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Godden, Zini

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The Management of Disability in the workplace: a case study of the Department of Land Affairs

Zini Godden (0007551W)

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

January 2006

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.

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Zini Godden

January 2006

Abstract

South Africa has made huge strides in the policy process arena, more specifically policy that is directed at addressing the injustices of its Apartheid past. These gains have been predominantly in respect of policy initiation and formulation, evidenced in the number of white paper and policy guidelines throughout the public sector. It is also no secret that many Public Service institutions have been grappling with articulating these policies from statements of intent into viable programmes and projects. Much of this relates to policy management, particularly in respect of managing policy implementation.

The purpose of this exploratory study is to determine the extent to which the policy imperatives for the employment of people with disabilities as stated in the White Paper on an Integrated National Disability Strategy (1997) are reflected in the workplace through management frameworks and practices.

A qualitative research methodology was used to assess the Management of Disability using the Department of Land Affairs as an insight stimulating example

One of the main findings as reflected through the case of the Department of Land Affairs, is that though the Public Service has made some progress in respect of demystifying disability though awareness raising efforts, this has not sufficiently filtered down to impact on effective cross-sectional management of disability. The management of disability is largely confined to the disability desk and in the case of Land Affairs, also the Disability Forum, while employees with disabilities are employed across the department.

One of the main conclusions of this study is that policy implementation needs effective political leadership, technical know-how, effective institutional and human resource capacity, amongst others. In the example of the department of Land Affairs this would include the need for the imperative of disability equity to filter to directorates beyond the transformation directorate, to include directorates such as human resource management, human resource development and legal services that have significant interface with the disability management.

Dedication

I dedicate this report to all people with disabilities who continue to fight against the injustices that threaten to negate their life experience to the peripheries of society, particularly in relation to gainful employment.

Dedication goes to my late grandmother who gave me a glimpse of the disabling aspects of the aging process.

Special dedication is extended to my partner who has been continually supportive and encouraging despite the many challenges related to completing this study.

Finally to my son - a demonstration of perseverance.

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List of Abbreviations:

UN	United Nations
HIV	Human
DPSA	Department of Public Service and Administration
DPSA	Disabled Persons of South Africa
DoL	Department of Labour
DLA	Department of Land Affairs
OPSC	Office of the Public Service Commission
OSDP	Office on the Status of Disabled Persons
INDS	Integrated National Disability Strategy
IYDP	International Year of Disabled Persons
UK	United Kingdom
SAFOD	Southern African Federation of the Disabled
RDP	Reconstruction and Development Programme
ADA	Americans with Disability Act
KRA	Key Result Areas
DG	Director General
DEAFSA	The Deaf Federation of South Africa
SANCB	South African National Council for the Blind

CHAPTER 1: SETTING THE SCENE

1.1. Introduction

The legacy of South Africa's Apartheid past has taught us that dealing with difference is one of the fundamental challenges of human kind. Within this view of difference, it becomes easy to view the world as divided between an 'us' and 'them', with a myriad of justifications for why the 'us' is more acceptable, superior or better than 'them'. Post-Apartheid South Africa has taken key lessons from this experience and currently views diversity as a major strength that enriches our lives as citizens of South Africa. Several strides have been made in ensuring that this diversity, also informs our workplace. In the workplace, especially within the public service, the gains made have largely been in terms of race and gender with insufficient progress in terms of disability as an integral component of our diversity (Office of the Public Service Commission [OPSC] 2002). It is for this reason that this study will focus on this aspect of our diversity within the workplace.

In this chapter, I will set the context for this study by elaborating on disability as a physical, medical and social construct and indicate how these various views have contributed to the current definitions of disability. I will also outline the problem statement, the rationale for the study as well as the methodology to be followed in reaching conclusions.

1.2. Context

Disability is an international human rights issue that is gaining growing global attention though it is clear that uneven and unequal economic, political and social development in different parts of the world result in different experiences for

people with disabilities in different parts of the world (Priestly 2001). Despite the fact that by far the largest majority of people with disabilities live in less developed countries, many studies on disability have focused on the experiences of those who live in 'developed' countries (Priestly 2001). This has resulted in disability framed within the worldview of this minority. Majiet (1998), clearly states that in order to evaluate disability in relation to human rights and to assess whether the Standard Rules set out by the United Nations(UN), which will be elaborated on later in this study are being met, the Northern and Southern countries cannot use the same determinants, assessment or indicators for disability, because of their different world realities. What is, however, a global reality is that people with disabilities experience both disabling barriers as well as barriers to scarce resources (Coleridge 1993), including employment opportunities.

In 1993, the UN developed Rules on the Equalisation of Opportunities for Disabled Persons and these rules appealed to the participation of people with disabilities in eight 'life areas', employment being one of the identified life areas (Priestly 2001). This however, needed to go beyond mere participation in programmes designed and implemented by others, because a factor in the success of these Rules is that people with disabilities play a leading part in their programmatic design and implementation (Coleridge 1993). People with disabilities, throughout the world, are empowering themselves in order to strengthen their participation in development processes that contribute to equality and equity. This is not only with the aim of gaining control over their individual lives, but also with the aim of gaining greater control over the spaces within which their lives are lived (Priestley 2001).

There has been a tendency in many countries to be bogged down by technical questions of what constitutes disability. This can sometimes hamper progress that has been made when too much time is spent on getting consensus on the

boundaries of definitions. Although definition is not the main focus of this study, it is a necessary consideration for the study and as such needs clarification.

1.3. Understanding disability

Employment Equity generally has considerations based on race, sex, disability and in some cases age and of these factors disability is the most difficult to define. The determination of an individual's sex is a biological fact that is determined at conception and specifically defined at birth. The human race has over the years, been further sub-divided into differently defined 'race groups', generally determined by ones 'parentage'. The definition of disability, however, can be a bit more complex and slippery.

It is often easy to think of and identify a person in a wheelchair or a blind person as being 'disabled', but the term 'disability' refers to a range of conditions. The various 'models' of disability have also influenced the definition of disability.

The traditional model states that disability is a construct based on notions of disability created by prevailing cultural and religious belief systems that attach negative connotations to disability. Based on these systems, disability is seen as a punishment or a result of the wrath of ancestors or retribution for past life wrongdoings inflicted by divine forces. Indications of this can be seen in some of the Biblical connotations of disability being linked to possession by demons, or being represented as an outcast (Coleridge 1993). This is further reflected in Martin Luther's recommendation that babies born with some form of impairment be killed (Coleridge 1993).

With time, this kind of thinking was replaced with a notion of disability described in terms of health and/or welfare considerations, which focused on a need to care for people with disabilities. This paradigm of thinking is termed the Medical Model of disability and focuses on the provision of treatment for the 'dependent'

disabled person. Much focus is placed on the nature of the 'impairment' and interventions are based on 'assessment, diagnosis and labeling' (White Paper on Integrated National Disability Strategy 1997:9). In the medical model, much value is placed on fixing, curing or overcoming the impairment that is seen as an abnormality (Coleridge 1993). This model creates not only dependency relationships, but also patronizing relationships and is inadequate in reaching the scores of people, in less developed, poorer countries that have limited resources (Coleridge 1993). Additionally, though useful in some circumstances, it has serious shortcomings when deemed as the only model for approaching disability for it sees the human body as ' flexible and alterable and the social environment as fixed and unalterable', implying that it is the person that needs to change rather than the environment (Coleridge 1993:72). It seems to accept and endorse the barriers that exclude people with disabilities from the mainstream of society.

There has been a movement towards the development of more progressive and alternative paradigms of definition of disability such as the human variation paradigm. Within this paradigm, disability is defined in terms of the lack of or shortcomings within society and its institutions in being able to accommodate the full range of individual differences. This model sees society as being constructed and shaped around a narrower range of human variation. The human variation model offers an opportunity to define disability beyond the confines of the traditional, medical, economic or discriminatory framework for disability (Schriner undated). It does not place disability exclusively with the individual but states that 'individual differences are marked as a disability through a complex interchange of social, economic and political processes' (Schriner undated:646).

The human variation model is similar to what is described as the Social Model in the White Paper on Integrated National Disability Strategy (1997). The Social Model states that the situation of people with disabilities and the discrimination they are subjected to is socially created rather than being directly related to their impairment. The White Paper (1997:11), states that:

- It is the stairs leading to the building that disable the wheelchair user rather than the wheelchair.
- The defects in the design of everyday equipment cause difficulties, not the abilities of the people using it.
- Society's lack of skill in using and accepting alternative ways to communicate excludes people with communication disabilities.
- It is the inability of the ordinary schools to deal with diversity in the classroom that forces children with disabilities into special schools (White Paper on Integrated National Disability Strategy (1997:11)

The social model departs from the point of view that integration of people with disabilities is about removing disabling barriers, not only at an individual level, but in society at large, rather than about, fixing, curing or normalising individual impairments (Coleridge 1993). It is a model that engages people with disabilities in making decisions around their development. It recommends that disability is not only an individual problem, but also a social problem where attitudes are often the major disabling factor.

In the Code of Good practice on disability in the work place, developed by the Department of Labour (DoL) in South Africa, the definition of disability is in terms of an individual's relation to the work place (Labour Guide 2002). The Code states that people are considered as ‘disabled’ in terms of various criteria depending on the length of time impairment has existed, whether the impairment is of a physical or mental nature and whether the impairment can be considered as substantially limiting. In terms of this definition, such impairment should be for a period longer than 12 months or be a recurring condition that substantially limits activity in the absence of reasonable accommodation by an employer.

Although the code through its focus on the diagnosis of the impairment and its emphasis on the health and welfare of people with disabilities has elements of

the medical model of disability, its focus on the interaction of people with disabilities with the work environment is an indication of its value for the social constructs of disability.

Some countries have country definitions for disability and Britain's definition of disability, like the South African Code of Good Practice is in terms of impairment, the long-term effects of impairment and the impact of these impairments on 'normal' day-to day activities. The British definition also includes progressive conditions like HIV, cancer, etc, and includes considerations for severe disfigurement, excluding deliberately acquired disfigurements (Hogan 2001). Some countries like Sweden and Australia tend to have broader definitions that are more flexible and based on individual need rather than on standardized criteria. Denmark has no operational definition specific to people with disabilities, but instead focuses on the notion of service based on needs for all people (Lunt and Thornton 1993).

The United Nations Standard Rules on the Equalisation of Opportunities for people with Disabilities, earlier referred to as the Standard Rules of the United Nations, which incorporates the World Health Organisation's definition, defines disability as follows:

> 'Disability summarises a great number of different functional limitations occurring in any population in any country of the world. Physical, intellectual, or sensory impairment, medical conditions or mental illnesses may disable people. Such impairments may be permanent or transitory in nature' (Priestley 2001:3).

Despite the many efforts throughout the world at defining or not defining disability, definition remains a rather problematic issue in relation to employment concerns, because of the policy and other implications of such definitions. In terms of disability and employment, being able to work often means the loss of

any disability benefits due to an individual. This is unfortunate if consideration is given to the fact that outside the workplace, many people with disabilities still have additional costs associated with their disability that they cannot afford from just their wages or salaries. This all or nothing approach also fails to recognise the ability to work part-time and is often a disincentive to employment.

It is clear though, that there is no universally accepted definition of what disability is. What has, however, been agreed upon by both policy makers as well as scholars on the subject is that definitions must incorporate interactions between individuals and their environment, be this in terms of architecture, infrastructure or attitudes (Schriner, Priestley 2001, Jacoe, Majiet 1998, Coleridge 1993). What is also evident is the growing focus on the need to contextualize the definition of disability, e.g. in relation to employment or the ability to work, it can be defined as a limitation in the amount or type of work that a person with a disability is able to perform due to some form of chronic condition or impairment (Schriner undated).

Though I recognize the limitations of the DoL's definition of disability, I will use it as a working definition for the purposes of this study based on the fact that the primary focus of this study is on the management of disability within the Public Service as employer.

1.4. Problem Statement

Disability presents the biggest challenge to successfully ensuring that the South African Public Service work environment is representative of our diversity as a people of South Africa. As far back as 1999, statistics on the demographics within the public service indicated that of the 1 065 999 employees in the public service by the end of 1999, 70% were African, 17% white, 9% Colored and 4% Indian. In terms of a gender breakdown, statistics indicated that women made up 51% of the total public service (Department of Public Service and Administration

[DPSA] 2000). These figures indicate broad successes gained in a short period of time, in terms of achieving racial and gender equity in the public service.

At around the same period in 1999, the Public Service Commission (PSC) conducted an investigation into the state of representativeness in the Public Service and this study indicated that only 0.09% of public service employees were people with disabilities. This was way below the 2% target set by the Public Service to be achieved by 2005. A follow-up study by the PCS in 2002 on Disability Equity in the Public Service indicated that by 2002, this figure had increased from 0.09% to only 0.25%, still way below target. Indications were very bleak in terms of meeting the 2% target by 2005. When these figures are compared to the compliance figures in terms of race and gender, it would seem that people with disabilities have been left behind in efforts to comply with various constructs geared at complying with the Employment Equity Act.

Though the focus of these studies were predominantly focused on numbers, they indicate that disability as a factor of diversity in the workplace, remains a huge challenge for ensuring that government policies and legislation advocating for equity are met. According to the Department of Labour, only 0.53% of the private sector workforce with more than 150 employees have disabilities, in contrast to the 6.55% of the general population (Minervini 2003:78).

Several issues, ranging from budgets to ensure that assistive devices are purchased, human resource developments efforts, accessibility, barriers, and negative attitudes, vigorous targeted recruitment, are amongst several factors that hamper the attainment of the set targets. The focus of this paper is not on attainment of figures, but on more qualitative management aspects, though the low employment figures already point to the challenges in managing disability in the workplace. There appears to be a significant challenge to ensuring that people with disabilities are a significant part of a workforce that contributes to improved efficiency and effectiveness. This is also illustrated in a move by the Minister of Public Service and Administration to postpone the meeting of

disability targets by yet another year, without dealing with the systemic problems that have hampered the attainment of these targets (DPSA 2003).

1.5. Aim of the study

This research aims to examine the extent to which the policy intentions, as stated in the White Paper on an Integrated National Disability Strategy, which promote the removal of discrimination and barriers and advocate for the achievement of the rights, dignity, equality, etc, of people with disabilities, is reflected in the workplace through management frameworks and practices.

The research is intended as an exploratory study to achieve the following:

- Gain new insights into the management of disability in the workplace within the Public Service
- Clarify the central concepts and constructs that impact on disability as a factor for policy management in the Public Service
- To develop a hypotheses about the management of disability in the workplace in the Public Service
- To determine priorities for future research in this area

This paper is intended to add value to earlier research conducted by the Office of Public Service Commission (OPSC) and the Office on the Status of Disabled Person (OSDP), which are:

- The State of Representivity in the Public Service (OPSC 1999)
- The Situational Analysis on Disability Integration (OSDP 2000)
- Disability Equity in the Public Service (OPSC 2002)
- Status of Delivery on the Integrated National Disability Strategy in its Fifth Year (OSDP 2002)

The above mentioned reports have been very useful in providing baseline information on disability within the Public Service and this research will add to the

above by including the voice of people with disabilities employed in the Public Service and analyzing the policy management processes that inform their experiences.

The experiences of Public Service employees with disabilities will lend great value to a study of this nature and to this end; employees within the Department of Land Affairs (DLA) were approached to inform this study. The choice of the Department of Land Affairs as an insight stimulating example is arbitrary rather than based on any specific criteria. It is not intended as a case study, but rather as a case in point.

1.6. Questions of the study

In line with recent global trends, this study intends to contribute to investigating the more qualitative aspects of disability equity in the workplace by seeking answers to the following key question:

- Are the distinctive needs of public service employees with disabilities, as outlined in the White Paper on the Transformation of the Public Service (1995:52-53), including accessibility, effective support and enabling mechanisms that not only empower employees with disabilities to conduct their work effectively, but also recognize their dignity as human beings, effectively managed?
- What are the basic management challenges in ensuring that policy intentions to promote disability equity from a human rights and development perspective are achieved?
- What are the experiences of employees with disability in relation to the following as outlined in the White Paper on an Integrated National Disability Strategy
    - Promotion of reasonable and equitable work environments

- Promotion of equitable vocational, pre-employment and on-the job training for employees with disability
- Promotion of awareness raising on disability that contributes to decreased discrimination and value for diversity
- Recruitment and selection processes that support the imperative for disability equity

1.7. Rationale for the study

Initially, global research on disability in relation to the workplace tended to focus on the attainment of numerical targets defined in quotas through legislation, with little focus on analyzing the policy, strategies and management frameworks that support the management of disability in the workplace. Though significant, this focus on numbers tends to give limited attention to the qualitative aspects that add value to the work experience once the intended quotas are achieved. This is specifically in relation to attitudes, enabling environments, discrimination, dignity, etc, and the effect that these have on the performance, participation and productivity of employees with disabilities. This study will elaborate on these qualitative aspects.

1.8. Outline of chapters

This study consists of six chapters. Chapter one sets the general context for the study. It elaborates on definitions of disability, what the problem is and how this study aims to address the problem by attempting to find answers that will shed light on the management of disability in the workplace.

Chapter two is a literature review that elaborates on what the community of researchers is saying on disability in the workplace including how the debates have progressed in recent years. This chapter will also elaborate on theoretical

frameworks on policy management and how these can inform the management of disability within the workplace.

Chapter three describes the research methodology adopted based on the fact that this is a qualitative research study. It explains the rationale of using interviews and review of literature as part of an exploratory study.

Chapter four is a presentation of the findings from interviews with both employees with a disability as well as the manager of the disability programme within the Department of Land Affairs. In respect of interviews with disabled employees, the findings are clustered into the following areas:

- experience of recruitment and selection processes,
- knowledge of policies and legislation that guides employment equity,
- provision of reasonable access and assistive devices,
- provision of training and development opportunities,
- attitudes and discrimination in the workplace
- awareness raising and sensitization.

The questionnaire for completion by the disability manager is focused on policy management frameworks and the experience of managing disability in the workplace.

Chapter five discusses the analysis of the findings using the theoretical frameworks outlined in chapter two.

Chapter six offers some recommendations based on the general conclusions ensuing from the case of the Department of Land Affairs.

1.9. Conclusion

This chapter has given a broad overview of the context of disability in the workplace. It has elaborated on the definition of disability that informs the understanding of disability in the context of the study, as well as the policy directives that support the definition. This chapter has also outlined the problem that this study will explore, the aim and rationale of the study as well as the specific questions that this study will respond to. All planned chapters have explicitly outlined.

CHAPTER 2: LITERATURE REVIEW

2.1. Introduction

This chapter provides a review of the literature on the management of disability in the workplace. In order to do this, a historical synopsis of disability as a factor for development is provided together with a summary of the policy and legislative framework for disability equity. In addition, this chapter explores some policy management models with specific focus on managing policy implementation.

2.2. Placing Disability on the development agenda

In order to expound on the management of disability in the workplace, it is imperative to give a brief outline of how the disability rights movement has contributed to entrenching disability rights firmly within the broader human rights discourse, which forms the fundamental pillars of the South African Constitution.

Despite the fact that South Africa does not have any stand alone, disability specific legislation to date, many other pieces of legislation, such as legislation on Employment Equity, have incorporated disability from a human rights perspective. This can largely be attributed to the activist role played by many South Africans with disabilities and the organized structures to which they belong, supported by global developments in disability politics. Much of the South African disability rights movement can however, not be entirely divorced from the forces and struggles for the liberation of all people in the fight against the system of Apartheid and its unjust system of discrimination.

The role of the disability movement as a force for political and cultural change in societies is widely acclaimed. The activities of organisations of people with disabilities, whether at international, national and local levels, have had significant influence in defining the inclusiveness of political and administrative

agendas (Zarb 1995). Though these organizations played a significant role in lobbying and advocating for disability rights, they would be limited in their power to secure rights for people with disabilities if they had failed to convince government to alter its policies and legislation to factor these rights.

In South Africa, the activities of the disability movement can be linked to significant strides South Africa has made, from a past where people with disabilities were viewed as outcasts encountered, if at all, on street corners, begging for pity from guilt-ridden passersby or otherwise hidden behind closed doors because of the shame that they might cause their families (Jagoe undated). Although there are still many cases where disability is viewed as shameful and a 'curse', the extent and pervasiveness of this state of helplessness has decreased considerably.

The historical phase where disability was regarded as a curse was followed by the advent of the 'welfarist' approach to disability, in which organisations or institutions that 'looked after' people with disabilities became increasingly popular. Once again, people with disabilities were out of sight from mainstream society and activities, in enclosures where they were kept busy or trained on how to be acceptable to society. It was now the members of these welfare organisations and institutions who now begged on the streets on behalf of people with disabilities (Jagoe undated). Whether this development was a further a disabling factor is debatable.

Jagoe(undated), further states that the casualties of the Second World War resulted in many improvements in medical care and this meant that many injured people could be kept alive. Increasingly a specialization in the form of physiotherapist, occupational therapists, psychologists and social workers meant that better care could be taken of people with disabilities and they could be saved from death.

During the 1960's and 70's people with disabilities in Europe, the United States of America, the United Kingdom and the Scandinavian countries began to realize the power of uniting as a group (Jagoe undated). They had witnessed the power of the liberation movements of black people, students, women, gay people, etc, who had all fought for their rights to equality in society. This began a wave of organisation as a unity, the identification of the areas in which people with disabilities were discriminated against and the development of strategies to fight this discrimination.

By the 70's and 80's, people with disabilities globally, had come together to strategise around similar issues and in 1975, the UN General assembly made its first declaration on the Rights of Disabled People. Following this, the United Nations declared 1981 as the International Year of Disabled Persons (IYDP) and this sparked the development of a World Programme of Action. The objective of the IYDP was to ensure full and equal participation of people with disabilities within society (Hurst 1995, Priestly 2001).

In 1983, the World Program of Action, was launched by the UN and signed by member states. It made recommendations to all member states on how they could fulfill the objectives, set out during the IYDP, but none of the countries conformed to the stated recommendations, leading to protests by disabled people at the UN level. This led to the start of the Decade of Disabled Persons, from 1983 - 1992 and a mid-term review in 1987 revealed that there were still no achievements against the World Program of Action. The only activities and achievements were from people with disabilities and their organisations, e.g. the spread of the independent living movement and other projects by disabled people at community level that ensured integration and independence, especially in the southern hemisphere (Hurst 1995). The Decade of Disabled Persons contributed to the development of a longer-term strategy under the slogan ‘towards a society for all’ and in 1992, the International Day for Disabled Persons, marked on 3 December each year, was established (Priestly 2001)

Hurst (1995) notes that in the 80's, attempts to get a convention on the rights of disabled people failed and the UK was one of the major opponents to the convention. However, with support from countries, like Sweden, Canada and Australia, the idea of the UN Standard Rules on the Equalization of Opportunities for Disabled People was set up. In 1993, the General Assembly of the UN passed the Standard Rules on the Equalization of Opportunities for Disabled Persons, with all member countries as signatories to the rules (Hurst 1995).

Although the Standard Rules are not enforceable, they are a means of monitoring how the equalization of opportunities is implemented in each member state. The rules are quite comprehensive and cover a range of issues, such as image of disabled people, attitudes towards people with disabilities, access to public services and utilities, employment, education, cultural life, etc. Pressure from people with disabilities also contributed to the production of a report on human rights and disability in 1990, a major achievement considering the fact that at that point, disability was not included in the universal declaration of human rights.

As a result of the IYDP and the introduction of the UN Rules, many more countries have introduced anti-discriminatory legislation or policies on disability, but in many cases these developments have not been spontaneous. Organizations of disabled Persons have led lobbying and advocacy initiatives that have sensitized and conscientized societies and communities about disability rights (Priestly 2001, Hurst 1995).

These major achievements have had a positive impact on the South African Disability Rights Movement. Despite the fact that Apartheid South Africa chose not to recognise the IYDP, because of the racial differentiation of people with disabilities, people with disabilities began to unite to address disability issues. They recognised that their split into different disability groups was a threat to their

struggle against discrimination, irrespective of the basis for that discrimination. It was therefore imperative to form a united front firstly as people with disabilities and secondly as part of the broader struggle against oppression in South Africa (DPSA 2000).

Though Apartheid impacted differently on the lives of black and white people with disabilities, there were commonalities of experience of exclusion that necessitated the formation of an organisation that would challenge their oppression under this system. In 1984, Disabled People South Africa (DPSA) was established as a non-racial organisation broadly focused on the anti-apartheid struggle, but also bringing to the fore key focus on the understanding and response to disability (OSDP 2004). DPSA can thus be said to have arisen from ‘a need of black and white disabled people to build an organisation of people with disabilities that would challenge their oppression under Apartheid’ (OSDP 2004:1). DPSA also recognized the significant role played by the United Nations in promoting the concept of the rights of people with disabilities as a human right as well as the equalization of opportunities for them (DPSA 2000).

The oppression and subjugation of black people under the Apartheid legislation also contributed to a wide conscietisation of many people to the evils of this system of government. Large spread advocacy initiatives, both within the country and externally as well as increased uprising against the system further contributed to magnifying the inequalities between black and white people and the denial of basic human rights to black people. This experience within the Apartheid system can to some extent be accredited for the wide spread consciousness among the broader South African populace of the universal right to human dignity, equality and freedom of choice as espoused in the South African Constitution.

During this time in South Africa's history, there was the very real dilemma of challenging the discrimination against people with disabilities, in a country that

through its Apartheid legislation did not recognise the equal rights of all people. The DPSA thus joined the National Democratic Revolution in the form of the Patriotic Front during the Apartheid years and was admitted as a member of the Southern African Federation of the Disabled (SAFOD). It thus makes sense for the DPSA to advocate for equal opportunities for people with disabilities in an integrated social, political and economic environment (DPSA 2000).

These developments culminated in the development of a series of legislation and policies in post-Apartheid South Africa, that are intended to protect and advocate for the rights of people with disabilities. Thus post liberation in 1994, there were huge expectations that the new 'people's government' in their transformation and reconstruction programmes for the country, would be inclusive of disability concerns.

When the Reconstruction and Development Programme (RDP) was developed in 1994 as an integrated and sustainable programme that would drive reconstruction and development in the country (Munslow and Fitzgerald 1995), it became imperative that the National Coordinating Committee on Disability call for an integration of disability factors in all the RDP development programmes (OSDP 2004).

The RDP White Paper committed government to consult with people with disabilities in its design of a comprehensive programme that will ensure that people with disabilities are fully engaged in society, with no discriminatory practices against them, especially in the work place.

An Office on the Status of Disabled Persons was established in May 1997 and was tasked with the completion of a White Paper on an Integrated National Disability Strategy. In the formulation of this white paper, there was broad consultation with the members of South African Federal Council on Disability, especially Disabled People South Africa, National Council for Persons with

Disabilities, Deaf Federation of South Africa, National Epilepsy League, Quadriplegic Association of South Africa and the South African National Council for the Blind. In addition, the core group that contributed to the formulation of the White Paper consisted of key people with disabilities and key members of the above organizations. Several submissions were received from public hearings held at both national and provincial spheres (White Paper on an Integrated National Disability Strategy 1997).

These developments contributed to several gains being made in terms of creating an awareness of disability, particularly within the work place. In order to assess the progress made in the workplace, it is important to elaborate on the policy and legislative framework that informs disability in the workplace.

2.3. Policy and legislative frameworks that inform disability in the workplace

Government, through its policies and legislation plays an important role in determining whether people with disabilities will be active participants in the economic lives of their communities and societies as employment has been on the center stage of disability policy in many industrialized countries. Many Western countries often have elaborate disability policy systems that directly and indirectly impact on the employment circumstances of people with disabilities.

However, policy and legislation on disability poses a significant challenge to policy makers throughout the world. In countries like Germany, the United States of America and in some cases, South Africa, disability policy provides some disincentives for people with disabilities to be involved in regular work. Some social insurance programmes that provide some form of income or medical care often clash with programmes geared at rehabilitation, for once a disabled person finds employment, these benefits fall away.

This all or nothing approach often creates a disincentive to participation in regular work (Lunt and Thornton 1993). Coleridge (1993) further states that in some developing countries disability is often perceived by government and aid agencies as a problem but not as a priority, as basic health care, access to land and/or jobs, water and sanitation are seen as greater and absolute priorities. Coleridge states that ‘even people who are “progressive”, “gender aware” and in all other respects, “developmentally minded” perceive disabled people as belonging to a category marked “social welfare”. If this is the point of departure, it is often evident in government policy, legislation or general practice.

The legislative framework and the policy intentions are imperatives that underpin the protection of the rights of all people, including people with disabilities. They also provide the backdrop against which actions that discriminate against people with disabilities can be challenged. The South African Promotion of Equality and Prevention of Unfair Discrimination Act (2000) defines disability discrimination as follows:

> "Disability discrimination includes any act, practice or conduct which has the effect of unfairly hindering or precluding any person or persons who have or who are perceived to have disabilities from conducting their activities freely, and which undermines their sense of human dignity and self worth, and prevents their full and equal participation in society"

The Americans with Disability Act (ADA) of the United States of America has come a long way in advocating for the rights of people with disabilities in America based on the principles of equal opportunity, full participation, independent living and economic self-sufficiency. Based on the enormous developments made in terms of policy, technology and science, the act has ensured that the principles of universal design are the general practice. This in essence means that the production of goods and services is premised on the principle that they are usable to people with a wide range of functional capacity, in order to ensure a more inclusive and productive society. This principle of universal design can

remove access barriers if planners and architects make universal access an integral objective in the development of the built environment and ensure that people with disabilities can have some measure of independence.

Universally designed goods and services are, however, not for the exclusive use by people with disabilities, e.g. voice-activated computers may be used by individuals who want avoid the risk of carpal tunnel syndrome or prefer voice input (National Council on Disability 1996). Universal design also has larger social benefits for society as a whole in that environments that are accessible to all can help to 'repair the split society of able-bodied and disabled people' and produce a more integrative and inclusive society for all (Oliver 1995).

The ADA makes room for a legal prohibition against discrimination based on disability and has enforceable sanctions in place. As a result, people with disabilities have experienced increased access to many environments and services, including the workplace. Not only have employment opportunities increased, they are accompanied by the recognition of the need for reasonable accommodation. This has resulted in an increase in the sense of empowerment and greater confidence when approaching employers or entering public spaces, as the notions of accessibility, accommodation and universal design become the norm rather than an exception (National Council on Disability, 1996).

South Africa has a Human Rights Commission, appointed through the Constitution and the President, whose main aim is to protect democracy and all individual rights. The Office on the Status of Disabled Persons is located at the highest level in government, within the office of the President as an office responsible for monitoring the implementation of the White Paper on the Integrated National Disability Strategy.

South Africa has a broad and diverse policy and legislative framework that informs the practice of employment equity, including disability equity. Within the

Public Service, it is articulated, among others, in the following pieces of legislation and policy intentions:

- The Reconstruction and Development Program (RDP) White Paper (1994), which commits itself to ' design, in consultation with disabled people, a comprehensive programme for the disabled which will enhance their engagement in society and remove discriminatory practices against them, especially in the workplace.'
- The White Paper on the Transformation of the Public Service (1994) which sets government's intention that 'within 10 years (2005), people with disabilities should comprise 2 percent of public service personnel'.
- The Constitution of the Republic of South Africa (1996), which guarantees the rights of people with disabilities to be treated equally and enjoy the same, rights as all citizens.
- The White Paper on an Integrated National Disability Strategy (1997) that aims to facilitate the realization of the rights of people with disabilities to equality and dignity through full participation in a barrier-free society.
- The White Paper on Human Resource Management in the Public Service (1997) which seeks to ensure a professional and impartial Public Service, representative of all members of society in order to ensure effective and efficient government and governance.
- The White Paper on Affirmative Action in the Public Service (1998), which not only refers to the development of equal opportunity plans, but also refers to specific strategies to actively recruit employees from formerly disadvantaged groups.
- The Employment Equity Act (1998), which seeks to outlaw discrimination and promote affirmative action in the workplace, Disability, is mentioned as a ground under which a person may not be discriminated against.

Besides these, Chapter 4 of the Presidential Review Commission Report (1998), further reiterated government's commitment to 'a more proactive, integrated and

development strategy' with respect to people with disabilities in South Africa. The Department of Labour's Code of good practice on key aspects of disability in the workplace further elaborates on the intentions of the Employment Equity Act, vis-à-vis, people with disabilities.

Other pieces of legislation that have some impact on the workplace and employment practices for people with disabilities include, the Labour Relations Act (1995) and the Promotion of Equality and Prevention of Unfair Discrimination Act (2000).

These legislative and policy imperatives are geared at providing an enabling and supportive environment that ensures that people with disabilities are integrated into the employment process, from the point of application for employment up to integration into the workplace.

It is clear from the above mentioned legislation and policy that provides the context within which disability equity operates within the Public Service that, the concerns are both in terms of numbers employed (quotas), as well as in terms of recognition of rights and the provision of a supportive and an enabling environment once people with disabilities are in the workplace. The fundamental principle of equity and/or affirmative action is a broader goal to 'remedy' the exclusion of formerly disadvantaged groups and level the 'playing fields'. In the case of disability equity, the Department of Public Service and Administration set the target that by 2005; at least 2% of the Public Service workforce should be people with disabilities. This target is based on what would be expected to happen in the absence of discrimination, where the workforce is representative of the society at large.

In order to enforce such employment equity principles, a variety of actions are necessary, among which are targeted recruitment practices, adapting of the physical environment and restructuring jobs. It can thus be said that the quotas

which are set, are determined as part of an employment equity programme within an equal rights framework. The rationale is redressing the effects of past exclusion and discrimination (Gooding 1995). The rationale of quota systems for people with disabilities encountered in some European countries is often regarded as collective guilt, where success is measured by the opening up of the workplace, fulfilling the quota and this being regarded as an end in itself. This system has no regard for the type of job which is filled, as long as the quota is met, thus it has no regard for redress of principles which relegated people with disabilities to lower grade jobs (Gooding 1995).

Another difference would be that in countries where the quota system is practiced, it is only the state that can determine or enforce a quota, meaning that failure to comply is seen as a crime against the state. In the equal rights approach, failure to comply would be an injury against the person with a disability and this person would have the power to initiate legal action themselves, rather than being dependent on the state (Gooding 1995). The rights discourse thus promotes positive self identification and has greater potential for empowering people with disabilities and in so doing positively shaping the broader social discourse. (Gooding 1995)

Despite the fact that in South Africa the rights of people with disabilities are enshrined in the Constitution and that various legislation, e.g. employment equity, includes people with disabilities, there is to date, still no disability specific legislation in the country.

However, experience in other countries, America being a case in point, indicate that anti-discrimination legislation cannot be considered a solution for protecting the rights of people with disabilities. Though legislation is considered an important starting point, change does not take place only on the basis of legislation. The process of implementing that legislation is a greater challenge. As Oliver (1995) states, '…legislation sets out broad philosophical principles

which then leaves it to gentlemen's agreements to make sure it is enforced.' Oliver further states that people with disabilities need to recognize that the law will not do it for them, but it is still people with disabilities, who themselves have to ensure that their concerns are taken seriously.

It makes a difference whether policies are framed by a civil rights approach, or by an anti-discrimination approach, as both the solutions they propose and the scope they offer for extending the rights of people with disabilities differ. The civil rights perspective, as provided for by the South African Constitution, is often seen as a vehicle for creating opportunities for people with disabilities to become fully active in all spheres of life, while the anti-discrimination perspective is generally limited to protection against acts of discrimination. The kinds of measures proposed from a civil rights perspective actively and positively promote the rights to as well as opportunities for self-determination of people with disabilities, while the anti-discrimination perspective has a neutral approach to rights. (ed. Zarb 1995). However, application of the two approaches is not mutually exclusive, as it is possible to have both an over-arching civil rights approach, while at the same time having specific reference to particular anti-discriminatory approaches, as is the case in South Africa.

In South Africa, the White Paper on an Integrated National Disability Strategy (INDS) is the overarching disability specific policy that sets the parameters and guidelines for both government and private sector in relation to disability. Since the focus of this study is on the Public Service, I will limit comment to the Public Service. The INDS, is an all encompassing policy that espouses to the vision of a society for all and focuses primarily on the principle of integration of disability in all government strategies, planning and programmes (White Paper 1997).One of the key guidelines and areas of focus of the INDS is the question of the employment of people with disabilities. The policy makes states the following objectives in relation to employment:

- Decreasing the unemployment gap between disabled job-seekers and able-bodied job seekers

- The needs to broaden employment options and choices for people with disabilities
- The need to facilitate the integration of people with disabilities in the workplace

The policy states that certain standards need to be observed in order to realize the creation of Employment Equity for people with disability. It makes further reference to the need to promote 'reasonable and equitable work environments, including incentives to encourage the provision of assistive devices, personal assistance, specialized alternative technology and equipment and adjustment to the work environment' so that it is an enabling one. The policy further considers the need to promote alternative work arrangements and hours (White Paper 1997) as and where this may be necessary.

The attainment of the above stated objectives of the INDS is dependent on a range of factors, and the management of the policy objectives is one of the key factors that impact on effective implementation of the policy objectives. In order to assess policy management, it is useful to explore various policy management models.

2.4. Policy Management models

Heymans (1995:29) states that 'the business of government is to make choices and to strategically manage resources towards achieving the goals those choices imply'. He states that public policy is the product of these choices as policy intentions and parameters determine government planning and budgeting for programmes and projects as well as the monitoring and evaluation of these.

Mutahaba, Baguma and Halfani (1993:49) divide the policy management process into the following three main activities:

- ‘Policy formulation – problem identification, data and information generation and analysis and decision making
- policy implementation – coordinating, communicating, organizing, planning, staffing and executing
- monitoring and evaluation – determining of information needs, generation of information, transmission of information, assimilation analysis and assessment, and feedback to policy formulation’

In the realm of the policy management process mentioned above, this study will focus predominantly on policy implementation activities.

Dye (1995), Dunn (1994), De Coning (1995), Fox, Schwella and Wissink (1991) are among many theorists and academics that make reference to various models that are used in attempt to understand public policy. They all, however state that these models are forms of ‘representation, simulation, explanation, prediction, hypothesis testing’ (De Coning 1995) that assist in clarifying selected and important aspects of public policy. De Coning further distinguishes between models that are descriptive models which focus on the policy making process and prescriptive models which focus on the results and impact of policies. The following are examples of some policy making models:

Institutional Model – Traditionally views public policy as determined, implemented and enforced by government institutions, with little room for input from citizens (Dye 1995, Hanekom 1987).

- Elite/Mass Model – Suggest that people don’t know much about public policy making and that the elite, generally government, steer the policy making process. This model thus implies that ‘policies flow downward from elites to masses and do not arise from mass demands’ (Dye 1995:26).
- Group Model – This models is based on the notion that individuals with common interests come together to press their demands on government often resulting in a struggle amongst various groups to influence public policy. Dye (1995:24) states that the influence of the group is dependent

on their numbers, wealth, organizational strength, leadership access to decision makers and internal cohesion. De Coning (1995) states that this model assumes that policy makers are interested or sensitive to the demands of interest groups.

- Systems Model – This model focuses on the response of the political system to inputs from the environment, in the form of demands, support and resources. The political system reaches agreement and decides on the action that will convert the demands into outputs in the form of public policy Fox, Schwella and Wissink 1991, Dye 1995). The model states that the feedback from the results, consequences and impacts of public policy, gives further input to fine-tune, adjust or change existing policies. Wissink in (Fox, Schwella and Wissink 1991) states that this model fails to describe how the actual transformation of inputs to outputs takes place and views these aspects of policy making as a 'black box'. In addition he states that it fails to address the power relationships neither in decision making nor about political change and why certain policies evolve as a response to those changes.
- Process Model - Public policy theorists generally agree that there are different phases/stages in the policy formulation process. Some of these phases appear rather linear and assume that the phases are neatly defined, as outlined in the process models of Dunn (1994), Hannekom (1987). Wissink in (Fox Schwella and Wissink 1991), breaks the policy process into descriptive stages that take cognizance of the broader environment and its impacts on the policy making process. Wissink states that this process is not necessarily sequential and some stages may occur simultaneously or there may be a movement back and forth between stages. He states that the policy making process is complex and disorderly, existing between unclear boundaries. Wissink's stage model is the only models that makes specific reference to allocation of resources and adjudication as stages rather than imply this in stated phases of stages of the policy making process. De Coning's generic process model

derives its framework from other process models and more specifically from the perspectives of Fox, Schwella and Wissink (1991).

While the above makes reference to some policy process dynamics and the choices that can be made based on the purpose of policy, this study also requires an examination of the management of policy implementation. The specific focus is based on the challenges experienced within the South African Public Service. Mokgoro (1997) is among many scholars on public policy that attest to the fact that South Africa has faired very well in the formulation and development of sound and appropriate policies, but still faces many challenges in the implementation of the policies. Mokgoro (1997) states that policy implementation is plagued by fragmentation and lack of coordination. As policy implementation is beset with several challenges in the South African context, an exploration of the challenges of managing policy implementation is one of the fundamental thrusts of this study.

2.5. The management of policy implementation

The subject of policy implementation is confounded by a number of challenges often attested to by several practitioners and academics on the subject. Cloete and Wissink (2000) note that though some scholars like Wildavsky (1973) began research on policy implementation as way back as the 1960's, a common theory on policy implementation is still lacking. They contend that there is still some debate about, 'when implementation begins, when it ends, and how many types of implementation there are' (Cloete and Wissink 2000:165). They observe the varied understandings of what constitutes implementation: Pressman and Wildavsky (1973:xiii-xv) borrow from the Webster dictionary and Roger thesaurus to state that implementation is 'to carry out, accomplish, fulfill, produce, complete', Van Meter andVan Horn (1975:447 – 448) state that 'Policy implementation encompasses those actions by public or private individuals (or

groups) that are directed at the achievement of objectives set forth in prior policy decisions'.

In understanding the concept of implementation, Cloete and Wissink (2000) make reference to Pressman and Wildavsky (1973:xiii-xvii) who note that, 'as a noun, implementation is the state of having achieved the goals of policy. As a verb it is a process – everything that happens in trying to achieve that policy objective'. They thus state that because implementation (noun) is not realized, it does not necessarily mean that implementation (verb) is not taking place. Cloete and Wissink (2000) are in agreement that implementation process happens either through stated steps being taken, ignored or transformed. They thus state that the two states of implementation as a noun or verb are inextricably linked because to achieve implementation we must first understand the process of implementation.

Heymans (1995), and Mokgoro (1997), among others state that public policy management requires the following:

- Political leadership
- Administrative management
- Analytical capacity

Much reference is often made to ensuring 'political buy-in' as a prerequisite for the success of policy processes and programmes. Heymans (1995) states that the significance of 'political will' is evident in the successful policy and planning programmes in countries like, Indonesia, Malaysia, Korea and the United Kingdom. The political commitment to policy causes in these countries contributed to successes achieved, leaving little doubt of the distinct force of political leadership in the policy management process. Heymans states that this political will does not have to be autocratic, as it can be challenged through the electoral process, through the separation of powers and broad checks and balances. Mokgoro concurs that political leadership has to be visionary and assertive and show direction in guiding policy making and implementation, rather

than shifting that responsibility to technocrats. He states that technocrats have to support the political ideals of government. Various policy models further attest to the significance of political leadership and political will without which policy management would be a huge challenge.

Administrative management is another vital component for effective management of policy implementation, as it generally refers to the ability to get the work done. Mutahaba *et al* (1993) state that effective administrative management needs to have consideration for finances, technology, values and skills. Heymams(1995) contends that this should include strategic management capacity as major reforms are often strategically driven.

Both Heymans (1995) and Mokgoro (1997) further states that analytical capacity is another necessary skills for understanding changes in the policy environment as well as understanding the range of issues government has to address. Analytical skills enable policy managers to respond promptly and proactively to emerging developments and trends in the policy environment. There is thus a need for constant environmental scanning and pre-empting developments in the policy environment, in order for policy managers to be well informed and to make clearly considered decisions.

Moore's (1995) take on policy management in government acknowledges the need for strategic management in the public sector using his strategic triangle which notes that managers need to allocate equal significance to substance, politics and organizational implementation. Like Heymans he acknowledges the value of political leadership in policy management, but includes other factors for consideration. He identifies the three components of strategic management as follows:

1. Substantive Value – the production of goods or services that are of value to overseers, clients and beneficiaries. In determining the substantive value, managers are encouraged to ask normative questions and to

analyse this value in terms of social justice, human rights and fundamental fairness.

2. Legitimate and political sustainability – the goal must attract both authority and funds from the political environment. In determining this aspect, managers need to be aware of both the interest and values of the organization and of interest groups
3. Operational and Administrative feasibility – the policy goals should be able to be achieved by the existing organizational structure with help from external sources where necessary. A feasibility and implementation analysis could assist in determining whether goals are achievable.

Moore (1995) states that these three components have to be integrated for policy management to be effective. He further states that most managers should operate within the political, substantive and operational mainstream rather than outside these constraints if they are to avoid risks and criticisms.

Moore (1995), like Heymans (1995) and Mokgoro (1997) also refers to a need for analytical capacity by pointing to the fact that public needs and political aspirations are subject to change hence the need for managers to constantly be aware of the environment they operate in so that they can be proactive in investing in new equipment, new knowledge or capacities to address the changes in the environment. Grindle and Thomas (1991) caution that lack of analytical capacity can sometimes lead to ill-informed decision making based on inaccurate information. Heymans (1995:38) states that this results in ‘intuitive decision making’ rather than ‘focused and well-targeted policy and implementation’.

Cloete and Wissink (2000) elaborate on the three generations of scholarly thinking on implementation as follows:

- The first generation of classical thinking assumed that implementation would naturally follow once appropriate policies have been declared. Such a classical model was based on three concepts, viz, the Weberian bureaucracy as an ordered system that is rational, hierarchical and authoritarian, a small top structure creates the policy and the masses below meekly carry it through. The belief was that policy implementation and formulation were two separate processes, where implementation was more neutral, professional and non-political.
- The second generation challenged this thinking by noting that the implementation process was as complex (if not more) as the policy formulation process. After World War II, it became clear that policy implementation was not a natural 'trickle down' from policy formulation, as experience in several countries was that policies were not working the way they were planned under the classical approach. Several empirical studies indicated the complexity of implementation.
- The third generation was more analytical and less concerned with specific implementation failure but more concerned with understanding how implementation works. The diversity of views on what constitutes implementation success and the outline of the theory of implementation is recognized by this generation.

However, a primary contention in the study of policy implementation is often based on the debate of top-down view of implementation versus the bottom-up views. Cloete and Wissink (2000) make mention of several theorists who have made references to the top-down approach: Van Meter and Van Horn, Edwards, Linder and Peters and those who have a bottom-up view, Berman, Lipsky, Nakamura and Smallwood, are among those mentioned by Cloete and Wissink (2000).

Cloete and Wissink (2000) note that the top-down school of thought has been the dominant genre; based on the belief that policy implementation will ‘trickle down’ from the authoritative top policy makers to be implemented in a logical manner.

The bottom-up approach was a reaction to the assumptions made in the top-down approach, by challenging the belief in the subordinate compliance to policy instructions. Lipsky (1978) noted that public servants charged with implementing policy often have substantial latitude to effect policy and labels them as ‘street-level bureaucrats’ who are central to the study of implementation as they interact directly with citizens or policy beneficiaries in the course of their jobs.

However, an either top-down or bottom-up approach is generally limiting to the study of policy implementation as both approaches have some relevance at different points, phases and settings of the implementation process. Cloete and Wissink note that these approaches are not mutually exclusive, as both provide useful insight to policy implementation.

Hill (2003) states that policy implementers, whom she refers to as, ‘street-level’ bureaucrats often learn about reforms from non-government networks of professionals, institutions, consultants, among others, rather than from government and its agents. She emphasizes the fact that learning is critical to street-level change, as the more learning, either on the job through practical experience or otherwise, the better the chance for change through implementation. She further notes that uncertainty and learning are key features of the implementation process.

Other academics like, Mokgoro (1997) state that successful policy implementation is often hampered by insufficient technical, institutional and human resource capacity. Baier, March, and Saetren (1994) state that the relation between policy and practice, the manner in which directives adopted by policy makers are executed by administrative organizations, has long been a

contentious subject. Both Mokgoro (1997) and Baier *et al* (1994) note the weaknesses caused by a lack of joint participation by politicians and senior managers in policy formulation and the resultant conflict between policy makers who have an interest in getting electoral support, while the bureaucratic agents are not sufficiently equipped to deliver on policy imperatives. In addition, they note the fragmentation and lack of coordination in both policy formulation and implementation compounded by the fact that the budget process has become a technical exercise.

These factors would contribute to the complications of moving from the adoption of a policy to its execution, as the ideals of policy makers are frustrated by the realities of insufficient technical skills for policy execution at the decentralized administrative organization (Baier *et al* 1994). Baier *et al* (1994), Mutahaba, Baguma and Halfani (1993) state that at the policy formulation phase, African countries often pronounce vague, unclear or contradictory policies that overload systems with numerous goals and objectives. Hill (2003:267) also makes refers to this lack of clarity by stating that policies 'often carry vague, unresolved or conflicting meanings' as well as ' a shadowy guidance for practice' resulting in implementers working 'under incomplete, inaccurate or simply idiosyncratic understandings' of policy implications for their daily duties. As a result during the policy implementation phase, policy outcomes are different to the objectives of the programme or project plan.

Policy implementation is also characterized by frequent delays, poor coordination and suboptimal outcomes. Smith (1973) states that policy implementation often challenges old patterns of interaction and creates new styles and institutions. Cloete and Wissink (2000) note that Smith views implementation as a tension generating force in society, as the tensions, conflicts and complexities experienced can result in new behavioral patterns or new institutions. Dror (1984) adds that policies that are innovative have even less chance of implementation, if they are not accompanied by a revamp or change of existing organizations or the

creation of new organizations to include the innovative policy objectives. Among other options, Dror, like Hill (2003) also notes that improving the capacities of individual departments could improve policy implementation.

It is clear that different schools of thought have evolved on what policy does or fails to do, especially in relation to implementation. As a result, a myriad of variables that can affect policy implementation have been identified. Hill (2003:267), among others, makes mention of four variables, viz:

- Policy and the policy process – through policy design, resources earmarked for its execution, the validity of its causal theory as well as the presence experts
- Organizations and their milieu – organizational characteristics generally impact on outputs
- Agents – Their preferences and leadership qualities also shape policy outputs
- Conditions within the implementation environment – the behavior of groups affected by the policy, economic reality, public opinion (Hill 2003:267)

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Hill (2003:269), however argues that, over and above the stated variables, it is the 'implementers access to intellectual resources that enable getting policy done – ideas, skills, practices'.

In order to make sense of the complexity of implementation, Cloete and Wissink (2000), also outline 5 critical variables for studying policy implementation. Cloete and Wissink state that these variables are relevant for divergent perspectives on policy implementation, for different policy issues, in different political systems and in countries at various levels of economic development. The variables are interdependent in varying degrees depending on the specific implementation situation. They refer to the following variables as the 5-C protocol:

- The policy *content* – What the policy sets out to do and how it aims to deal with the issues at hand, through, distribution, regulation or redistribution. They however state that content it is not only about the means the policy employs to address the ends, but also about the determination of those ends.
- The policy *context* – They refer to this as the corridor that sets the policy parameters and through which the policy must travel. This includes considerations for social, economic, political and legal setting that impact on the institutional context.
- *Commitment* – Particularly of those entrusted with carrying out the implementation at all levels, from government to the 'street' level.
- The *capacity* of implementers – Administrative and other capacity is generally acknowledged as the basic prerequisite for policy implementation. Cloete and Wissink make reference to both capacity in both tangible resources (human, financial, material, technological, logistical, etc) and intangible resources (leadership, motivation, commitment, willingness, courage, endurance, etc)
- The policy *clients and coalitions* – It is important to determine and catalogue who the significant policy stakeholders are, both those whose interests are advanced by policy imperatives as well as those whose interests are threatened by policy and to strategize around how these stakeholders will be approached.

Van Baalen (2000) cautions against the ideal of 'perfect' policy implementation, for he states that implemented policies rarely satisfy all stakeholders. He thus says that policy implementation should be seen as the testing of hypotheses, based on beliefs that the policy essentials will emerge from combining certain inputs and/or conditions to produce certain outputs. The vital inputs are generally arranged through programmes and projects.

Policy imperatives are generally implemented through a range of policy instruments and institutions. Programmes and projects are examples of some of the mechanisms or instruments for implementing policy or demonstrating the effects of policy at a practical level (Van Baalen, 2000). Cernea (1991: 7) however states, ' despite the current debates on the merits of and disadvantages of projects as instruments of development intervention, no effective alternatives have emerged, and projects are likely to remain a basic means for translating policies into action programmes'

There are distinct differences between programmes and projects. Van Baalen (2000: 191) concludes that programmes 'consist of different activities of the government implemented in a formally coordinated way through ongoing activities and projects'. Brinkerhoff (1991: 8) defines programmes as 'long term, multi-activity endeavors implemented by networks of country institutions in multiple locations whose production and/or service delivery objectives and impact goals derive from indigenous policy choices'. He further states that projects are the building block of programmes. Kellerman (1997: 51) states that programme inform the 'rules' within which projects are implemented. This generally indicates that programmes are the basis for long-term goals and objectives while projects are short-term and finite means of achieving the desired goals and objectives.

Reiss (1996) states the differences between programmes and projects as follows:

Programme management	Project Management
1. Many simultaneous projects 2. Personal relationship with skilled resources 3. Concentration on resources 4. Need to maximize utilization of resources 5. Projects tend to be similar to	1. One project at a time 2. Impersonal relationship with unskilled resources 3. Resources less important 4. Needs to minimize demand for resources 5. Projects tend to be dissimilar to

each other 6. The team must ensure that the project's aims help the organization forward 7. Concentration on corporate objectives There are loads of available tools	each other 6. The team do not care what happens to the project after they finish their part 7. Concentration on the project alone 8. There are a few available tools

Source:Reiss, G (1996: 9)

The above table by Reiss gives an indication that in terms of managing policy implementation, disability within the workplace cannot be 'projectised'. It should be approached programmatically to ensure more systemic outcomes. Though the programme may consist of several parallel projects, these should all contribute to meeting the ultimate programme goals and objectives.

2.6. Conclusion

This chapter has reviewed several theoretical frameworks both in relation to disability as well as in relation to the models for policy management. It has offered a broad outline of some of the key factors that will be considered for a study of the management of the policy on disability within the Public Service.

The literature reviewed has indicated some strengths and weaknesses in relation to the management of disability within the Public Service. In terms of disability equity, several strides have been made in terms of placing disability on the South African development agenda. The literature has indicated that the main strengths and gains that have been made have been in terms of raising awareness of disability equity as a human right. Evidence of this is indicated in the South African adoption of the social model to inform disability equity, as indicated in the INDS.

However, despite the initial political focus on disability during the 90's there seems to be a wane in the concentration on disability equity. Disability has certainly not received the same level of monitoring and evaluation that has been of benefit to gender and racial equity. Much of the follow-up monitoring has predominantly been in relation to meeting of numerical targets of 2% employment by 2005, with limited focus on the experiences of people with disabilities one in the workplace.

A focus on such experience would entail exploring some aspects of policy implementation. Several theoretical frameworks consulted indicate that though South Africa has made huge strides in managing policy formulation, the country has struggled with implementing some of these policy imperatives.

This study will focus on specific areas for analysis in respect of the case of the Department of Land Affairs. The areas of specific focus will be as follows:

- Evidence of the policy process followed in the development of the INDS, using De Coning's generic process model as a theoretical framework
- Outline evidence of the experiences of people with disabilities within the DLA
- Use Cloete and Wissink's 5 –C Protocol as well as borrowing from Moore's strategic triangle of management to explore evidence of the management of disability policy implementation

On the basis of these key factors, several observations and conclusions will be derived on the Management of Disability within the Public Service.

CHAPTER 3: RESEARCH DESIGN AND METHODOLOGY

3.1. Introduction

Leedy and Ormrod (2001) state that some research questions require a deeper investigation in order to understand the phenomenon under study. Qualitative research enables the researcher to derive an understanding of a particular situation by probing beyond the realms of numbers and theoretical literature and in so doing provides greater depth. It enables the researcher to go out into the field to collect data that can be analysed and from which conclusions can be derived. For this particular study, qualitative research also compliments previous quantitative research undertaken by the Public Service Commission on disability in the Public Service.

This chapter will outline the research methods that this study will use, give an indication of how data will be collected and explore aspects that may impact of the validity and reliability of the study. This chapter will also elaborate on how the sample under study was derived as well as elaborate on aspects that have limited this study.

3.2. Research Method

Various types of research can be undertaken depending on what a researcher wants to attain. Several approaches can be followed depending on whether the aim is to describe, explain, predict, evaluate or explore a particular area of interest (Mouton and Marais 1996).

This study is an exploratory study and according to Mouton and Marais (1996:43) the aims of exploratory studies can vary as follows:

- ‘To gain new insight into a particular phenomenon

- To undertake preliminary investigation before a more structured study of the phenomenon
- To explicate the central concepts and constructs
- To determine priorities for future research
- To develop new hypotheses about an existing phenomenon' topic is

Babbie (1998:81) also states that exploratory studies also provide a familiarity with a topic of new interest, when the subject is relatively unstudied and in so doing satisfy the researcher's curiosity and need for better understanding. The author states that exploratory studies also enable a researcher to test the feasibility of undertaking further studies on the subject and develop tools for such further study.

In order to conduct this exploratory study, the following methods will be used:

- A review of related pertinent literature on disability and policy management frameworks
- Interviews with people who have practical experience of both the management challenges as well as experience as disabled employees in the Public Service
- Analysis of 'insight-stimulating' examples, using the DLA as an example , to outline empirical evidence

The practical experiences of people with disabilities provides some phenomenological elements to this study in that through these experiences, there is an attempt to "understand people's perceptions, perspectives and understanding's of a particular situation' (Leedy and Ormrod 2001:153). The same authors also state that phenomenological studies attempts to answer the question, 'What is it like to experience such-and-such'

3.3. Data Collection

Leedy and Ormrod (2001), Yin (1994), Mouton and Marais (1998), state that data for qualitative research may be derived from a variety of sources, including observations, interviews, personal stories, written documents, audiovisual materials, archival documents, physical artifacts, amongst others.

For the purpose of this study, data was collected from in-depth interviews with employees with disability, secondary analysis of literature on policy management and disability, discussions with leaders and experts in the field of disability who assisted with the design of the interview instruments and the response to a probing questionnaire by the manager of the disability programme within the DLA. The variety of sources used contributed to the insights obtained.

The purpose of the interviews conducted is to gain some insight and a comprehension on the employee's perspectives and experiences and to provide possible lessons for the future.

The questions for the programme manager are intended to assess management challenges in relation to disability in the workplace, rather than formulating generalizations of broad management challenges.

3.4 Reliability and validity

It is understood that when the attainment of research data includes interactions with human beings, as will be the case with the interview process, there is a tendency towards reactivity (Mouton 1988). This is a phenomenon that explains the fact that people react to being participants of research. Such reaction varies from resistance to giving information, low levels of motivation, memory decay, giving inaccurate information or modifying information so as to create a better impression of current reality (Mouton 1998).

External factors such as generally having a ‘good’ or ‘bad’ day and the current developments within the organisation, may also impact on the interview process. In addition to this, the researcher’s characteristics and the image of the researcher with the participants also impact on the interview process and this includes factors such as age, seniority, race, gender, affiliation to a particular organisation, etc (Mouton 1998).

In order to minimize the impact of these biases and to improve reliability of the study, there are several techniques that can be utilized, some of these being the use of triangulation, ensuring anonymity, covert research, using a control group, constructive replication. For this study, two of these methods are used, viz, triangulation and ensuring anonymity of participants. Triangulation refers to intention to use multiple sources of data, ranging from interviews, annual reports, observation and a variety of literature on the subject.

3.5. The sample

There are several sampling procedures that a research study can follow. This study has chosen random sampling of the Department of Land Affairs (DLA) as a case in point and an ‘insight stimulating example’ for the management of disability. As mentioned, the choice of the department was arbitrary, rather than purposive. Within the DLA, the sample of employees with disabilities was also a random sample of 20 employees with disabilities that voluntarily participated in this study.

The nature of the disability of the employees varied, but included employees with physical, aural and visual disabilities, amongst others. As a result the responses to the questionnaire were largely dependent on the nature and severity of the disability.

The manager of the disability programme within the department was provided with a questionnaire for completion. The questionnaire was geared at eliciting

information that can provide insight into management challenges, particularly in relation to policy implementation. In addition disability activists in South Africa also provided key information on various elements of the study.

3.6. Research limitations

Given the fact that this is a part-time study being conducted while employed on a full-time basis, it is expected that there will be time constraints in the execution of the research study. This means that the intention is not to conduct a comprehensive study, but a study that will give some insight into the management challenges as well as the experiences of people with disabilities in the work place and to provide possible lessons. Limitations thus arise from the scope, sample size and the methodology used, especially since only one manager from the Department of Land Affairs provided empirical perspectives on disability policy implementation.

In addition, being an ally, as Anne Bishop (OSDP 2004:15) states in ‘Becoming an Ally Breaking the Cycle of Oppression’ one has to consider that members of an oppressed group, as employees with disability sometimes are, may not want to give you their time and energy just so that you can learn about them. The slogan “nothing about us without us’ aptly conveys the regard, respect of boundaries and consideration that the researcher, as a non-disabled person had to be have during the interview processes that add substantial value to this study.

In addition managers may want to portray a positive and optimistic view of their achievements and reality in relation to policy implementation and management.

3.7. Conclusion

This chapter has elaborated on the technical approach that this study will follow. It has outlined the research design as well as the methods that will be used in undertaking this study. This included a depiction of exploratory studies, how data was collected, factors that impact on the reliability and validity of the study, sampling procedures sued as well as the limitations of this study.

CHAPTER 4: PRESENTATION OF FINDINGS

4.1. Introduction:

This chapter will present an empirical perspective of the experiences of disabled employees within the Department of Land Affairs as well as the manager's perceptions of disability policy implementation. It will present the data collected from the targeted stakeholders. This chapter will be organized around the following themes emanating from the collected data:

1. Recruitment and Selection processes
2. Familiarity with policies and legislative frameworks that guide employment Equity
3. Reasonable Access, accommodation and assistive devices
4. Training and Development opportunities
5. Attitudes and discrimination in the workplace

In addition this chapter will sketch data collected on key management reflections on the following aspects of policy implementation challenges:

6. Resources for policy implementation
    - Human
    - Financial
    - Technological
    - Institutional
    - Commitment
    - Motivation
    - Leadership
7. Partnerships with other disability stakeholders in civil society
8. Policy considerations for the following implementation context:
    a. Social
    b. Political

c. Economic
d. Legal

9. Main success and challenges of implementing policy objectives
10. Operational and administrative feasibility and sustainability of policy objectives

Though all respondents were required to answer the same questions, it is recognized that employees with disability are not a homogenous group, but are unique in their experiences, abilities, interests, drive, etc. As such some questions may for instance be completely irrelevant for some disabilities, e.g. questions on accessibility, for an individual who has a hearing challenge or a need for training for an individual who is sufficiently qualified and able to undertake the job at hand.

4.2. The empirical perspectives of employees with disabilities:

The following is a presentation on the responses to questions on key aspects of the employment process and the work environment within the DLA by 20 employees with disabilities. The employees are at various levels of employment within the DLA and as stated, have differing disabilities.

4.2.1. Recruitment and Selection process

Trutter (2001) states that job advertisements need to be accessible to people with disabilities, advising that advertisements for vacancies be circulated to organizations which represent the interests of people with disabilities. He further states that the selection criteria should be related to the inherent requirements and essential functions of the advertised position rather than any other ability in order to avoid discrimination.

In terms of the *job application process,* all the respondents stated that they had gone through the regular channels to apply for the job that they have, i.e. newspapers, completing application forms. No one mentioned any innovative job

application process, like receiving the advertisement or information from an organization for disabled persons, but in accordance with Trutter, all respondents stated that the selection criteria were primarily based on the essential functions of the advertised position.

Many disability activists state that having a person with a disability on the interview panel can be indicative of a level of equity within an organization. A large majority, 82% of respondents said that there was no person with a disability on the interview panel. Of these a few stated that having a person with a disability on the panel could possibly have made the interview less intimidating, while some said that it would have made no difference whether there was a person with a disability on the panel or not. One respondent said ‘we are told that people with disabilities do not qualify to be on the interview panel’. A few respondents said that they did not know whether the panel consisted of a person(s) with a disability as ‘some disabilities are not visible’; while one respondent stated that there was a person with a disability on their interview panel.

A question enquiring whether respondents had any *problems getting to the interview venue* was linked to the concept of accessibility of especially public buildings. Considering the range of disabilities among the respondents, it is understandable that this question would only be relevant to some of the respondents. As a result only 18% mentioned that the interview venue was inaccessible, while of the 82% who had no problem getting to the venue, a few respondents mentioned getting assistance from a sighted family member to get to the venue.

On enquiring about their e*xperience during the interview,* 25% made reference to experiencing some problems during the interview. One person with a hearing impairment, indicated that she could only lip-read Afrikaans and thus experienced language difficulties during the interview. Another mentioned that

one of the panelists was rude, doubting her ability to do the job due to her disability. Another was confronted about why they had not disclosed their disability during the application process, as they might not be able to 'handle documents, if their hand is assisting their disabled leg. 5% said that they experienced no problems during he interview process, even though one stated that they did not disclose their disability during the interview process because of fear of discrimination.

4.2.2. Familiarity with policies and legislative frameworks that guide employment equity

Access to information and awareness of individual rights are generally believed to contribute to empowerment and greater self-confidence. It is thus imperative that people have access to especially information that impacts on their constitutional rights.

A large majority, 93% of respondent stated that they are aware of *disability policies and legislation* and this knowledge ranged from knowing 'a plethora of policies including international policies' to basic knowledge of some policy guidelines'.

One respondent stated that they got to know about the policy guidelines on disability only since having a supervisor who also has a disability. Only 7% stated that they had no knowledge of policies and legislation.

In addition to knowledge about policies and legislative frameworks that guide employment equity, it was essential to ascertain whether respondents were of the opinion that *the Department adheres to policy recommendations.* One respondent stated that:

> only the transformation office adheres to disability policy recommendations, provinces don't bother with policy as we are told that we focus too much on disability instead of focusing on our Key Result

> Areas (KRA), and as a result often feel persecuted if we focus too much on disability rights (Interview X)

Another respondent noted that:

> for some time there had been lip-service, but since the establishment of disability forums, plans of action on disability as well as the appointment of a disability manager has materialized. There has also been some purchasing of assistive devices, awareness raising efforts indicating some improvement on policy implementation (Interview Y)

Another respondent noted that the department is in the process of addressing some issues, e.g. reasonable accommodation, through renovations to buildings and purchasing of assistive devices. In addition one respondent said that it was important that there are people with disabilities at management levels as these individuals become the primary drivers and champions of policy implementation.

When asked if they had been *consulted in the development of a Department specific Disability Policy,* only 31%, stated that they had been consulted, some as forum members and some during the policy review process. The majority had either never been consulted, and some were not even aware of a department specific policy on disability.

Of the few that were aware of the policy, *their opinion on the implementation of this policy within the Department,* varied from 33% who mentioned the following as progress made:

> Submissions to the DG, budgets set aside for the needs of employees with disabilities, including voice prompts in lifts and improving the recruitment processes (Interview B)

Mention was made of monitoring criteria being set for the implementation of policy. Some respondents stated that these developments affirm the need for

diversity management as the policy speaks to the needs of people with a variety of disabilities. One respondent felt even though policy implementation was beginning to take place, the human resource section within the department still seemed ignorant of these policy imperatives.

A few respondents with experience in provinces indicated that policy implementation at provincial level left much to be desired, as management seemed generally unsupportive.

Despite this sense that policy implementation was beginning to take shape, a large majority, 59%, are not convinced that policy implementation is happening. As one respondent said,

> I applied for a computer programme with 200m text, and a year later I still not received it and the process has stalled (Interview X)

When asked about how they think *policy implementation be improved*, the majority of respondents, 90%, felt that implementation could be improved if the staff, especially, management undergoes disability sensitization training. One respondent mentioned that managers were sometimes the main problem in implementing policy as they fail to integrate transformation issues into their workplans.

Another said that, ‘managers don’t listen’. One respondent felt that the Department still needs to emphasize more innovative ways of recruitment and selection of prospective employees. Another respondent felt that some revisions to the policy are needed to accommodate changing circumstances and also stated that the voices of disabled persons need to be better reflected and heard through these policies.

When asked about their *knowledge of the involvement of the Office on the Status of Disabled Persons (OSDP) in the Departmental policy implementation,*

approximately half of the respondents had knowledge of the OSDP, ranging from ‘personal links with the OSDP’ to knowledge that the OSDP were involved in an advisory and monitoring capacity. Another stated that the DLA-Disability Forum submits their progress report to the OSDP and that the OSDP often played an active role in some disability forum meetings. However, at least 50% did not know about the OSDP and their role in policy implementation

When asked about *knowledge of channels to follow in cases of Departmental non-compliance with policy,* 57% had some knowledge of channels, referring to the disability forum as a channel. Other respondents made reference to their supervisors as the first point of call while others felt that even though they knew of channels, they were not aware of successful interventions made by these channels. 43% did not know what channels to follow and stated that if these existed, they were clearly not effective.

When enquiring whether *Departmental disability policies had been evaluated,* a few respondents (17%), made reference to a policy review process that had taken place rather than an evaluation. The majority (83%) were not aware of an evaluation. One respondent stated that the policy was still new and not up for review.

4.2.3. The availability of reasonable access, accommodation and assistive devices

Reasonable accommodation is specifically mentioned in the recommendation of the Integrated National Disability Strategy (INDS). Trutter (2001) states that reasonable accommodation is ‘any modification or adjustment to a job or to the working environment that will enable a disabled person to have access to or participate in employment’. This may vary from individual to individual, but could include, amongst others, making work times flexible, modifying the physical work environment or acquiring special software.

Upon enquiring whether respondents had *any problems with getting to their place of work,* a few respondents with physical disabilities (31%), mentioned problems with inaccessible buildings. One respondent mentioned problems with parking bays, lack of wheelchairs in parliament, inaccessibility of toilets due to doors and spaces that prohibit movement, lifts that are not operational in the evening, preventing ability to work in evenings or that during power supply cuts mobility hugely curtailed. Another respondent mentioned that lifts currently have no voice prompts resulting in 'sometimes getting off on wrong floor'. The 69%, that experienced no problem were not affected as the nature of their disability did not curtail movement.

When enquiring about the *availability of adequate assistive devices,* a few respondents (38%) mentioned an improvement that had been made by the department. A few mentioned that zoom text software had been purchased to enable them to function. Another respondent stated that having newsletters in Braille would improve things even more. 33% stated that they had no need for assistive devices, while 29% stated that they had never been offered any assistive devices.

When asking whether e*mployees had been consulted on their equipment needs to undertake work adequately,* only a few, 23% mentioned that they had been consulted and after exploration the most useful device was found, while 37% said that they had never been consulted about their needs. 39% said the question was not applicable to them since their disability did not require assistive devices.

Employees were asked whether they had *experienced any problems with attending meetings both within the department and in venues outside of department.* Once more this question was relevant to only the employees with physical or visual disabilities and they stated that venues were sometimes in inaccessible buildings or had inaccessible toilet facilities. In addition venues for meetings were often chosen without consultation on special needs. However a

few respondents stated that they had never experienced problems as assistance was provided when needed. 31% stated that this question was not applicable to them

In respect of *problems experienced with bathroom facilities,* the main problems mentioned were poor maneuverability, doors that have springs making entry and exit a challenge. Respondents with visual impairment stated that in many cases toilets were too far from their offices and had too many doors inside leading to confusion. A large majority of respondents stated that this question was not applicable to their disability

When asked about *any other problems related to access, accommodation and assistive devices that hamper optimum undertaking of work duties,* a few respondent, mentioned some problems when traveling and a passenger assistance unit (pau) was necessary. Some stated that lifts should have voices prompts and Braille buttons, while another mentioned that they were still waiting for a computer with zoom text programme.

In relation to need for *flexibility in working hours to accommodate disability,* all respondents stated that there was no real flexibility and of these, 31% stating that this was not really necessary for them. One respondent stated that flexibility was sometimes self-created while another mentioned having an understanding supervisor as helpful in ensuring flexibility.

4.2.4. Opportunities for training and development

Training and development initiatives should be an integral component of Employment Equity Plans, linked to human resource development. In many cases this is designed to ‘level the playing fields’ and particularly in the case of disability, there has been a historical dearth in quality training and education for people with disabilities. As in many of the previous questions there is acknowledgement that employees with disabilities are not a homogenous in their

abilities and needs and this is also the case with training and development needs.

When asked whether respondents had received *any training and development opportunities in the last 2 years within the Department,* a large majority of respondents, 86% stated that they had been offered training and development opportunities and only 1 respondent stated that this had not materialized. 14% said that they never been offered training and development opportunities

In terms of whether the *training and development opportunities been linked to career prospects*, 50% of the respondents felt that the training and development had been useful for future career prospects. 28% said that the training they received was not linked to career prospects, of these one person mentioned not being interested in other work. 22% said that this question was not applicable to them.

In terms of *induction/orientation training provided for current job*, 57% said that they had never received any induction or on the job orientation, while 43% said that they had received on the job induction and that this had been extremely useful.

Respondent's *attendance of seminars/workshops/conferences that have contributed to training and development* has been fairly extensive, as 71% mentioned having attended a few seminars/workshops/conferences that have contributed to their development. A few respondents mentioned that some of these had contributed to an increase in their self-esteem. There was, however, an objection to the fact that workshop materials were sometimes not provided in large print or Braille.

When enquiring about *promotional opportunities in the last 3 years* about half of the respondents noted that they had received promotional opportunities, even though in one case this was based on merit rather than position.

It would seem that the departments has very little focus on *coaching/mentoring on the job*, as 79% said that they had never received any mentoring or coaching on the job, with only 14% mentioning some type of mentorship from supervisors.

When asked whether *there was a need for empowerment training for employees with disabilities,* 57% stated that there was a need for empowerment training and that this had been conducted, but a large majority felt that this had not been sufficient. 43% acknowledged the need for this, but stated that they were not aware if any such training.

4.2.5. Negative attitudes and discrimination in the workplace:

Perceived negative attitudes and discrimination can vary from a major barrier to being a minor irritation. They include, among others, being regarded as incapable, inadequate, tragic, pitiable, unhealthy, inferior, unemployable, a cost to organization)

When respondents were asked about *experiencing any form of discrimination in the workplace that is directly related to their disability,* 50% said that they never experience any form of discrimination, while 7% said they had not experienced discrimination lately. 43% mentioned experiencing some form of discrimination ranging from a social level, to one respondent with a hearing impairment stating that, ‘people are often frustrated in meetings when they cannot understand me’.

A few respondents felt that they did not get merits or notch increases because of their disability. One respondent felt that it depended on the level of employment in the workplace, for if one is disabled and in a low level job, they are not taken seriously.

In terms of *misconceptions about disability encountered among co-workers,* 64% stated that they had not experienced any misconceptions; one respondent said that it was only with managers where misconception arose. 7% mentioned being unaware of any, but stated that if they encountered this, they would deal with it immediately. 29% stated that there were misconception ranging from fear that they would get hurt, that they cannot walk or work fast, or cracking of jokes about disability.

In terms of *assumptions co-workers have had related to disability,* 57% stated that they were not aware of assumptions made. 43% stated that these ranged from assuming that they are not able to drive or work with heavy equipment, to an assumption that there is something wrong with the mental or reproductive capacity of people with disabilities. One respondent mentioned that at management level there were very few stereotypes as the Department had worked hard to deal with issues of diversity and displayed no tolerance for discrimination.

The most *common stereotypes, related to disability, often encountered* ranged from beliefs that they could not walk for long distances, that they cannot drive and a display of shock at normal relationships. Other respondents stated that they were not taken seriously when raising important issues. Another stated that many colleagues were of the view that a blind person cannot have a management position in government, as they questioned their independence.

In terms of whether these *negative attitudes, stereotypes and discrimination, impact on work,* 21% said it had no impact on their work, while some felt that it motivated them to work even harder to prove their capability. A few respondents stated that their sense of responsibility is reduced because of people doubting their capability, while one respondent stated that they had considered resigning.

One respondent confirmed that when attending meetings in other government departments, venues are chosen without consideration for accessibility and people would often state that:

> there is only 1 or 2 steps to venue, with no consideration that this is already a problem. Accessibility is often an after thought that comes to the fore only once people are faced with the situation, causing undue embarrassment. Toilets are also a factor for discrimination as some have narrow doors, leaving little room for maneuvering, parking bays are also still a huge problem (Interview B)

Another factor mentioned as discriminatory was the inability to work after hours if lifts are not operational after a certain time.

4.2.6. Departmental efforts at awareness raising and sensitization to disability:

A large component of change begins with de-mystifying disability by raising awareness and sensitizing everyone to disability.

When enquiring on whether there *have there been any efforts at raising awareness on disability issues for the broader staff within the Department,* 43% stated that departmental awareness raising efforts had been in the form of disability road shows while in some instances, the disability forum invited senior management to participate in meetings. However, there was still a sense that senior managers often act only when there is a problem related to accessibility during staff meetings, rather having a proactive approach to this problem. A few respondents stated that they did not know of any efforts made; while 50% said that there were no efforts at raising awareness amongst the broader staff, except at management level.

When asked whether awareness raising efforts had been *successful and lead to any changes in attitudes to disability,* 21% stated that there was some improvement in that there was a change and an understanding of disability

issues, but that there was still a long way to go as some managers displayed no interest. 14% stated that these efforts were often unsuccessful as most staff, especially managers do not attend awareness raising workshops, while a large majority (65%) said that they were unsure whether these efforts had been successful.

In terms of the *involvement of people with disabilities in the planning of and/or implementation of awareness raising and sensitization efforts,* 35% stated that people with disabilities were generally involved through the transformation office. In some instances, the disability manager is able to consult and involve people with disabilities. They however mentioned that there is still some discrimination among some managers who still 'talk down' to people with disabilities. 40% stated that people with disabilities were not involved as they were in lower ranks and their opinions are not sought, while 25% said that they did not know whether people with disabilities were involved in these efforts.

In terms of *suggestions on how awareness raising efforts can be improved,* there were a number of suggestions including the following:

- Including transformation issues in performance agreements of managers, where this can be monitored
- Compulsory disability training, more sensitization workshops
- Employing more people with disabilities at management level and having more resources for disability
- Having more able bodied people on the disability forum so that they can get to know people with disabilities and their abilities
- Making sure that the representivity within the department is improved and recruitment efforts are more creative, people with disabilities need to be affirmed, awareness efforts must be ongoing, management styles have to be geared at diversity management,

- Strengthening the empowerment programme so that they can continue to lobby for their needs and don't expect people without disabilities to speak on behalf of people with disabilities
- Having a more programmatic approach that can lead to sustained action rather than a project approach

4.3. Management perspectives on policy implementation challenges

A comprehensive questionnaire, focusing on management perspectives on policy implementation was drafted and forwarded to the Disability Manager within the Department. Only one manager, at Deputy Director Level, is directly responsible for managing the Disability Programme.

The questionnaire was completed by this manager, whose main job responsibilities in terms of the disability programme within the department are the following:

- Research disability issues and propose interventions
- Review policies, identify gaps and propose intervention measures
- Conduct awareness campaigns and sensitize staff about disability rights and challenges in the workplace
- Ensure mainstreaming of disability into departmental policies and programmes
- Attend to and address disability issues
- Facilitate the development and implementation of the Disability Projects Plans and follow up on issues
- Monitor the implementation of affirmative action for the disabled employees

His responses to the questionnaire were as follows:

4.3.1. Availability of resources for policy implementation

The manager of the disability desk commented that human resources for implementing the disability programme within the department were 'satisfactory'.

He stated that the disability budget is included in the budget of the Transformation Unit under which the disability budget falls. Contrary to the perspectives of some employees with disability, he commented that technologically, the department is 'the best when it comes to providing assistive devices to employees'. He also noted that the department had established a Disability Forum tasked with driving disability issues within the department.

4.3.2. Policy implementation context

The manager noted that the policy implementation context can also be considered as 'satisfactory' as he mentioned the high commitment of all the relevant role players within the department. This is evident in that all role players participate in the Disability Forum, which is chaired by the Surveyor-General within the Department. The Forum has specific partnerships within civil society organizations, like DEAFSA and SANCB. He stated that department has adopted and internalized the social model of disability. The department also sets specific targets for the employment of persons with disabilities. Once again this is contrary to the views of a few employees interviewed who stated that some senior managers, especially those responsible for human resource management, who should be familiar and committed to the disability programme, often lack understanding and commitment to disability equity.

4.3.3. Success in policy implementation

The manager listed the policy implementation successes as follows:

- Establishment of the Departmental Disability Forum (DDF)
- The Disability Project is listed in the Strategic Plan of the Department
- Annual celebrations of International Day of the Disabled
- Provision of assistive devices to employees with disabilities, such as wheelchairs, Braille documents, sign language interpretations and adapted computers
- Career advancement training courses

- Achievement of 2.5% target set up by the government on the employment of people with disabilities
- Disability audit survey was conducted
- Disability sensitization road shows were conducted with all DLA employees

Though some achievements stated have been acknowledged by some employees, it remains a question whether these achievements have translated into outcomes that have a significant impact on the work experience of the broader mass of employees with disability. From the interviews conducted it would seem that many of the achievements mentioned have largely benefited employees at the higher levels of employment rather than across the board.

In addition, there is still room for innovation and creativity in respect of recruitment and selection processes, partnerships with civil society, lobbying and advocacy initiatives as well as training and development opportunities as these could contribute to greater success with policy implementation

4.3.4. Challenges in policy implementation

The challenges were outlined as follows:

- Increasing the number of employees with disabilities in middle and senior management positions
- A need for a comprehensive guideline on reasonable accommodation needs for employees with disabilities
- Intensive mainstreaming of disability into DLA external programmes
- To develop a strong relationship with the Department of Public Works and private property owners to promote universal access
- Line managers to make budgetary provision for reasonable accommodation and related disability services for current and future employees with disabilities

- Buy-in from line managers on disability management
- Accessibility of all DLA buildings
- Enforcing compliance on disability equity through performance agreements in the Department across supervisory and management levels

Looking at these challenges, it is clear that disability issues need a higher profile in order to facilitate policy implementation. More vigorous political lobbying and advocacy initiatives are needed in order to get the political 'buy-in' and support that is needed for such a profile. This is in line with what Cloete and Wissink (2000) call the policy context, and Moore (1995) refers to as legitimate and political sustainability. Enlisting the support of external clients and coalitions (Cloete and Wissink:2000), especially from civil society cold contribute to these advocacy and lobbying initiatives.

The disability manager considered the policy objectives as both operationally and administratively feasible and sustainable. This is, however, despite the several challenges outlined.

4.4. Conclusion:

It is clear from the empirical evidence provided that, though there have been several gains made in respect of disability equity, the management of disability within the Public Service has not experienced radical change in line with the policy imperatives outlined in the INDS.

No innovative or creative methods are used in recruitment and selection processes to attract employees with disability into the Public Service. Though some progress has been made in respect of reasonable access, accommodation and assistive devices, the fact that management still considers accessibility of building a challenge indicates a need for greater political lobbying and advocacy initiatives for this basic need to be achieved. As indicated by the Americans with Disability Act (ADA), advocating for the principle of universal design can ensure

that planners and architects make universal access an integral objective in the development of built environments.

Broader conscientisation and awareness raising, especially of human resource management components of Public Service organizations could contribute to the kind of prioritization that Coleridge (1993) notes as being crucial for disability equity. This would also ensure that the objective to ‘facilitate the integration of people with disabilities in the workplace’ as stated in the INDS (1997) is accomplished.

CHAPTER 5: DISCUSSION AND ANALYSIS OF FINDINGS

5.1. Introduction

This chapter focuses on analyzing and interpreting the information gathered from questionnaires, interviews and literature study, based on the following key factors is relation to the management of disability within the Public Service:

- The policy process followed in the development of the INDS
- The empirical perspectives on policy implementation by DLA employees with disabilities
- The reflections of DLA manager on policy implementation challenges

In doing so, this analysis will endeavor to capture some of the main challenges experienced with policy implementation and deduce lessons that can be learnt from this exploratory study.

5.2. The policy process followed in the development of the INDS

In order to assess the policy process followed, De Coning's policy process model will be used as follows:

Agenda setting phase – It is clear that this phase of the policy process was fairly well established and undertaken. The South African history of oppression and subjugation of black people under the Apartheid legislation contributed to a wide conscietisation of many people to the evils of this system of government. Large spread advocacy initiatives, both within the country and externally as well as increased uprising against the system further contributed to magnifying the inequalities between black and white people and the denial of basic human rights to black people. This experience within the Apartheid system can to some extent be accredited for the wide spread consciousness among the broader South African populace of the universal right to human dignity, equality and freedom of choice as espoused in the South African Constitution.

Thus post the liberation of 1994, there were huge expectations that the new 'people's government' in their transformation and reconstruction programmes for the country, would be inclusive of disability concerns. When the Reconstruction and Development Programme (RDP) was developed in 1994 as an integrated and sustainable programme that would drive reconstruction and development in the country (Munslow and Fitzgerald 1995), it became imperative that the National Coordinating Committee on Disability call for an integration of factors in all the RDP development programmes (OSDP 2004).

The RDP White Paper committed government to consult with people with disabilities in its design of a comprehensive programme that will ensure that people with disabilities are fully engaged in society, with no discriminatory practices against them, especially in the work place.

An Office on the Status of Disabled Persons was established in May 1997 and was tasked with the completion of a White Paper on an Integrated National Disability Strategy. In its formulation of this white paper, the was broad consultation with the members of South African Federal Council on Disability, especially Disabled People South Africa, National Council for Persons with Disabilities, Deaf Federation of South Africa, National Epilepsy League, Quadriplegic Association of South Africa and the South African National Council for the Blind. In addition, the core group that contributed to the formulation of the White Paper consisted of key people with disabilities and key members of the above organizations. Several submissions were received from public hearings held at both national and provincial spheres (White Paper 1997).

Key guidance and technical support was provided by senior managers within the Office of the Deputy President, firmly placing the agenda for the development of the disability policy high on the political spectrum.

Policy Formulation phase - This phase indicated an understanding that disability is a cross-cutting subject impacting on all areas of government and governance. It is thus of no surprise that the key policy areas of the White Paper are broad, so as to 'include prevention, health care, rehabilitation, public education, barrier free access, transport, communications, data collection and research, education, employment, human resource development, social welfare and community development, social security, housing and sport and recreation' (White Paper 1997, p v).

The White Paper during this phase chose inclusivity as the principle that informs this policy rather than a principle of separate development and programmes, which has in the past contributed to the social exclusion of people with disability, especially from mainstream society and community development initiatives as well as from enabling them to access equal opportunities.

Policy Adoption phase - The White Paper (INDS) is explicit in its statement of resource implications that would be necessary for implementation, as it implies the reconstruction and development of society within a framework of inclusive development. This means that 'ordinary' amenities and services would need to accommodate the diverse needs of all people.

Though the White Paper makes mention of several key disability structures, it places administrative responsibility for implementation of the recommendations of the White Paper with the OSDP. This does not, however, preclude the administrative responsibility of all line departments from including the recommendations of the White Paper in their internal and external practices and programmes (White Paper 1997).

The OSDP is recognized as one of the key National Machinery, which are relatively new institutions intended to facilitate government delivery in programmes related to their core area of focus. The OSDP is mandated as the

National Machinery for disability, with the primary role of providing guidance and support to The Presidency on all policy issues and ensuring that 'government lives up to its constitutional, political and international commitments by translating these into measurable and meaningful programmes' (OSDP 2004:6).

In addition, all line department's at national and provincial level are required to have disability focal points whose main aim should be ensuring the integration of disability issues at the level of the department.

The Constitution has also established state institutions to support the transformation and political objectives of government and to support the principle of democracy and among others include the Human Rights Commission in terms of disability factors. Parliament , through its Joint Monitoring Committee on the Improvement of the Quality of Life and Status of Children, Youth, Women and Disabled Persons, has key role in relation to facilitating the fulfillment of disability values.

It is thus clear that the disability policy has been widely adopted through the constitution imperatives as well as through the creation of institutions that are meant to facilitate the policy.

Policy implementation and monitoring phase – This is clearly the most challenging phase of this policy process, as to date the stated targets and imperatives are still not being met. This corresponds to the evidence provided by Mokgoro (1995), Cloete and Wissink (2000), Van Baalen (2000), amongst other of the complexity and challenges of policy implementation.

Though the execution of the policy imperatives is the responsibility of all spheres and levels of government and line departments, the OSDP is recognized as the structure that has to co-ordinate the implementation of policy in respect to disability imperatives. It is also the overall responsible body for monitoring and

evaluating government policies and programmes in respect of disability issues (OSDP 2004).

In order for the OSDP, line departments and other government organizations tasked with implementing disability policy, it is imperative that they translate the policy into department specific policy followed by a translation into strategic plans and programmes for implementation. In addition to these, it is of utmost importance that these strategic plans and programmes are supported by resources, both human and financial that will facilitate their implementation.

Monitoring the implementation of policy is an important aspect of this phase and once more though line departments have to monitor their own implementation of national as well as department specific disability policy, the overall responsibility for this lies with the OSDP. The OSDP in this task is supported by independent institution such as the Public Protector and the Human Rights Commission that must exercise their powers in protecting the rights of people with disabilities.

Policy Assessment and Evaluation - The OSDP holds the overall responsibility for assessment and evaluation of the policy. The audits of the OSDP should inform whether there is general compliance with policy recommendations as well as whether any impact can be reported.

In conclusion, it is clear that the policy process that culminated in the INDS cannot be faltered as it ensured that the process was driven at a political level by disabled persons before embarking on the development of the policy paper. It received the highest political ‘buy-in’ through the establishment of the OSDP with the Presidency, thus further ensuring government’s commitment to disability issues. However, the policy process has been weak both in terms of implementation and monitoring and evaluation of delivery, particularly in terms of internal processes affecting equity and enabling environments.

5.3. The experiences of employees with disabilities

5.3.1. Recruitment and Selection process

It is evident that recruitment and selection processes are still largely generic rather than using creative and innovative means to attract and access people with disabilities. There is no mention of the involvement of Disabled People's Organizations in the recruitment and selection process. The assumption is that the 'playing fields are level' and no supplementary methods are used in the recruitment and selection process.

In addition there is no standard inclusion of people with disabilities in the interview panel nor a generic ensuring that a sign language interpretation or other assistive devices are readily available should they be needed by prospective candidates.

These oversights indicate a gap in concerted efforts to attract more people with disabilities into the Public Service. Such efforts could go a long way in contributing to the Public Service, at minimum, meeting the required equity quota of having at least 2% of total employees comprising of people with disabilities. Though, as stated, the focus of this paper has not been on quantitative aspects or numerical targets of disability, recruitment and selection processes used have a huge impact on whether that 2% target is likely to be met in future.

5.3.2. Familiarity with policies and legislative frameworks

It is often said that knowledge is power and in the case of knowledge on especially issues of equity within the South African context is imperative is the injustices of the past are addressed. When people know their rights, they are generally more empowered to exercise and uphold those rights.

It is thus encouraging that a large majority of DLA employees with disabilities are largely aware of and knowledgeable on policy and legislative frameworks that guide disability equity. It would seem that there has been a consistent

improvement in attaining policy outputs (awareness raising, budgeting for assistive devices, establishing disability forums, etc) but limited outcomes in ensuring that all people with disability are fully enabled to perform their duties effectively and efficiently as stated in the INDS. It is also interesting to note that the knowledge of policy is sometimes linked to a supervisor who is disabled, informing subordinates of policy imperatives. This indicates the value that can be derived from employing more people with disabilities at supervisory and management levels.

Disability equity is still largely placed at the helm of the transformation office, rather than pervading the organization as a whole. There is the sense that if any policy recommendation is likely to be effected, the island of implementation will be within the transformation office rather than throughout the organization. In addition employees with disabilities are still not sufficiently informing policy processes and developments, contributing to an alienation of the key policy beneficiaries. This is contrary to both the INDS recommendations as well as academic knowledge already referred which attest to the significance of input by policy 'clients'.

5.3.3. Reasonable Access, accommodation and assistive devices

It is evident that though the DLA has made some progress in relation to provision of reasonable access, accommodation and assistive devices for employees with disabilities, it is still far from thinking in terms of universal design that Oliver (1995) makes reference to. As stated in the ADA such universal design has been based on the enormous developments made in terms of policy, technology and science, enabling both able-bodies and disabled persons to benefit from more universal architecture, infrastructure and equipment.

What is also evident is that even where attempts have been made for providing reasonable access, there is not much consultation with the beneficiaries of these goods and services, leading to oversights, in for instance the impact of spring-

back doors, the amount of maneuverability that is needed by a wheel-chair user, provision of Braille in lifts, among others. In addition to this these oversights, factors like having one or two steps leading to a building is often regarded as no problem, without regard for incline and the concomitant compromise on accessibility.

It would also seem that the department has not given thought to introduction of flexi-hour work arrangements or any other innovative means, e.g. virtual offices, which use technological advancements that ensure productivity, without necessarily being office based. The imperative to create conditions to broaden the range of employment options for people with disabilities is articulated in the INDS.

5.3.4. Training and Development opportunities

It would seem that the DLA has provided several opportunities for training and development to employees with disabilities. These training and development initiatives need to be more strategically linked to upward mobility and future career opportunities.

The Department seems to have overlooked the significance of providing fundamental job-based training in the form of induction, coaching and mentoring, where this is needed, as this has been greatly valued by the few employees that received this. Coaching and mentoring can contribute to a bottom-up approach informed by a cadre of ‘street-level bureaucrats’ that can positively impact on policy implementation.

The provision of opportunities to attend seminars and workshops as representatives of the Department, has not only contributed to knowledge building, but also to a sense of acknowledgement and the associated increase in self-confidence.

More strategic management of human resource development, through capacity building or training and development opportunities could yield huge benefits for leveling the historical disproportionate access to training and development opportunities by people with disabilities.

5.3.5. Attitudes and discrimination in the workplace

Stone (1999) mentions negative attitudes and institutional discrimination as among the key means that further entrench disability. The DLA seems to have very few challenges in this regard and where existing, it is mainly related to misconceptions about the abilities and capabilities of people with disabilities.

These stereotypes are mainly related to remnants of historical perspectives of disability from a health and welfare issue where people with disabilities are regarded as dependent on able bodied individuals in some way or not being as physically capable as able bodied counterparts.

Though the assumptions made seem innocuous, correcting them could contribute to a break in the cycle of discrimination. The value that can be added by Disabled Peoples Organizations, with some focus on independent living could add value to correcting stereotypes and misconceptions and improve coalitions with significant stakeholders.

5.3.6. Departmental efforts at raising awareness and sensitization

It is evident that the Department has focused more external focus on awareness raising and sensitization, through its major focus on ‘road shows’ as a form of awareness raising and sensitization. The internal focus has been limited to ‘a disability day’ once a year, during which there would also be a workshop on disability. The fact that managers often fail to attend these workshop, further limits the gains that can be derived from such patchy operations.

Clearly this sporadic approach to raising awareness and sensitizing people on disability has been unsuccessful in yielding the more long term benefits of demystifying disability and ensuring an environment where all employees value the diversity brought into the workplace by people with disabilities.

More strategic and consistent internal focus could ensure that disability awareness at all line functions within the department yields more positive policy implementation across the department.

5.4. Management perspectives on policy implementation

Generally and according to the disability manager, it would seem that the Department of Land Affairs is not doing too badly in respect of implementing disability policy imperatives. However, it would seem that having only one person in employ, below senior management level responsible for 'facilitating the development and implementation of disability project plans and follow up on issues' is less than satisfactory. This also indicates some weakness in operational and administrative feasibility of policy management.

This is compounded by the fact that there is no specific disability budget linked to the tasks of the manager. This is especially the case, when one considers that as outlined on the Department of Land Affairs website, the transformation directorate under which the disability budget is included, does not have a specific mention of disability in neither its missions nor its function. Though the main functions are very broad, there is specific mention of gender and an assumption that disability is included in the broader transformation programmes and projects, as stipulated below in figure 6.1.

DIRECTORATE: TRANSFORMATION
Mission • To Manage Transformation Programmes and Gender Issues within the DLA
Functions
• Monitoring transformation programmes and projects
• Managing programmes and projects
• Rendering and facilitating the integration of gender methodologies in Land Reform and the implementation of gender issues and policies within the Department
• Providing administrative support

Figure 6.1(www.dla.gov.za)

This omission of specific mention of disability within the tasks of the transformation directorate could be a reflection of the reduced political visibility of the disability agenda within the Department.

According to Mokgoro (1997) and Heymans (1995), 'political buy-in' as a pre-requisite for successful policy implementation, has to be directive and assertive in policy implementation. In addition, Moore's strategic triangle of management indicates that the political goal of policies 'must attract both authority and funds from the political environment'. In the case of the DLA, it would seem that political 'buy-in' is not sufficiently supported by a clear focused consideration for disability at organizational structure level. This poor organizational focus tends to cloud both the substantive value as well as the legitimacy of disability within the Department.

Though having a disability forum can be an indication of a level of commitment to disability issues within the department, it cannot structurally replace the

operational and administrative imperatives for implementation of the disability policy. Such a forum is best placed to exert pressure by ensuring that disability issues remain on the agenda. It is, however, inspiring that the Disability Forum seems to have high political visibility through chairmanship by the Surveyor-General.

As previously stated, partnerships with relevant stakeholders, including civil society organizations in the disability sector also support the legitimacy of policy goals and objectives. Cloete and Wissinlk (2000) refer to these partnerships as policy client and coalitions, stating the significance of having stakeholders whose interests would be advanced by policy imperatives. The fact that the Department works in partnership with civil society organization is thus an added advantage for the disability programme within the department. However, the department could yield even greater benefits if it included partnerships with broader Disabled Peoples Organizations like the National Council for People with Disability (NCPD) or the Disabled People South Africa (DPSA). Not only do these partnerships contextualize the disability programme, they can also assist in lobbying and advocacy initiatives by the department.

Though policy imperatives can be implemented through a range of instruments and institutions, it is interesting to note that only 25% of successes mentioned are direct outputs that have an impact on employees with disabilities, i.e. the provision of assistive devices and training courses. The largest majority of successes mentioned, 75%, are outputs that are indirectly linked to employees, e.g. annual celebrations on International Day of the Disabled, achievement of the numerical target of 2.5% set by government, conducting a disability audit, etc. These achievements still leave the ‘so what’ question open, as though they are significant for the supportive environment, they far outweigh the direct tangible gains for employees with disabilities within the department.

It is also interesting to note that the challenges mentioned by the manager are all linked to gaps that need to be filled and not directly linked to challenges experienced with policy implementation. They refer to opportunities that the department can utilize to improve the experience of people with disabilities. By having more employees with disabilities at middle and senior management allows for greater possibilities that these employees can influence the recruitment and selection processes within in the department, e.g. by sitting in on interview panels.

It is evident that accessibility remains a problem, thus a closer relationship with the Department of Public Works could assist in promoting universal design to facilitate accessibility. In addition, inclusion of compliance with disability equity as a KRA in supervisory and management performance agreements is a practical way of ensuring that disability equity is a factor for consideration for all supervisors and managers.

The disability manager made limited comment on the policy implementation context, but it seems that there is dwindling political sustainability to attract both authority and funding that are imperative if policy implementation is to be successful.

5.5. Conclusion

The case of the Department of Land Affairs reflects and supports the literature on both disability and policy management. It confirms the consistent need for advocacy and lobbying efforts to place disability on the development agenda, including raising its profile within the workplace. The important role of activities of organizations of people with disabilities as stated by Zarb (1995) can have significant influence on the inclusiveness of political and administrative agendas. More dynamic association through partnerships of the DLA transformation directorate with civil society organizations of people with disabilities could

improve the visibility of the disability agenda in both the mission and the functions of the transformation directorate.

The case of the DLA, though indicating huge strides in respect of assistive devices to facilitate work, indicates some short comings in terms of the broad and diverse policy and legislative framework geared at ensuring disability equity, through broad consultation with people with disability in terms of their engagement with society and the removal of discriminatory practices against them. These are evident in the fact that a large percentage of people with physical disabilities consistently mentioned problems with inaccessible buildings, problems with parking bays and even lack of sufficient wheelchairs in parliament. This despite the advocating of universal design of goods and services by the National Council on Disability (1996), which indicated the broader social benefit of such design for the society at large, including the division of society between able-bodied and disabled persons.

The fact that the INDS recommendations are not sufficiently adhered to confirms the challenge stated by Oliver (1995) that policy and legislation sets out the broad philosophical principles, but that it is largely up to the people with disabilities who have to ensure that their concerns are taken seriously. The case of the DLA also confirms that the policy approach should over-arch both a civil rights approach to disability equity as well as an anti-discriminatory approach.

However as indicated by the literature reviewed, Mokgoro (1997), Mutahaba *et al* (1993), Heymans (1995), amongst others, policy implementation is complex and challenging, especially in the face of insufficient technical, institutional, administrative and resource capacity constraints. This is further compounded by the need for strategic management, including political support that attracts both authority and resources from the political environment.

CHAPTER 6: CONCLUSIONS AND RECOMMENDATIONS

6.1. Introduction

Previous reference to Pressman and Wildavsky (1973) state that as a verb, implementation is a process, therefore, it is about everything that happens in trying to achieve policy objectives. Cloete and Wissink (2000) further state that the implementation process 'happens' either through steps being taken, ignored or transformed. In this chapter I will outline some of the key conclusions, based on the research evidence that this study has made in respect of the management of disability within the Public Service, with particular focus on policy implementation. I will conclude by presenting recommendations on the following specific areas:

- The employment of people with disabilities
- The management of disability policy
- Possible areas for future research in this field

6.2. Conclusions

This exploratory study has shown that disability as articulated in the social model of disability is not exclusively in the individual, but that some individual differences are labeled as disabilities through a complex interchange of social, economic and political processes (Schriner, undated). Disability is thus often created by societal conditions, such as architecture and attitudes which are impediments that can be changed and contribute to enablement. If countries move from this premise and consider disability a priority then attaining disability equity moves from being a political ideal to being a reality.

This exploratory study has alluded to the fact that South Africa has made huge strides in correcting the injustices of the past in terms of race and gender discrimination. In this regard, particular gains have been made in ensuring equity

not only in terms of numbers employed, but also in terms of ensuring a supportive and empowering environment once in employment.

The study has shown that disability equity has lagged behind and has reported limited gains, despite the policies and legislation for equity. It indicates that though South Africa has made huge advances in ensuring disability equity on some levels, it has lagged behind in several practical ways of ensuring that policy imperatives are adequately implemented. Though the focus of this study has not been on meeting the numerical targets set at 2% of total employment, this study indicates that several aspects of the management of disability within the Public Service can be directly related to whether that target is met.

The policy process preceding policy implementation can hardly be faulted. The analysis, using the De Coning model, indicates political support and 'buy-in' in the preceding phases of setting the agenda, formulating and adopting the policy. However, it is evident that the phases of policy implementation, monitoring and evaluation have been weak. Policy implementation has been particularly patchy especially when one considers the empirical evidence provided by employees with disability. The study indicates how policy implementation is hampered by insufficient technical, institutional and human resource capacity.

As an insight stimulating example, the DLA is certainly above average in terms of implementing the disability policy recommendations and despite this seeming success, there are several areas that can be improved.

On a broader scale, this study indicates that there is a tendency to rely on what Cloete and Wissink (2000) refer to as 'Weberian bureaucracy of a rational, ordered system', where policy is expected to trickle down from policy formulation. However country policies that have been formulated and are in place have not been sufficiently or effectively implemented.

There is a general tendency towards a top-down approach to policy implementation for even though a large majority, 93% of the DLA employees interviewed were aware of disability policies and legislation, only 31% stated having had input at departmental level, many of these, because they were disability forum members. In addition this top-down approach is specifically targeted at the transformation programme and disability desk, rather than being targeted at being mainstreamed throughout the department, as employment of people with disabilities occurs throughout the department. This is particularly evident in the many responses as follows:

> ‘only the transformation office adheres to policy recommendations, policy implementation would be improved if all managers and supervisors undergo disability sensitization training, the Human Resource Directorate should have disability as a cross-cutting theme as a KRA’ (interview C)

This indicates a more rigorous imperative for ‘bottom-up’ approaches and inputs to policy management.

Though the country as well as the Department of Land Affairs has faired well in raising awareness of disability rights as human rights, there are several gaps in terms of specific gains at individual level. Raising awareness cannot be considered an end in itself. They should be used as a means to an end, ensuring that strategic plans of action, with resources as well as monitoring plans are advocated for once momentum has been gained through awareness raising efforts. This means that such awareness raising efforts should also be more strategically internally focused if they are to transcend to all line managers within the department.

The disability manager considers the DLA as the best in respect of providing assistive devices to employees with disabilities and this may well be the case, as 38% of respondents stated that there had been many improvements in attaining assistive devices. However, there were still problems with accessing

departmental buildings, including adjustments of bathroom facilities to facilitate maneuverability. The same can be said for ensuring that significant documents available in Braille. This indicates a more concerted effort needed at ensuring practical application of policy recommendations through continuous analysis of policy gaps and gains.

In addition there seems to be limited focus on the factors mentioned by Moore (1995) that are necessary for strategic management. This would include the continuous highlighting of the substantive value of disability equity, rather than focusing on annual celebratory events, ensuring legitimate and political sustainability, through for instance, the disability forum advocating for specific budgets for sustaining disability policy imperatives, not only for the disability desk/disability forum, but for all line managers. In addition the disability forum could also advocate for ensuring that operational and administrative processes are geared at facilitating the attainment of policy goals, through lifting management responsibility for disability to more senior management levels, supported by technical expertise to ensure policy execution.

6.3. Recommendations

The recommendations provided are specifically based on the findings articulated in Chapter 4 of this report and are geared broadly at Public Service institutions and are aligned to Presidential articulation in the INDS in respect of the promotion and protection of the rights of people with disabilities. They are a reminder of a National imperative to guard against complacency, specifically in relation to ensuring that the gains made through the struggle for liberation are enjoyed by all citizens of the country irrespective of race, gender, culture or ability.

6.3.1. Employing people with disabilities

- Personnel working in recruitment units within Departments need to be trained to understand the variety of options available in the placement and promotion of prospective employees with disabilities
- Learneships should reflect a defined percentage of participation of people with disabilities which could impact on career pathing and succession planning within Public Service organizations.
- Increasing the number of employees with disabilities in middle and senior management levels and in so doing ensuring that they inform the recruitment and selection processes
- Ensuring that the Public Service recruitment and selection processes are more creative and innovative, e.g. by involving civil society and academic partners to reach and attract employees with disabilities
- Ensuring that the accessibility and availability of assistive devices is a rule rather than a minor requirement in all Public Service institutions
- Exploring alternative forms of employment for people with disabilities, .e.g. working from home, job sharing, etc
- Providing employment support services such as training, mentoring, induction, coaching, etc for all employees

6.3.2. Policy management

- Developing clear guidelines and plans for policy implementation that indicate good practice, particularly in relation to employment of people with disabilities
- In disability awareness raising campaigns, ensure that all employees, but particularly employees with disabilities are conversant with the disability policy content. This includes what the policy sets out to do and how it aims to deal with issues. This should include both the means to the end as well as an indication of how those ends have been determined
- Ensuring greater participation from ‘street level bureaucrats’ in policy implementation

- Getting and coordinating the required commitment for policy implementation, both politically as well as from officials who have an impact on policy implementation. An imperative for ensuring follow through would be the inclusion of disability management as a key result area in senior managers performance agreements, particularly managers in human resource management, human resource development and legal services directorates
- Garner partnerships with broader Disabled People's Organizations and academic institutions, to provide complimentary services and support for the disability programme within government departments, especially in relation to specifics, like recruitment, sensitization training and human resource development that impact on employment
- Ensuring sufficient capacity to execute policy implementation. This is not only in terms of human, financial, material, technological, logistical, capacity, but also in terms of the more intangible resources, like providing leadership, motivation, commitment, willingness, courage and endurance to facilitate policy implementation
- Ensuring that disability projects and programmes have clear indicators of success that link outputs to broader planned outcomes

6.3.3. Further research

- The feasibility of the INDS recommendations for the Public Service
- Cross-cutting themes as a management challenge for the Public Service
- Opportunities and threats for barrier-free and universal design of public spaces in South Africa
- Policy implementation – a threat for policy processes in South Africa

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APPENDICES

Appendix A: Interview guideline for employees with disabilities

Name

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Job description

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Nature of disability

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Questions

Recruitment and Selection Processes: (It is advised that advertisements be accessible to people with disabilities and circulated to organisations which represent the interests of people with disabilities. The selection criteria should be related to the inherent requirements and essential functions of the advertised position to avoid possible discrimination (Truter 2001). In many countries people with disabilities state that they are much more likely to have found their jobs through personal contacts rather than through the structured routes (National Council on Disability 1996)

- How did you find out about the availability of the vacancy that you currently fill?
- Briefly, describe the process you followed in the application for the vacancy.
- Was there any person with a disability on the selection panel?
- Did you have trouble in getting to the interview venue? Explain.
- Briefly, explain your experience during the interview process, and motivate your experience with a specific example?

Familiarity with policies and legislative frameworks that guide employment equity:

- Are you familiar with the policies and legislation that guide disability equity in the workplace?
- Which policies and legislation are you aware of?
- Are you aware of any custom made policy or strategy for disability equity that is specific to the Land Affairs Department?
- Do you feel that these adequately address disability equity in the workplace?
- If not, how can these policies and legislation be improved?
- Which aspects of these policies and legislation have been useful in their practical application in the work place?
- Has the Office on the Status of Disabled People been involved in the Departmental processes on disability equity? What involvement has this been and has it been useful?
- Were you involved in the in the formulation of this Department specific policy or strategy document or do you know of any people with disabilities that were involved in its formulation?
- In your opinion, have there been any obstacles in implementing the Department policy or strategy? Mention these.
- Are there any mechanisms in place to handle any employee disgruntlements in relation to failure to comply with the equity principles laid out either in the country equity legislation and policies or in departmental policies? Explain.
- How many people with disabilities do you know of who have used this mechanism?
- In terms of cases or complaints on discrimination based on disability, what would you say is the ratio of cases or complaints withheld and those withdrawn?
- Have the departmental policies or strategies on disability equity been evaluated? What do you think should inform this evaluation?

Reasonable Access, accommodation and assistive devices :(Reasonable accommodation is 'any modification or adjustment to a job or to the working environment that will enable a disabled person to have access to or participate in employment' (Truter 2001). This varies from individual to individual, but could include making work times flexible, modifying the physical work environment acquiring special software, etc.

- Do you experience any problems getting to your office (excluding transport to and from work)? Please explain.
- Does the equipment that you use to undertake your work enable you to do so adequately? Please elaborate.
- Do you experience any problems attending meetings in venues within your office building? Please elaborate.
- Do you experience any problems with the bathroom (toilet) in the office building? Please elaborate.
- Is there anything else related to access, accommodation or assistive devices that hampers your full functioning in the workplace? Please elaborate.

Training and Development (Should be an integral part of the Employment Equity Plans):

- Have you been offered any training and/or development opportunities in the last 2 years of work? In what areas has this been?
- Have these training and development opportunities been in any way linked to future career prospects?
- Do you know if any of the training you received complied with the South African Qualifications Authority Act?
- Did you require any assistive devices during the training and was this provided?
- Did you receive any induction/orientation training for the performance of your job? If so was this useful?

- Have you attended any seminars, workshops and/or conferences that have contributed to your personal training and/or development? Specify.
- Have you had any promotional opportunities in the last 3years and have these been granted? Please elaborate.
- Have you received any coaching and/or mentoring on the job?
- Do you think there is a need for empowerment training for people with disabilities and has this been conducted? Elaborate.

Attitudes and discrimination in the workplace: (Attitudes can vary in degree from being a major barrier to being a constant irritation. They include being regarded as incapable, inadequate, tragic, pitiable, unhealthy, inferior, unemployable, a cost to society, etc)

- Have you experienced any form of discrimination in the workplace that is directly related to your disability? Elaborate.
- What misconceptions about your disability have you encountered among your co-workers?
- What assumptions have co-workers made that are related to your disability?
- What is the common stereotyping related to your disability that you encounter on a daily basis?
- Can you explain how the attitudes, stereotyping and discrimination impact you and your work

Awareness raising and sensitization:

- Have there been any efforts at raising the awareness on disability issues for the broader staff compliment within the Department?
- In your opinion, were these successful, in other words did they lead to any change in attitudes to disability? Explain.
- Are people with disabilities involved in the planning and/or implementation of these awareness raising and sensitization efforts?
- Do you have any suggestions how these could be improved?

- Is it possible to try to paint a picture of the behavior of your colleagues before and after the awareness raising efforts?

Before After

- Appendix B: Questionnaire for manager of disability programme

Questionnaire for the Department of Land Affairs Manager for the Disability Programme:

Name:

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Designation:

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Main job responsibilities:

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1. What is your specific responsibility in terms of the disability programme within the Department?

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2. How would you rate the availability of resources for effectively implementing the disability policy within the department?

Human resources

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Financial resources

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Technological resources

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Institutional resources

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Commitment of role players

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Motivation of role players

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Leadership within the department

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Partnerships with other disability stakeholders in civil society

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In what manner would you say the disability policy has taken consideration on the following implementation context:

11. Social

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12. Political

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13. Economic

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14. Legal

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What would you consider the main success and challenges of implementing the policy objectives?

15. Success

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16. Challenges

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In your opinion do you consider the policy objectives as operationally and administratively feasibility and sustainability?

17. Operational feasibility and sustainability

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18. Administrative feasibility and sustainability

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