on an agenda of management and governance issues (de Coning, 2004: 32).

Hogwood and Gunn (1984: 265) cite that it is often more difficult to keep perspective on government's relationship with interest groups. The demise of authoritarian rule across the globe and the emergence of vocal interest groups, even in authoritarian states, have made an important impact on the policy environment. In South Africa it has taken on a very specific nature amidst the many innovative policy processes which emerged as different stakeholders carved some space for themselves in policy making during the final apartheid years. A participatory culture has emerged which would make it imperative for any government to come to terms with pluralism in a post-apartheid context. Hence policy-makers and analysts in South Africa as in most other countries nowadays need to engage ever more seriously in debate, consensual processes and liaison with lobby groups.

De Coning (2004: 32-33) also cites that a tactically clever government will most likely engage with various interests and sources of expertise in order to make its pursuit of policy goals more streamlined. However, it would actually renege on its contract with the voters if it allowed the decision-making to occur outside the

democratic structures of government. Those structures exit, after all, for government to take decisions. According to de Coning, the role of a predominant political philosophy should also be seen in this context. Authoritarian states mostly use such central ideologies as unchallengeable dogmas, defiance of which could have serious repercussions. Democratic governments, on the other hand, often find it useful to peg their policies and initiatives around frameworks which make the process of government more focused. This is likely to benefit themselves, their officials and those who operate from outside the state but within the policy environment which the state seeks to create.

Different contexts demand different approaches and organisational capacities in the policy process. Politicians would generally want control over policy outputs, but the degrees of authoritarianism or democracy would depend on their political systems, temperaments and the attitudes of other role-players. The position of the American President is often seen to epitomise the delicate demands for political skills in policy processes. Policy has to be negotiated between the President's office, Congress, state governments and a wide range of powerful and/or vocal interests outside the formal political system (de Coning, 2004: 33).

The intricacies vary between different systems, and it is important that policy and information institutions should reflect the decision-making model and style of government. For example, a more democratic model and style would place less emphasis on strong centralised policy capacity and more on management of pluralist policy processes. Nonetheless, political leaders are generally supposed to be the key managers of this process. Yet they often do this without structured support in the form of data collection and analysis of policy options and alternatives (Dror, 1987: 97).

3. TRANSLATION OF POLICY INTO ADMINISTRATIVE POLICY

Cloete (2000: 132) cites that administrative policy is concerned mainly with the practical steps to give effect to the political implementation policy. According to him, it is left to the officials to formulate the administrative policy. Cloete indicates that administrative policy entails activities like the provision of human resources, determining work procedures and organisational arrangements.

De Coning (2004: 34) cites that in countries where major social reform programmes have been introduced, the development of administrative capacity was a major goal in its own right. This is a natural emphasis, as it is within line departments that implementation takes place. In countries like Malaysia and Indonesia a great deal of energy is therefore spent on ensuring that officials can perform their basic tasks and that departments are appropriately structured to support them in that regard. In theory, at least, detailed implementation is firmly within the realm of line departments.

There has also been a considerable emphasis on the strategic management of that capacity in order to ensure alignment. Major reforms are mostly strategically driven and monitored from the chief executive's office, while the detail of implementation rests with line departments. To give weight to this strategic role, it is integrally linked to the budgetary process. For example, Malaysia's Economic Planning Unit and Indonesia's Bappenas have full control over the "development budget" and are thus in a powerful position to influence the course of government. They relate closely to their finance departments which are in control of the recurrent budgets (de Coning, 2004: 34).

In practice, the lack of sufficient capacity within line departments and at lower tiers of government often cause units like Malaysia's Economic Planning and Implementation Coordination Units, within the prime minister's office and Indonesia's Bappenas to become involved in detail. However, in all cases the

principle of them not becoming too closely involved in implementation was strongly supported. In Malaysia, in particular, very active staff development programmes are also in place to address the management challenges within state administration. The aim is to equip officials for routine tasks, but they are also sensitised to the overall strategic issues. This is fast becoming a trend in many countries. Britain's Civic Service College, for example, emphatically sees its role as that of strategic management capacity builder and not a "training centre". Striking the balance between strategic sensitivity and practical ability is indeed one of the major challenges at a time when governments are becoming more aware of the need to "reinvent" themselves (de Coning, 2004: 34-35).

4. MONITORING AND EVALUATION

It is important to monitor and understand the forces behind policy change in order to place in perspective the role of the more carefully designed and planned policies (Boeninger, cited by de Coning, 2004: 89). Many governments therefore dedicate some capacity to ongoing environmental scanning. This practice also occurs widely in the corporate business environment. While even the best monitoring service could easily fail to anticipate unforeseen crises like currency instabilities or war, a broad understanding of the environment is a precondition for effective policy formulation and implementation in the dynamic environment governments find themselves in (Dror, 1987: 212).

According to Hogwood and Gunn (1984: 85-87) the British experience suggests that although different departments naturally have responsibilities in this regard, such a dynamic monitoring and understanding of the policy environment is best achieved if some centralised policy analysis capacity exists. It does not preclude government utilising different departmental capacities or even analytical resources from outside government. However, a "central mind", focused on monitoring trends, enables a government to understand its environment in ways relevant to its strategic agenda.

This is often beneficial because the change agenda is a priority after a change of government. In South Africa's case, new or redefined ideological goals are expected to make a major impact on policy directions and a core capacity to help government shape its understanding of the implications of such goals could prove useful. Of course, in a democratic environment, political leaders need to maintain access to a diversity of analytical views and perspectives beyond its inner circles. Furthermore, from an organisational perspective, politicians will be well advised not to allow technocrats to become filters of all reality. It does help, however, to have an effective scanning function which keeps government abreast of debates and trends in its wider environment and within its own party and structures (de Coning, 2004:35-36).

The need to monitor trends extends beyond a government's own change agenda. The anticipatory analyses of technocrats and other experts could prove vital amidst continuously shifting global and domestic trends. Shifting global and domestic trends often make it imperative for countries to adopt certain policies. For example, the current global emphasis of free trade and market-related growth seems to have set a model for economic development backed by major international agencies and subscribed to by a significant body of world opinion. This makes it more difficult to pursue the type of state-guided strategies followed by some earlier "success" cases like Japan and Taiwan (de Coning, 2004: 36).

In the interest of good governance, care should be taken that government's need for environmental scanning is not being met through abuse of public resources for party political purposes to the exclusion of other parties. In principle, however, governments like private sector corporations cannot manage themselves and their environments strategically without understanding and pre-empting those environments. Provided that they do so honestly, they would be well advised to ensure that they have the necessary capacity for this important aspect of the policy process (de Coning, 2004: 36).

Dunn (1994: 19) indicates that monitoring provides policy-relevant knowledge about the consequences of previously adopted policies, thus assisting policy-makers in the policy implementation phase. Monitoring helps to assess degrees of compliance, discover unintended consequences of policies and programmes, identify implementational obstacles and constraints, and locate sources of responsibility for departures from policies. Whilst evaluation yields policy-relevant knowledge about discrepancies between expected and actual policy performance, thus assisting policy-makers in the policy assessment phase of the policy-making process. According to Dunn, monitoring does not only result in conclusions about the extent to which problems have been alleviated, it also may contribute to the clarification and critique of values driving a policy, aid in the adjustment or reformulation of policies, and establish a basis for restructuring problems.

Patton and Sawicki (1993: 63) indicate that even after the policy has been implemented, there may be some doubt whether the problem was resolved appropriately and even whether the selected policy is being implemented properly. According to the authors, these concerns require that policies and programmes be maintained and monitored during implementation to assure that they do not change form unintentionally, to measure the impact they are having, to determine whether they are having the impact intended, and to decide whether they should be continued, modified, or terminated.

Hogwood and Gunn (1984: 219) cite that evaluation is correctly emphasised as one of the most important and often neglected phases of policy-making processes. It is both the concluding and one of the activating and initiating phases. Evaluation attempts to measure and indicate the success of policy measures taken. It also points to new directions for a repeat of the policy making process in its never ending bid to improve policy.

With regard to the evaluation of public policy, Hanekom (1987: 88) makes an important distinction when he states that: “either the effectiveness of the process of policy making itself, or the effectiveness of the policy outputs” need to be considered.

Evaluation is rightfully emphasised as one of the most important phases of policy making processes. It is both the concluding and one of the activating and initiating phases. Evaluation attempts to measure and indicate the successfulness of policy measures taken. It also points to new directions for a repeat of the policy making process, in its never-ending bid to improve policy (Hogwood and Gunn, 1984: 219).

Historically, policy evaluation has often been referred to as the last stage of the policy process, where those who determined and implemented the policy and those who were affected by the policy attempt to find out if it has really worked (Anderson, 1997: 41). It is increasingly being recognised, however, that policy evaluation does not necessarily take place only after implementation of policy, but that it could occur as a continuous activity throughout the policy process (Hogwood and Gunn, 1994: 219).

De Coning (1994: 13) concurs with the above authors by citing that the monitoring and evaluation process is the management arrangements as it is an ongoing process. The management should look at the policy as to whether is it achieving its intended objectives, the criteria being used, the indicators which should determine the outcome of the policy, and also the information gathered should also be used to improve the policy.

Policy evaluation is a shared responsibility of government, the private and non-governmental sector, who all may be monitoring and evaluating a particular policy at a given point in time. Specialists from particular fields may pursue very specific approaches and macro and lateral skills are often required. Consultants,

who specialise in this field are often used but this may have several disadvantages such as target dates which result in over-hasty assignments or the constructing of particular outcomes (de Coning, 1994: 15).

Hogwood and Gunn point out that whether or not evaluations are carried out by those delivering the programme can have important implications both for the technical effectiveness of the evaluation and for its utilisation. An advantage of evaluation by the operating staff is that they have the detailed knowledge of what has happened, whilst the disadvantages are that they may lack specialized evaluation skills or are subjective in their evaluation of policies (Hogwood and Gunn, 1984: 234). These authors also point out that specialised evaluation staff within an organisation may not have vested interests whilst having a thorough knowledge of the subject (de Coning, 2004: 185).

Cloete (2000: 211) cites that evaluation determines the value or effectiveness of an activity for the purpose of decision-making. This means that by evaluation the management will determine as to whether is the policy achieving its intended objectives. A report should be done and a follow-up made in order to improve in future.

Dunn (1994: 405) indicates that evaluation provides reliable and valid information about policy performance, that is, the extent to which needs, values and opportunities have been realised through public action. He further indicates that evaluation is primarily concerned with establishing the value premises necessary to produce information about the performance of policies. It answers the question: “What differences does it make?” It is an essential part of the rational policy process for ascertaining whether a policy is effective or not (Dunn, 1994: 405).

Patton and Sawicki (1993: 63-64) cite that it is important for the policy analysts to realise that policies can fail either because the programme could not be

implemented as designed or because the programme was run as designed but did not produce the desired results because the underlying theory was incorrect. Policy or programme evaluation has tended to look primarily at theory failure, but we must not dismiss the possibility that a programme could not be implemented as designed.

5. CONCLUSION

According to Hanekom's approach, governments have to lead, understand, contemplate and make sure that their intentions are translated into practice. Their task therefore hinges on political leadership, administrative capacity and the analytical capacity to understand the policy environment and its key issues. A government could benefit from carefully considering the relationship between the political, administrative and technical aspects of policy-making. One challenge in this regard is how to appropriately structure or relate to capacities for environmental scanning, research and analysis, formulation, dialogue and promotion, monitoring and evaluation and thus be able to proactively and with better understanding tackle policy challenges (de Coning, 2004: 49).

After the above discussion of the stages of policy implementation, the next chapter will be the introduction to the case and the presentation of the research data.

CHAPTER 4
INTRODUCTION TO THE CASE AND PRESENTATION OF RESEARCH DATA/INFORMATION

1. INTRODUCTION

The previous chapter focused on the stages of policy implementation as outlined by Hanekom. This chapter will introduce the case of the DSRAC, in relation to the implementation of the MACC Act No. 2 of 1999. A detailed description of the activities of the DSRAC will be presented. The problems faced with the implementation of MACC Act especially in terms of the institutional arrangements and the factors that currently hinder the progress with improved service delivery, such as human resources and management dilemmas, will be highlighted.

The objective is to assist with the identification of the relevant issues that can be considered in the operational options that would guide the effective implementation of the MACC policy objectives. After the introduction of the case, the research data or information will be presented.

2. OVERVIEW OF THE CASE

The DSRAC was established in July 1996, two years after all other provincial departments were formed. The DSRAC is headed by a Member of the Executive Council (MEC), as the Executing Authority and the Head of Department (HoD), as an Accounting Officer. It has three line function directorates namely, Sports and Recreation, Arts and Culture, and Heritage and Library Information Services. The Department's programmes and projects are implemented through officials in the regional offices, namely: eHlanzeni, eNkangala and Gert Sibande Regions. Statutory Bodies such as Mpumalanga Arts and Culture Council (MACC), Provincial Geographic Names Committee (PGNC), partners such as Sport

Coaches' OutReach (SCORE) are all meant to enhance the level of development in the province in terms of Arts, Culture, Sport and Recreation.

In October 1996, the DSRAC embarked on a strategic planning session. The outcome of the session was the definition of tasks and the development of a five-year plan (1996-2000); three-year plan (1996-1998) and an annual operational plan for 1996/1997 financial year (DSRAC Strategic Planning report: 5-7 October 1996).

The vision of the department as outlined in the Strategic Planning document was to create access to equitable and quality services in culture, sport and information. The Strategic Planning document also outlined three strategic goals of the department, namely: acknowledging cultural diversity, cultural heritage and promote unity by affirming, conserving and celebrating people's way of life whilst establishing culture as an economic investment; creating a reading and learning culture to empower people to make informed decisions; and improving the quality of life by maintaining healthy minds and bodies through active participation in culture, sport and recreation (DSRAC Strategic Plan 1996-1999).

3. CORE FUNCTIONS OF THE DSRAC

The Strategic Plan for the DSRAC for the year 1996/1997 identified three line function directorates with their functions. The functions of the directorates were as follows:

The function of the Arts and Culture (AC) directorate are: to develop, support and promote living culture, cultural villages, indigenous technologies, film and video industry, arts industry, marginalised languages, literature and religious programmes; and to coordinate, monitor, support and/or fund arts and culture programmes.

The Sport and Recreation (SR) directorate's function is to advance sport and recreation for the benefit of communities; to provide sport and recreation facilities; to promote indigenous games; streamline roles and responsibilities of stakeholders as well as facilitation of transformation and development programmes in sport and recreation.

The main functions of the Heritage and Library Information Services (HLIS) are to establish and improve library infrastructure; promote and restore museums and heritage sites; and also to provide record management and archival services.

4. TOWARDS THE IMPLEMENTATION OF THE NATIONAL ARTS COUNCIL ACT IN THE DSRAC

The White Paper on Arts, Culture and Heritage of 4 June 1996, states that: "In accordance with the principles of access, redress and participation, it is proposed to establish the new National Arts Council (NAC) as a statutory body. The NAC will seek to bring equity to the arts and culture dispensation. The NAC would receive a parliamentary grant through the national Department of Arts and Culture. It would provide funding by transfer payments to individuals, organisations and institutions and will be subject to the provisions of the Reporting by Public Entities Act, 1992 (Act No. 93 of 1992) and other Treasury requirements."

The White Paper also cites that: "Presentation on the Council of the NAC will be both provincial and art specific. Each province will select an individual to represent their interests through a publicly transparent process. Where such body exists, this may be the chair of the Provincial Arts Council." It was against this background that the DSRAC in Mpumalanga Province engaged in the development of the MACC Act.

4.1 DSRAC develops the Mpumalanga Arts and Culture Council Act

The DSRAC embarked on a process to develop the MACC Act. According to an interview on 8 July 2006, with Mr. Elliot Matsebula, Deputy Director for Arts and Culture, who was responsible for the co-ordination of the development of the MACC Act, the DSRAC underwent a lengthy process of consultation prior to the final development of the policy document. He indicated that the process included workshops with the arts and culture stakeholders in the three regions, namely: Ehlanzeni, Gert Sibande and Nkangala. According to Mr. Matsebula, the DSRAC Legal Adviser liaised with the State Law Advisers in the Office of the Premier with regard to the drafting of the policy document.

After the policy document was finalised, the department prepared a Cabinet memorandum which was submitted to the Executive Council in April 1999. The Cabinet Resolution of June 1999 approved the policy as a draft Bill. In June 1999, the DSRAC submitted the draft Bill to the provincial Legislature. The draft Bill was referred to the Portfolio Committee on Education, Sport, Recreation, Arts and Culture for consideration. The Portfolio Committee conducted Public Hearings in the three regions, namely, eHlanzeni; Gert Sibande and Nkangala Regions. After the Public Hearings were conducted, the Portfolio Committee prepared and submitted a report to the Office of the Speaker.

At the sitting of the provincial Legislature of the 17th of October 1999, the Speaker of the Provincial Legislature, Mr W.S. Lubisi tabled the report on the draft Bill to the House. The report was adopted and the Bill was duly passed by the Legislature. The Bill was sent to the Office of the Premier to be assented. On the 22nd of October 1999, the Premier of the Mpumalanga Province, Mr. N.J. Mahlangu assented the Bill to an Act; it was then that the Mpumalanga Arts and Culture Council Act No. 2 of 1999 came into existence (Mpumalanga Arts and Culture Council Act No. 2 of 1999).

The main objective of the MACC Act was to establish a body corporate to be known as the Mpumalanga Arts and Culture Council; to regulate its financial affairs; to determine its objectives; to develop and promote the arts and culture; to address historical imbalances in respect of the arts and culture; to provide for matters connected therewith (Mpumalanga Arts and Culture Council Act No. 2 of 1999).

4.2 DSRAC establishes the Mpumalanga Arts and Culture Council

The DSRAC made publications and announcements for the nominations of members to serve in the Council. Publications were made in the national newspapers, that is, the Sowetan of Friday, 8th November 1999; the Citizen of Wednesday, 13th November 1999 and the Daily Sun of Friday, 15th November 1999. Publications were also made in the provincial newspapers, namely, the Laevelder of Monday, 11th and of Friday, 15th November 1999; the Mpumalanga News of Thursday, 21st November 1999; the Highveld Ridge of Tuesday, 26th November 1999; and the Witbank News of Thursday, 28th November 1999. Radio Slots were also made through Ligwalagwala FM, Ikwekwezi FM, Barberton Community Radio and Ukhozi FM (DSRAC Annual Report: 1999/2000).

Nominations were submitted to the DSRAC through the office of the Member of the Executive Council (MEC) for consideration. A Cabinet memorandum was submitted to the Executive Council Committee on 18th May 2000 to consider the nominees of the Council. The Executive Council Committee (Exco) recommended 15 nominees which were submitted to the Executive Council for consideration. At the Executive Council meeting held on 25th May 2000, the Executive Council approved the appointment of 10 nominees to serve in the MACC (DSRAC Quarterly Report: April-June 2000).

4.3 Institutional arrangements and the implementation of the MACC Act

The new Council members embarked on a strategic planning session on 17th till 19th June 2000 to look into the MACC Act, in order for the Council members to have a common understanding of the Act. The structuring of the MACC office was also discussed in that session. The Chairperson and his deputy were voted and thereafter, the DSRAC has to provide offices for the Council to coordinate its activities (MACC Strategic Planning report: 17th -19th June 2000).

In order for the Council to be regarded as a public entity, the DSRAC was supposed to register it within 90 days of its existence (Reporting by Public Entities Act No. 93 of 1992). The registration of the Council was not done within that time frame and according to the response from the Director for Arts and Culture, Ms P. Mabelane, the Department did not know that the Council was supposed to be registered as a public entity within a certain time frame.

The challenge identified above indicates that it should have been proper for the DSRAC and the new Council members to embark on a strategic planning session jointly to look into the MACC Act; develop the three-year plan and operational plan. In that session, an expert should be brought to interpret the Act and also to set out implementation guidelines which should be reflected in the operational plan, so that there is common understanding from the DSRAC management and the Council members. It was supposed to be in that session where the strategic challenges facing the MACC, especially with regard to the implementation of the Act were to be identified.

According to the MACC Act, the Council is supposed to report directly to the MEC and advise him on arts and culture policies, development, promotion and marketing, but practically it is not like that. The Council is reporting to the Director for Arts and Culture. According to Head of Department (HoD), Mr E.J. Magagula, the department in its management meeting of 7th September 2001 resolved that

the MACC should report to the Director for Arts and Culture due to political instability within the department. According to Mr Magagula, the resolution was taken after a Cabinet reshuffle which resulted in the department having the third MEC within two years. Due to that challenge, the management of the department resolved that it would be proper for the Council to report to the Director to maintain stability and progress.

The structure of the Council consists of 10 Council members, 1 Chairperson, 1 Deputy Chairperson and 1 Secretary (the 11th member). The Secretary is an ex-officio member from the DSRAC with no voting powers. The Council members are representative of race, gender, language and disability as well as regional spread. MACC members reflect the various art disciplines and cultural aspects of Mpumalanga province. They are in office for three years (Cabinet memorandum: 18 May 2000).

The Council should meet four times per annum, and the meetings should be held at such times and place as the Chairperson determine. The Chairperson may at any time, on his or her own initiative, or on a written request by at least half of the members of the Council, convene a special meeting of the Council which shall be held at such time and place as the Chairperson may direct. The quorum for a meeting of the Council is the majority of its members. A decision of the Council is taken by resolutions of the majority of the members present at that meeting of the Council (MACC Act No. 2 of 1999).

The above-cited challenges have an impact on the operations of the Council. The priority should be placed on the full establishment of the Council (being a fully juristic entity) and the institutional arrangements should be made especially on the reporting system for better service delivery and proper accountability purpose.

4.4 Establishment of advisory forums and regional structures

The MACC Act stipulates that the Council may establish one to three advisory forums, consisting of not more than five members each to assist the Council in ensuring that the arts and culture is developed and promoted in the province. The Act also stipulates that MACC may appoint one or more committees to assist in its functions. The committees shall have a maximum of three members, and a MACC board member has to be the Chairperson of the committee (MACC Act No. 2 of 1999). According to the MACC Strategic Plan for 2000/2002, the following sub-committees were outlined, namely, Disciplinary Committee; Remuneration Committee; and Appeals Committee, which the Council intends establishing within the three-year period.

The Council should also establish regional structures in all the three regions of the province, namely: Nkangala; Gert Sibande; and eHlanzeni Regions. None of the above-cited structures were established, (MACC Strategic Plan 2000/2002 & MACC Annual Reports for 2000 till 2005). The establishment of the regional structures and the advisory forums is important in ensuring that the Council's objectives are met, but that was not done. According to the Chairperson of the MACC, Mr. Ray Phiri, the Council could not establish sub-committees and regional structures, due to financial constraints. The funds allocated to the Council by the department are limited in such a way that they only cater for the co-ordination within the provincial office of the Council.

The establishment of advisory forums and regional structures is a challenge faced by the Council which needs to be addressed by the province if it is serious about the development of arts and culture. The province should reprioritise on its programmes and projects and start to invest in its people.

5. BUDGETING AND FINANCIAL MANAGEMENT

The DSRAC has been allocated with the smallest budget out of all the Provincial Departments. When the department was established in 1996, it was allocated an amount of R79 653 235-00 for the 1996/1997 financial years irrespective of having to start operating in July 1996, which was 4 months after the start of the financial year. The department under-spent by R33 458 936-32 in that financial year and that led to its budget being cut in the 1997/1998 financial year, to R36 342 698-00 (DSRAC Annual Report: 1997/1998). The reason was that the department has failed to spend the money which was allocated to it, and as a result the budget was reduced. The annual budget only increases by 10% annually and the department is now faced with a challenge of financing its statutory bodies, like the Mpumalanga Arts and Culture Council (MACC) and the Provincial Geographic Names Committee (PGNC).

The Mpumalanga Arts and Culture Council was allocated an amount of R250 000-00 for the 2000/2001 financial year (DSRAC Annual Report: 2000/2001). This amount was from the DSRAC's budget allocation not directly from the Legislature as prescribed by the MACC Act. According to the Act, the funds of the Council shall consist of moneys allocated to the Council by the Provincial Legislature; money received from letting of any property of the Council; interests derived from investments; money received by way of donation, bequest or in trust; moneys received for the subsiding or financing of functions, subject to the prior written approval of the MEC; and moneys received from any other source approved by the MEC (MACC Act No.2 of 1999).

The R250 000-00 was the only amount for the MACC to perform its activities in the 2000/2001 financial year; there were no other funds except this one. According to the MACC operational plan for 2000/2001, the R250 000-00 allocated was insufficient to cater for all the activities listed. Even if MACC was to reprioritise its activities, that amount was too little if the province was serious

about bringing equity to the arts and culture dispensation. According to the MACC Chairperson, Mr Ray Phiri, the DSRAC should be charged for failure to deliver on its mandate. According to Mr Phiri, the DSRAC has failed to register the Council as a public entity; it is unable to allocate funds for the Council; and the Council cannot perform its activities because there are no funds. The DSRAC does not budget for the Council, it only gives the Council funds few months prior to the end of the financial year, when it realises that it is going to under-spent on its budget. The amount the department gives the Council is not based on the needs outlined in the MACC operational plan, they only give what they think they should give to the Council.

The Department embarked on Strategic Planning sessions annually; seemingly the issue of MACC is not taken into consideration. The allocation of funds for the MACC should be discussed in those planning sessions. When looking into the DSRAC budget, there is no allocation for the MACC whilst on the other hand the department expects the MACC to operate on a daily basis. The department always advises the MACC to develop Strategic Plans every year which will be costed with the hope that they might secure funds from the Legislature. The MACC embarked on strategic planning sessions annually and come up with the costed Strategic Plans. They formulate detailed key performance areas, strategies and activities to ensure monitoring and evaluation of the results achieved.

The DSRAC was allocated funds for the personnel requirements and the functional activities of the department. The budget allocated to the department did not take into consideration the implementation of the MACC Act. However, constant reference is made in the various strategic planning documents and the Policy and Budget Speech of the MEC to the Legislature 17th March 2000, that: “Mpumalanga is a unique province, with diverse cultures. The department is committed to preserve, nurture and promote the different cultures existing in the province.”

In analysing the Policy and Budget Speech and the Strategic Plan, 2000/2004, the conclusion can be drawn that the DSRAC does not allocate funds to the MACC. A concern is how the MACC is going to implement its planned programmes if there are no funds allocated to it. Suitable mechanisms should be put in place to monitor the DSRAC's expenditure in relation to service delivery. There are provincial records which indicate that the DSRAC under-spends its budget almost every year.

The DSRAC is now willing to restructure the Council's systems, roles and relationships. This has been witnessed in the number of strategic planning sessions the department engaged in. The department now wants to register the Council as a public entity in order for it to function independently and being in a position to fundraise and manage its own finances.

6. HUMAN RESOURCES AND THE APPOINTMENT OF STAFF

When the DSRAC was established in 1996, it inherited a number of officials from the Department of Education and Training (DET), who were in the Sport and Recreation and Arts and Culture directorates. After the strategic planning session which was held in October 1996, the department together with the Work Study unit in the Office of the Premier developed the organogram or structure of the department. The organogram was formally approved by the Executive Committee on 10 February 1997. The annual report of the DSRAC for 1997/1998 financial year indicates that the total number of personnel within the DSRAC is three hundred and eighty six people, of which one hundred and fifteen are for the SR directorate, ninety eight are for the AC directorate, one hundred and four are for the HLIS, and sixty nine are for the support services. This number includes personnel within the head office and the three regions.

The process which followed the approval of the organogram was to align the existing personnel to the organogram. This process was complicated in such a way that a number of the Sport and Recreation personnel were taken back to the DET, as their positions were no longer within the organogram. The other personnel which remained within the DSRAC were aligned to the new organogram. The Arts and Culture personnel were all aligned to the organogram and the arts and culture programmes were taken care of.

In the Strategic Planning session of the MACC which was held on the 17-19 June 2000, the Council identified the need for the appointment of an Office Manager, one provincial Coordinator and three regional Coordinators. The Office Manager and the Coordinators were to be appointed on contract for a three-year period, like the Council members' term of office. The Office Manager together with the provincial Coordinator were to be based within the head office of the DSRAC, whilst the Regional Coordinators were to be stationed in the three regions (MACC Strategic Plan report: 17th -19th June 2000).

The appointment of the Office Manager took time due to financial constraints within the DSRAC. The Office Manager was appointed as of 1 September 2004, which was during the second year of the second-term of office of the Council. The first-term of the Council was from 2000 till 2002 and the second-term was from 2003-2005. From 2000 till 2002, the AC directorate was managing the Council's office and from 2003 till August 2004, the MACC Chairperson was managing the office. The provincial Coordinator and the regional Coordinators were not appointed at all. The delays in the appointment of the Office Manager and the failure to appoint the provincial and regional Coordinators has a negative impact on service delivery as the Council's programmes and projects are not well-coordinated within the province.

The delays in the appointment of the Office Manager and the failure to appoint Coordinators demotivated members of the Council. Other members even

tendered their resignations before their term of office expired. They indicated that the DSRAC does not take the Council serious, how should they serve a structure which does not even have a budget. The appointment of Coordinators is always discussed in the Council's meetings, but the decision to appoint relies solely on the MEC and the HoD. The change in political leadership has also contributed to the slow implementation of the MACC strategic and operational plans.

The main issue is that since the Council was established there is no formal budget allocated towards the appointment of staff and even for the existing Office Manager. The Office Manager is attached to the DSRAC's payroll even though she is not regarded as a public servant and as a result, she is not entitled to the public service benefits. The DSRAC should consider the budget allocation of the Council in order to fast track the process of appointing Coordinators to implement the strategic plan of the Council.

7. MONITORING AND EVALUATION

The DSRAC is required to implement the MACC Act No. 2 of 1999. The Act was developed to comply with the National Arts Council Act No. 56 of 1997. Other objectives of the MACC Act are required to be met within specific time frames.

The following are the key objectives of the MACC Act No. 2 of 1999:

- Establishment of the Council
- Registration of the Council as a public entity
- Meetings of the Council
- Appointment of the Office Manager and Coordinators
- Establishment of advisory forums
- Committees of the Council
- Qualifications for appointment and removal from office
- Term of office
- Powers and functions of the Council

- Funds for the Council
- Financial statements and Accounts
- Delegation of powers
- Expenditure
- Regulations

The DSRAC is one of the smallest departments within the province. It has less human resources and also its budget allocation is the least compared to the other government departments in the province. The implementation of the MACC Act has been a challenge for the DSRAC as it did not have the resources to implement the said legislation.

In view of the above, there is currently no framework in place to assess progress being made with the implementation of the above-mentioned objectives. There is no internal capacity available to design a framework for the implementation of the MACC Act's objectives. Since there are no financial and human resources available to implement the Act, it is impossible to measure any progress made. Even though the strategic plan and the operational plan were developed, all these plans are not measured through reports. The monthly, quarterly and annual reports of the Arts and Culture directorate do no include the Council's reports. In all its reports, the DSRAC is not reporting on the MACC.

It is only when the Portfolio Committee of the Legislature questioned the Council's report, that the DSRAC submitted. If the Legislature does not question the report, the DSRAC never bothered about it. One might question as to whether, is the DSRAC really concerned about the development and promotion of the arts and culture in the province? The fact that the DSRAC does not bother about the monthly, quarterly and annual reports of the Council raises more concerns as to whether was the Council really needed in the province. Lack of financial resources to maintain the Council results in the DSRAC not asking for

reports, as the Council cannot account on any achievements listed on the strategic and operational plans.

It is only recently that the DSRAC is trying to engage itself in the registration of the Council as a public entity because the second-term of office of the MACC has expired in 2005, and the department was expected to engage in the process of appointing new Council members for the third-term of office. As a result there were questions at the political level as to whether is there really a need for the Council. That is why the DSRAC has to engage the Council members in identifying the loopholes, and the members indicated the need for the registration of the MACC as a public entity. Once the Council is registered, it will operate independently, funds will be allocated directly from the Legislature to the Council, and it will have powers to raise funds for its own programmes and projects.

The Council will account to the MEC for the DSRAC, the Provincial Legislature and the Provincial Treasury once it has been registered. The Council will report on a monthly, quarterly and annual basis to the above-cited individuals or institutions, reports will be made available to the MEC for the DSRAC. The annual report should contain information that will allow the outputs to be compared with the planned targets and the measurable objectives. This report should be presented to the Legislature through the DSRAC. Presently, these accountability factors for the MACC have not been considered by the DSRAC.

8. CONCLUSION

The assessment identifies a clear challenge for the Department of Sport, Recreation, Arts and Culture in relation to the implementation of the Mpumalanga Arts and Culture Council Act. As indicated, the key challenges such as the common understanding of the policy objectives of the MACC Act, the institutional arrangements, the establishment of advisory forums and regional structures, budgeting and financial management, and human resource and the appointment of staff need to be addressed. Monitoring and evaluation of key objectives based on the outputs, compared to the planned targets and the measurable objectives is important.

CHAPTER 5
GENERAL ANALYSIS OF RESEARCH

1. INTRODUCTION

This chapter focuses on the general analysis of the research and also make comparisons on the policy implementation stages followed by the DSRAC and the theoretical framework presented in the literature review. Differences and similarities identified in the process will be outlined in all stages of the policy implementation process.

2. POLICY IMPLEMENTATION PROCESS

The DSRAC was mandated to implement the NAC Act and as a strategy towards the implementation process, the DSRAC developed the MACC Act. When comparing Hanekom's implementation process and the process followed by the DSRAC in the implementation of the MACC Act, the main finding is that key issues of the implementation process were not followed by the DSRAC.

2.1 TRANSLATION OF POLICY INTO GOVERNMENT POLICY

De Coning (2004: 30-31) cites that, government needs political leadership to make policy choices and take responsibility for their outcomes. With regard to the MACC Act, political leadership was involved in the development of the Act and also in the appointment of the MACC members. This indicates that the DSRAC complied with the literature.

Hogwood and Gunn (1984: 265) indicate that policy makers and analysts in South Africa as in most other countries need to engage ever more seriously in debate, consensual processes and liaison with lobby groups. Regarding the MACC Act, consultations were done with interest groups prior to the final

development of the policy document. In the previous chapter it is indicated that the arts and culture stakeholders were consulted in the three regions. The only concern which might arise is the level of participation of the stakeholders in the development of the policy document and also in the nomination of the Council members. One might indicate that the DSRAC complied with the literature, because workshops were conducted prior to the final development of the policy document, publications and announcements were made in the newspapers but the main issue is the participation and feedback from the stakeholders.

De Coning also agrees with Hogwood and Gunn on the relationship between government and interest groups from civil society. He clearly indicates that it is the government's responsibility to involve interest groups in the policy process and that government cannot shift the responsibility. De Coning (2004: 32) also cites that a tactically clever government will most likely engage with various interests and sources of expertise in order to make its pursuit of policy goals more streamlined. With regard to the MACC Act, the government, represented by the DSRAC facilitated the involvement of interest groups, and as a result one might say that the Department complied with the literature.

2.2 TRANSLATION OF POLICY INTO ADMINISTRATIVE POLICY

Cloete (2000: 132) cites that administrative policy is concerned mainly with the practical steps to give effect to the political implementation policy. According to Cloete, it is left to the officials to formulate the administrative policy. Cloete indicates that administrative policy entails activities like the provision of human resources, determining work procedures and organisational arrangements. With regard to the MACC Act, the Act stipulates important administrative issues to assist in the implementation of the policy. Those issues were not taken into consideration by the DSRAC, like the establishment of advisory forums and regional structures. These structures were supposed to assist the department in the implementation of the policy, unfortunately the Department did not establish.

The DSRAC indicated that there were no funds to establish those structures as the department had the least budget for its programmes and projects and if it had to establish structures for the MACC it would not be in a position to sustain them.

The Act also stipulates the number of staff to be appointed provincially and in the three regions to assist the Department in the implementation of the Act, and that was not done. The Office Manager was only appointed in 2004 whilst the Council started to operate in 2000. The provincial Coordinator and the three regional Coordinators were not appointed at all. The DSRAC indicated that the funds allocated to them were insufficient to further the Council's programmes and projects. One might agree with what the Chairperson of the MACC said in his interview responses, that the DSRAC should be charged for failure to deliver on its mandate, because it does not make any sense for any department to establish a structure it cannot maintain. These indicate that the Department never complied with the literature with regard to the provision of human resources.

The Act also stipulates that the Council should report directly to the MEC but the management within the DSRAC made their own arrangement that the Council should report the Director for Arts and Culture of which was not prescribed in the Act. This clearly indicates that the management within the Department did not regard the Act as a legal document, they decide on their own to implement the Act as they wish. The reason identified by the HoD of the DSRAC was that they decided to change the reporting system because of political instability within the province. If that was the main reason, why didn't they attend to the other issues, like the provision of staff and the allocation of the budget for the Council. These indicate non-compliance with the literature requirements and the Act.

With regard to budgeting and financial management, the Act stipulates that the provincial Legislature shall allocate money to the Council, and other money will be received by way of donation, bequest or in trust. In the previous chapter, it was indicated that there are no funds allocated to the Council, and the DSRAC

has the least budget compared to the other provincial Departments. Whilst on the other hand the department always underspend almost every year. This is poor financial management on the side of the DSRAC. If the department was managing its finances properly, it was suppose to identify savings and channel those savings to the Council in time not towards the end of the financial year. These clearly indicate that the DSRAC did not comply with the literature and the Act because it was expected to ensure that funds are allocated to the Council to finance its programmes and projects.

2.3 MONITORING AND EVALUATION

The DSRAC did not comply with what the literature says on monitoring and evaluation. Different authors have highlighted important issues which need to be considered on monitoring and evaluation the policy implementation process.
Dror (1987: 212) cites that a broad understanding of the environment is a precondition for effective policy formulation and implementation in the dynamic environment governments find themselves in. With regard to the MACC Act, the instability in political leadership was not supposed to have any influence on the DSRAC towards its implementation. If the department has understood the environment, plans were to be made to ensure that the dynamic environment the department finds itself in does not have any impact towards the implementation process. But because the department did not consider such issues, the reporting system was changed from the one prescribed in the Act.

Patton and Sawicki (1993: 63) indicate that even after the policy has been implemented, there may be some doubt whether the problem was resolved appropriately and even whether the selected policy is being implemented properly. Even though the department has established MACC as the key objective towards the implementation of Act, if monitoring and evaluation was undertaken after the Council was established, a number of gaps should have been identified, like the establishment of structures and the appointment of staff

to assist the Council. The problem with the DSRAC was that they only thought that the establishment of the Council was the only objective towards the implementation of the Act in the province. They did not monitor and evaluate the other objectives prescribed in the Act. If the Department had undertaken the monitoring and evaluation process even after the establishment of the Council, those gaps should have been identified. These clearly indicate that the DSRAC did not undertake the monitoring and evaluation process.

Hogwood and Gunn (1994: 219) cite that policy evaluation does not necessarily take place only after implementation of policy, but that it could occur as a continuous activity throughout the policy process. De Coning (1994: 13) also agrees with Hogwood and Gunn as he cites that, the monitoring and evaluation process is the management arrangements as it is an ongoing process. The management should look at the policy as to whether it is achieving its intended objectives, the criteria being used, the indicators which should determine the outcome of the policy, and also the information gathered should also be used to improve the policy. With regard to the MACC Act, monitoring and evaluation was not done by the management of the DSRAC and as a result they did not identify that the policy was not achieving its intended objectives.

In the previous chapter, it is indicated that there is no internal capacity to design an implementation strategy neither a framework for the implementation of the Act's objectives. If the department was concerned about monitoring and evaluation of the Act, they should have outsourced the design of the framework and the strategy to external service providers. Seemingly the department does not bother much about the outcomes of the Act, if the department was concerned about the outcomes, it should have appointed a service provider to develop a monitoring and evaluation system. That is why it is also indicated in the previous chapter that the DSRAC does not present reports for the MACC unless the reports are required by the Portfolio Committee of the Legislature. This clearly indicates that the management of the department does not bother about the

monitoring and evaluation of the Act or maybe they might not have any idea of the need for the monitoring and evaluation of the Act.

3. CONCLUSION

The analysis identifies that the Department of Sport, Recreation, Arts and Culture did not follow the key stages of the policy implementation process. Only one stage, which is the translation of policy into government policy, was followed by the department as political leadership was involved and consultations were done with interest groups. The main issues in the translation of policy into administrative policy like the provision of human resources, budgeting and finances and the institutional arrangements were not done. Monitoring and evaluation, one of the key stages in the policy process was not done at all by the department.

CHAPTER 6
RECOMMENDATIONS AND CONCLUSIONS

1. INTRODUCTION

The previous chapter focused on the general analysis of the research, and the comparisons of the policy implementation process followed by the department and the theoretical framework presented in the literature review. This chapter will be outlining the recommendations on what the DSRAC need to be effective on the implementation process of the Act, and thereafter the conclusion of the research report.

2. RECOMMENDATIONS

The research study in the DSRAC in relation to the implementation process of the MACC Act indicates that though consultations were done with relevant stakeholders and interest groups, the amount of feedback received is not clearly indicated. It is recommended that the department should encourage feedback from the stakeholders and interest groups during its consultative processes.

Institutional arrangements should be made especially on the reporting system within the DSRAC. This arrangement should be stable irrespective of political instability in order to ensure better service delivery and proper accountability purpose.

The Reporting by Public Entities Act No. 93 of 1992 and the Treasury Regulations outline guidelines for Public Entities. The DSRAC should look into these legislations and facilitate the registration of the MACC as a public entity. This will ensure that the Council operates independently.

Suitable mechanisms should be put in place to monitor the DSRAC's expenditure in relation to service delivery. These mechanisms will identify areas of underspending and assist the department to channel those funds to the MACC in time.

Once the Council is registered, the DSRAC should ensure that the Provincial Legislature allocates funds for the Council. MACC should manage its finances and account to the Legislature or the DSRAC.

This research study indicates that the Strategic Plan and the Operational Plan have been formulated by the Council; no steps have been taken towards the implementation. These documents form the basis for accountability and reporting. It is recommended that consideration be given to the utilisation of these frameworks.

A monitoring and evaluation system should be developed for the DSRAC to monitor and evaluate the implementation process of the MACC Act.

3. CONCLUSION

It is concluded that the implementation of the National Arts Council Act in the Department of Sport, Recreation, Arts and Culture in Mpumalanga Province requires stable institutional arrangements for policy implementation. A monitoring and evaluation system should be developed for the department to monitor and evaluate the implementation process of the Act.

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APPENDIX A
QUESTIONNAIRE

1. Could you please outline the processes followed by the DSRAC towards the development of the MACC Act?

2. Who was responsible with the drafting of the MACC policy?

3. What was the main objective of the MACC Act?

4. Which process was followed towards the establishment of the MACC?

5. Who appointed the members to serve in the MACC?

6. According to the Reporting by Public Entities Act No 93 of 1992, the MACC was supposed to be registered as a public entity within 90 days of its existence, did the DSRAC complied with this Act and why?

7. The MACC Act outlines that the MACC should report directly to the MEC and advise him on arts and culture policies, development, promotion and marketing. Does the Council comply with this requirement of the Act? If yes, how frequent are they reporting, if no, why not?

8. The MACC Act outlines that the Council should establish regional structures in all the three regions of the province, did the Council establish these structures? If yes, are they functional, if no, why not?

9. What is the annual budget of the MACC and how is it allocated to the Council's programmes?