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Assessing the extent to which vetting can promote good governance in the Department of Home Affairs

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ABSTRACT

This is a study of the vetting process as carried out in South African state departments. The objective of the study is to set out the strengths and weaknesses of the vetting process and to determine the implications the process has on accountability and good governance. The research site is the Department of Home-Affairs' (DHA) Immigration Services at OR Tambo International Airport (ORTIA). This site is chosen in light of the Ministerial instruction given in 2017, to vet all officials at the airport as a measure to combat the widespread criminal activity and corruption that has become the focus of much media attention. Vetting forms part of the Minimum Information Security Standards (MISS) and the Minimum Ant-Corruption Capacity (MACC) policy. Vetting is defined as a systematic process of investigation to determine security competence (Mdluli, 2011), wherein security competence is the ability of an official to work responsibly and not misuse state information (Molapo, 2017). This study was done qualitatively using semi-structured interviews as the instrument for data collection. The results of the study show that vetting falls short in its attempt to promote good governance and accountability. The DHA and other state departments need to do much more to improve the execution and enforcement of the vetting process.

DECLARATION

I, Zama Shezi, hereby declare that the work submitted here is the result of my own independent investigation and where assistance was sought it has been acknowledged. I also declare that the work in this paper is submitted for the first time at this university toward the Master of Management Degree in the field of Security. This research has not been submitted before for any other degree or examination to any other university.

Signature: ZF Shezi Date: 2019/06/19

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DEDICATION

I am grateful to God for helping me throughout this journey. This thesis is dedicated to my late father Bongani Shezi, my mother Dudu Shezi, and my siblings Bongeka, Sanelisiwe and Prince Shezi. Thank you for your love and support.

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I would like to acknowledge the Department of Home Affairs People Development for enabling me to further my studies. To all the research participants from State Security Agency and Home Affairs Immigration, Human Resources and Vetting your contributions to this research are much appreciated. To my supervisor Dr Caryn Abrahams thank you for challenging me and providing guidance during this study.

LIST OF ABBREVIATIONS

ACSA	Airports Company South Africa
CBP	Customs and Border Protection
DHA	Department of Home Affairs
DHS	Department of Homeland Security
DPSA	Department of Public Service and Administration
EXCO	Executive Committee
HO	Head Office
HR	Human Resources
IA	Internal Affairs
MISS	Minimum Information Security Standards
MACC	Minimum Ant-Corruption Capacity
NIA	National Intelligence Agency
ORTIA	OR Tambo International Airport
PSC	Public Service Commission

SANDF	South African National Defence Force
SAPS	South African Police Service
SCM	Supply Chain Management
SOPs	Standard Operating Procedures
SSA	State Security Agency
UNDP	United Nations Development Programme
UN	United Nations
VFU	Vetting Fieldwork Unit

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CHAPTER 1

GENERAL INTRODUCTION

1.1. Introduction

Good governance is essential for sound public administration (Ssonko, 2010). However corruption takes place when public officials misuse their position and state resources to promote their own advantage. According to Matembe (2010), there is a negative correlation between corruption and good governance in that corruption undermines good governance. One way in which governments try to reduce the risk of corruption is by conducting background investigations or vetting their employees. Vetting refers to a counterintelligence framework used by state departments to grant or deny access to classified (state) information (Festa, 2012).

Vetting is carried out according to set guidelines in order to determine the eligibility of an individual or entity to access classified information (Howard, 2006). Pre-employment, vetting is conducted to weed out unreliable applicants that display behaviour that is criminal, dangerous, disloyal or susceptible to blackmail. Post-employment, vetting aims to identify and deal with present employees that have developed questionable loyalty or behaviour (Lowenthal, 2012). Vetting is thus a primary safeguard used by state departments against insider-risk to national security (Walter, 2010).

It is believed that the vetting process enhances accountability of state employees through effective scrutiny and controlled access to information (Younis and Mostafa, 2000). The intelligence collected during the vetting process supports surveillance, investigation and law enforcement functions of state departments (Mc Carthy, 1998). Thus enabling those who are

unsuitable or guilty of serious misconduct to be excluded from the public sector (Duthie, 2007). Ideally this leads to positive changes to the public sector, institutions are re-legitimised and public trust is restored (UNDP, 2006).

1.2 Background

A publication in the New York Times (Nixon, 2016) revealed that between the year 2000 and 2013 almost 200 employees and contractors of the Department of Homeland Security (DHS) had taken nearly US$15 million in bribes while being paid to protect the United States (US) border. Of these employees 153 belonged to Customs and Border Protection (CBP), a subordinate agency of DHS that is responsible for facilitating legal trade and travel in the US (Heyman, 2017).

Subsequently, in 2014, to promote public trust and confidence, the Commissioner of CBP issued the Integrity and Personal Accountability Strategy which outlines a comprehensive approach to prevent, detect, investigate and respond to threats to integrity amongst CBP officials. The vetting process includes the prevention and detection components of this strategy (Mayorkas, 2015).

The strategy stipulates that during the recruitment process the Internal Affairs (IA) office of the CBP must conduct initial screening of the applicants. This is to be followed by pre-employment polygraph examinations for all law enforcement candidates and a comprehensive background investigation of the selected candidate. After successfully completing this screening process, the selected candidate can be appointed and is subjected to periodic reinvestigations every five years during their employment. Through vigorous

vetting CBP aims to ensure that only candidates of the highest level of integrity are appointed and that corrupt officials are apprehended and removed from the workplace (Mayorkas, 2015).

In South-Africa, the Department of Home Affairs (DHA) Immigration service has the mandate of regulating people movement across South African ports of entry such as OR Tambo International Airport (ORTIA) which is the country's largest and busiest airport for foreign and domestic travel (ACSA, 2017). Looking back there have been many reports of misconduct amongst state officials at the airport. For instance it was reported that an immigration officer took a bribe of R1 000.00 from a foreign national in order to facilitate illegal entry into South Africa without the necessary yellow fever certificate (South African Government News Agency, 2011). Another immigration officer was arrested for unlawfully permitting entry into the country of a Bangladeshi national who had a false passport (African news agency, 2016). During the year 2017 such reports prompted former Ministers Fikile Mbalula from the Ministry of Police and David Mahlobo from the Ministry of State Security to launch a multi-disciplinary tactical security plan at the airport. Part of this project required that all 35 000 airport officials and contractors be vetted (Kubheka, 2017). This vetting project has been led by the State Security Agency (SSA).

In South Africa vetting is legislated by the National Strategic Intelligence Act 39 of 1994 as amended by the General Intelligence Laws Amendment Act 11 of 2013. These laws mandate the SSA to conduct vetting across all state departments, with the exception of the South African Police Service (SAPS) and the South African National Defence Force (SANDF) who conduct their own vetting (Kuhn and Nieman, 2017). To assist the SSA in fulfilling its'

mandate, under the National Vetting Strategy of 2006, Cabinet approved all state departments to establish an internal capacity known as Vetting Fieldwork Units (VFU's) to conduct vetting investigations. Subsequently VFU's forward the completed vetting investigation file to SSA for evaluation and issuance or denial of the security clearance (DPSA, 2007).

The vetting process further appears in two policies the MISS and the MACC. The MISS policy sets out the Minimum Information Security Standards to be followed by state departments when handling classified information. According to the MISS only a security clearance grants an official access to classified information in accordance to their level of clearance (NIA, 2010). In addition, the official must have signed a non-disclosure agreement and have a need-to-know that information (Kaiser, 2003). The MACC policy sets out the Minimum Anti-Corruption Capacity requirements for state departments to fight corruption (DPSA, 2006). The MACC operates through the Public Service Anti-Corruption Strategy which is similar to CBPs' Integrity and Personal Accountability Strategy in that it operates through four pillars namely prevention, detection, investigation and resolution. Vetting is a capacity requirement in the prevention pillar of the strategy (DPSA, 2006).

1.3 Problem statement

In recent times vetting has been used as a measure to combat misconduct amongst state officials. However according to Lang (2012) policies that relate to employee integrity such as vetting tend to be reactive or scandal-driven which can result in the conception of symbolic policies that are not readily enforced. These policies wind up not having achieved their intended purpose and officials are not held accountable for their misconduct.

Subsequently, corruption and misconduct continue and there are no positive implications for accountability and good governance.

1.4 Context

State officials are expected to maintain a high level of integrity because of their responsibility to deliver public services (Molapo, 2017).The main distinction between the public and private sector is that employees in the private sector act on personal interests while employees in the public sector are entrusted with state resources and authority to act on public interests. Therefore state officials must be advocates of public interests irrespective of the difficulties or harm that they may encounter (United Nations, 2000). It is for this reason that vetting plays an important role in safeguarding the state from officials that lack integrity (Mdluli, 2011).

1.5 Knowledge gap

The vetting process in South Africa has been detailed in books such as “Security vetting a South African perspective” (Matakata, 2011) and “Fundamentals of security vetting” (Mdluli, 2011). These books give a guideline of how state departments carry out the vetting function and they also explain the legal aspects of vetting such as why the process is conducted. There has further been academic research that evaluated the vetting process at the DHA. This research argued that the vetting process would be more productive if it was decentralised and the DHA could manage the process from start to finish, instead of having to rely on an external institution, SSA to finalise and decide the outcome of vetted officials (Molapo, 2017). In other research Kuhn and Nieman (2017) discussed the shortfalls of the vetting process

and argued that vetting fell short in its ability to detect financial misconduct. Another study by Lucas (2018) looked at the impact the vetting process has on constitutional rights such as the right to privacy for officials undergoing the process. Not a lot has been written about vetting and the implications it has on accountability and good governance. The notion indeed is taken for granted.

This study critically considers the extent to which the vetting process can promote accountability and good governance in the public sector namely Immigration services at ORTIA. This approach is important because amidst widespread corruption at the airport, vetting is one of the measures that have been adopted to promote accountability and good governance.

1.6 Intellectual rationale

This research is worth doing because the vetting process is a legislated and instituted function of state therefore it is important that the process succeeds in the outcomes it has been set out to achieve. A thorough and effective vetting regime is a key component in managing employee integrity. It is especially important in the public sector, a labour intensive employer where the quality of service is directly dependent on the quality of employees (PSC, 2015). Furthermore the vetting process gives assurance to the public that appropriate checks are being conducted on employees in public positions of trust (College of Policing, 2017).

1.7 Purpose statement

The purpose of this study is to critically consider the extent to which the vetting process can promote accountability and good governance in the public sector, specifically the DHA immigration services, ORTIA.

1.8 Research question

To what extent can the vetting process promote accountability and good governance at DHA immigration services, ORTIA?

1.9 Conclusion

The aim of chapter one was to give background and introduce the research study. The problem statement and the purpose of the research have been stated. In the following chapter, a summary of the existing body of knowledge on the topic of study, will be presented in the form of a literature review.

CHAPTER 2

LITERATURE REVIEW

2.1 Introduction

This chapter gives an overview of what has already been written about the topic under study. The literature review starts by explaining the concepts of good governance and accountability because it is against this background that the vetting process is assessed. It then measures the strengths and weaknesses of the vetting process using four factors: compliance, regularity, investigation and enforcement. These factors have been chosen because they are the key determinants as to whether vetting can be used to promote accountability and good governance.

2.2 Good governance

The United Nations defines governance as the exercise of power to manage a country's affairs (UN, 2012). It is acknowledged by Azeez (2009) that Good governance is a highly contested term that lacks definitive meaning. The author links good governance to various concepts such as the perceived legitimacy of government, economic development, public welfare, service delivery and law and order (Azeez, 2009). Sindane (2011) explains good governance as a situation that prevails when a country's affairs are well managed and the conditions are created that enable citizens to enjoy a good quality of life. While Agere (2000) claims that there are necessary elements to good governance such as productivity, equality, the rule of law, public participation and accountability of public officials.

This study will concentrate on the accountability element of good governance. Accountability has been defined in various ways by different researchers. Firstly Maile (2002) defines accountability as the need for checks, oversight and institutional constraints in the exercise of power. Secondly Ssonko (2010) terms accountability as the need for those who exercise state power to be able to show that they have exercised their powers and discharged their duties in a proper manner. Thirdly Callahan (2006) explains accountability as being answerable to someone for expected performance. Narrowly speaking, this answerability can be to codified regulations and hierarchical reporting relationships within a state department. Broadly speaking, the answerability extends to the public good and public interest; a higher authority of citizens and not just a supervisor or state department. Therefore, according to Callahan, state officials have a broader accountability that relates to responsiveness to public needs and adherence to democratic and moral principles (Callahan, 2006).

In light of the above Keping (2018) argues that the more accountability of state officials there is, the higher will be the level of good governance. This is because with accountability, comes the enforcement of standards for integrity and acceptable behaviour to guard against corruption and improper behaviour of public officials. Maile (2002) says that these standards can be used to differentiate between public officials that conduct themselves properly and those who do not. Once this differentiation has been made, it places a requirement for the rewarding of good behaviour and the punishment of bad behaviour (Maile, 2002). The literature review will now assess the vetting process to see how it relates to concepts of accountability and good governance.

2.3 History of vetting in South Africa

Klaaren (2007) attests that vetting was not prescribed during South Africa's transition to democracy from 1990 to 1996. According to the author the focus was on amalgamating the many pre-existing but fragmented public services in apartheid South Africa and the homelands. Another focus was affirmative action to transform the public sector to be more representative of South African demographics in terms of race. Hence political appointees and state officials were generally not vetted with the exception of a few who worked in security services or the judiciary (Klaaren, 2007).

Although it is indicated by Molapo (2017) that the National Strategic Intelligence Act 39 of 1994 mandated SSA previously known as the National Intelligence Agency (NIA) to conduct vetting of all state departments. The growing public sector put pressure on the Agency. Subsequently it is noted by the Department of Public Service and Administration (2007) that the National Vetting Strategy was approved by Parliament in 2006. The strategy authorised the creation of Vetting Fieldwork Units (VFUs) in various state departments to work jointly with SSA in conducting the vetting of state officials.

Nkwana (2015) reports that according to the MISS policy officials at state departments have at their disposal sensitive information that requires protection. The MISS policy advocates vetting as one of the security measures to be utilised in protecting this information. The MACC policy places a requirement on state institutions to devote adequate resources for promoting an ethical culture and combating fraud and corruption. Vetting is one of the capacity requirements to achieve his objective (Gauteng provincial government, 2017).

2.4 Vetting in practice

DPSA (2007) cites two forms of vetting, namely pre-employment screening and post-employment vetting. Lucas (2018) distinguishes that screening is more of a recruitment function whereas vetting serves as a security function. Pre-employment screening involves the verification of employment references, citizenship, qualifications, criminal and credit records (DPSA, 2007). It is done with the aim of identifying and removing unsuitable applicants from the recruitment pool. Unsuitable applicants include those who are not competent to do the job for which they have applied and those who are not likely to share in or uphold the values and standards of the state department due to questionable integrity (Nixon and Kerr, 2008).

Through the verification of employment references and qualifications, state departments are able to do away with unlawful appointments that violate procedure and qualification requirements. Such appointments recruit individuals that lack qualifications and skills and cause the organisational structure to be inefficient (Arbour, 2006). Furthermore verifications for citizenship, criminal and credit record provide a level of assurance as to the integrity, reliability and trustworthiness of officials granted access to state information and resources (College of policing, 2017).

Post-employment Molapo (2017) indicates that officials are vetted to determine their ability to work responsibly with classified information. Kooistra (2015) describes vetting as a risk driven process, the depth of which is determined by the extent of the associated risk. State information has three classifications which translate into three security clearance levels required to gain access to that information. In ascending order of risk or severity of damage

if compromised, the classifications and security clearance levels are: Confidential, Secret and Top secret (NIA, 2010). Kuhn and Nieman (2017) explain that when an official is vetted, background checks are conducted and the official is requested to submit their financial statements to the vetting officer. Lucas (2018) mentions that in addition the official can be interviewed as well as the references who have known the official for a substantial period of time. Johnston (2009) states that during the interviews questions are asked to detect character flaws, divided loyalties, personality disorders and other characteristics that may disqualify the official from working with sensitive information. The author goes on to indicate that some vetting involves the use of the polygraph or lie detector (Johnson, 2009). The outcome of vetting is the issuance or denial of a security clearance (Mdluli, 2011). According to McEvoy and White (2003) denial of a security clearance should lead to an official being dismissed, demoted or moved from their position. It is indicated by Horn (2017) that the vetting process generally has a right to appeal as a safeguard against unmerited denials.

Kaiser (2003) contends that officials need to be subjected to on-going periodic vetting in order to acquire and maintain their security clearance. Continuous vetting is important because human behaviour can vary according to changing personal circumstances and exposure to people with differing values and beliefs. Nixon and Kerr (2008) agree with this account and mention that state departments cannot assume that because an official starts off with a clean record that record will remain clean throughout their employment. Green (2000) puts forward the following reasons officials can start to engage in corruption; financial pressure from living beyond their means, peer group pressure, job frustration and development of personal problems such as excessive use of drugs or alcohol.

Besides this Kaiser (2003) adds that continuous vetting is beneficial because it has the potential to make officials more vigilant of security breaches. The author says that officials become more protective of the classified information and state resources in their control, knowing that they will be subject to follow up investigations. Matakata (2011) highlights other benefits of continuous vetting such as creating an avenue for officials to confess their wrong-doings or weaknesses and to seek rehabilitative assistance. It is further mentioned that opportunities are created for the management at state departments to recognise and deal with the environments and officials wherein risk has been identified (Matakata, 2011). Therefore through continuous vetting Nixon and Kerr (2008) argue that the management of risk becomes proactive instead of reactive.

Overall, Horne (2017) comments that through its action of employment exclusion, vetting is able to prevent an individual from taking up a new post or remove an official from an existing post if they have deficits in aptitude or integrity. This leads to improvements in the reliability and performance of state departments. Literature further indicates that vetting encourages honesty and transparency amongst state officials. Ssonko (2010) defines transparency as openness and communication that allows one to be held accountable. The author explains that there is a need for more transparency and accountability in the public sector in order to improve governance, prevent and combat corruption.

Having explained how the concepts of vetting, accountability and good governance relate to each other. The literature review will now assess the vetting process using four factors to determine the extent to which the process can promote accountability and good governance.

2.5 Compliance

Compliance can be defined as obedience to a particular law or rule (Cambridge dictionary, 2019). Gunningham (2010) says that compliance when used as a strategy makes use of awareness and persuasion. Therefore the emphasis is on cooperation rather than confrontation and preventing harm rather than punishing wrongdoing. According to the author this strategy can be limiting in that it relies purely on voluntary obedience. This can result in negligence and allow misconduct to go unpunished. Previous research by Molapo (2017) found that there is a lot of resistance towards the vetting process and it was held that in order for state departments to increase compliance there needs to be more communication to inform officials about vetting and its purpose. Matakata (2011) explains that officials often find it difficult to disclose personal information and they are not sure if what they disclose will remain confidential (Matakata, 2011). Consequently Wardle (2014) considers that there are many officials who continue to work without a valid security clearance.

2.6 Regularity

Regularity measures the frequency or habitual occurrence of an activity such as vetting. (Oxford English Dictionary, 2019). Clark (2013) argues that in most intelligence organisations there is a structural problem in which the collection function is well established to handle high volumes of work unlike other functions within the intelligence structure. Clark continues to explain that this results in an oversupply of information and analysts are overloaded with incoming material. Consequently it takes a longer time to process and refer back the intelligence product (Clark, 2013). This situation is validated by

Molapo (2017) who says that in South Africa obtaining a security clearance can take a very long time. Molapo estimates this time to be five years while Wardle (2014) estimates it to be six years.

Wardle (2014) indicates that it is for this reason that vetting does not precede appointment. Mdluli (2011) mentions that instead of vetting, employment candidates are screened which is a quicker and less comprehensive form of vetting. Wardle (2014) reports that after screening, the selected candidate is appointed and assumed to qualify for the required security clearance while they wait for their vetting to take place. Besides the delays from SSA Molapo (2017) explains that this waiting period can continue indefinitely for other reasons such as low capacity of vetting fieldwork units at state departments, low compliance by officials to submit the security clearance application form and lack of management support to enforce compliance to the vetting requirement. Wardle (2014) warns that during this waiting period it becomes easy for an official with ill intentions to exploit whichever resources they desire all the while undetected.

2.7 Investigations

Investigation can be defined as the act or process of examining something carefully with the aim of discovering the truth (Cambridge dictionary, 2019). Man-Wai (2016) admits that corruption is one of the most difficult crimes to investigate due to its secretive nature. The author stresses the need for adequate investigative power to prevent abuse of public office. Kuhn and Nieman (2017) note a shortfall in vetting investigations in that they rely much on the official's willingness and ability to provide comprehensive information and financial statements. The authors continue to indicate that when it comes to periodic reinvestigations,

the vetting process follows the same routine procedure which can become open to manipulation once officials are familiar with it (Kuhn and Nieman, 2017). Consequently Wardle (2014) indicates that if an official provides incomplete information or withholds certain details that may have relevance to their investigation, it can obscure the results of the security clearance (Wardle, 2014).

Another issue affecting vetting investigations spirals from what Molapo (2017) describes as a labour intensive public sector. The author says that state departments have been facing an ever increasing demand to vet officials and this has led to a prevailing emphasis for quantity over quality when it comes to the manner in which vetting is carried out. Kuhn and Nieman (2017) say that this emphasis on numbers has made it difficult for vetting officers to diligently follow up on corruption indicators due to time constraints and the demands of the workload. According to the authors, this issue is further complicated by the fact that the training of vetting officers is not primarily focused on identifying corruption because vetting has an intelligence approach. Vitkauskas (1999) explains that vetting looks into additional issues of national security; such as espionage, terrorism, subversion, foreign influenced criminal activity and sabotage. Mdluli (2011) recommends that given its broad scope, vetting should be utilised in conjunction with other anti-corruption measures. Such measures include investigations, ethics training and awareness to increase effectiveness (DPSA, 2006).

2.8 Enforcement

Enforcement is the act of making sure that someone is obedient to a rule or law (Cambridge dictionary, 2019). Gunningham (2010) explains that enforcement goes a step further than compliance as strategy because it applies a deterrence or sanction to disobedience and

misconduct. According to Greene and D'Arcy (2010), Deterrence theory predicts that the more officials perceive sanctions to be definite and severe, the more discouraged they are to misconduct. Therefore fear of punishment motivates the officials to comply with policy.

McEvoy and White (2003) state that denial of a security clearance should lead to an official being dismissed, demoted or moved. In South Africa, Lucas (2018) indicates that the consequence for denial of a security clearance is that the official should be moved to a less security sensitive post. However, Kuhn and Nieman (2017) contend that state departments often do not enforce this consequence to officials who are denied security clearance.

Molapo's (2017) study showed that at the DHA there are officials whose security clearances were denied by SSA. These negative outcomes were presented to the Department's Executive Management team yet nothing was done and those officials continue to work at the Department and have access to classified information. Lucas (2018) sheds light on this lack of enforcement by explaining that the vetting outcomes issued by SSA translate into security recommendations. This means that SSA does not have the authority to dictate to state departments, therefore the final decision of whether to implement the security recommendation or not lies with the executive of that particular department (Lucas, 2018).

Bernhardt (1999) reasons that when intelligence outcomes are delayed, unless heads of departments have a background in intelligence or national security, they are unlikely to possess an understanding or enthusiasm for the value of intelligence. Especially given the opposing objectives; being that heads of departments are paid to pursue organisational goals while intelligence seeks to provide accurate risk assessment even if it means exposing risks that disrupt operational strategies (Bernhardt, 1999). Therefore Mc Carthy (1998)

says that heads of departments frequently take actions that are in total contrast to the facts presented by the intelligence community. Having received the intelligence in their endeavours to remain in office, decision-makers may use intelligence selectively in order to maximise their personal positions first, their institutional position second and security of the nation thereafter (Mc Carthy, 1998).

Given the above Williams (2009) warns of a poor security culture that can arise due to lack of management support, as seen when security issues are paid lip service as important but are neither allocated time nor resources. According to the author, a poor security culture makes it difficult to promote information protection and good behaviour amongst officials (Williams, 2009).

2.9 Conceptual framework

Good governance can be defined as management of a country with the use of certain elements such as accountability to create an environment that is conducive to a good quality of life (Sindane, 2011). However it has been established that good governance is undermined by corruption, hence the importance of counter-corruption measures such as vetting to promote it (Matembe, 2010). State departments implement vetting in order to recruit officials of a high calibre to new posts (Nixon and Kerr, 2008). In addition, vetting is used to deter, detect and deal with the corruption of officials in existing posts (Horne, 2017).

However the extent to which the vetting process can promote accountability and good governance is not known. The literature review identified four key factors as having an influence on this matter. The key factors are compliance, regularity, investigations and

enforcement. Compliance measures the level of obedience by officials to the vetting process. Regularity measures if vetting is done on a regular basis at state departments. Investigations measures the depth or quality of the vetting enquiry and enforcement measures the consequences for denial of a security clearance. These key factors form the basis and will be considered throughout the study.

2.10 Conclusion

The literature review has provided a foundation of knowledge from which the study can be based and compared. From what has been gathered it can be said that the vetting process ideally does have positive implications for accountability and good governance. However it would appear that state departments incur certain challenges as depicted above when it comes to implementation of the process and these challenges take away from the process. The next chapter will set out the research methodology for the study.

CHAPTER 3

RESEARCH METHODOLOGY

3.1 Introduction

This chapter explains the research methodology and the way in which the study has been conducted. The research paradigm, research approach, research design, sampling, data collection and data analysis is presented. This is followed by a discussion of the research limitations, ethical considerations, project plan and budget that was used to execute the study.

3.2 Aim of the study

Under ideal circumstances the vetting process should be able to promote accountability and good governance. This research has studied the real life occurrences of the vetting process at the DHA Immigration services, ORTIA.

3.3 Research paradigm

The purpose of the study was to consider how vetting can be used to promote good governance and accountability at the DHA immigration services, ORTIA. The research question was best answered qualitatively from a constructivist lens because the study did not test a known or fixed reality as in the case of quantitative research. Rather, the reality was unknown, ever-changing and based on human perceptions.

3.4 Research approach

The chosen research approach was interpretive social science because the research consists of a 50% dissertation and there are time constraints. The objective of the research was to assess and describe the situation and attempt to understand the underlying issues of the vetting process. In this way the research sought to add to the existing body of knowledge on the topic without the intention to bring about policy changes. It is hoped that any issues raised by the research can be further investigated by other researchers in the future (Wagner, Kawulich and Garner, 2012).

3.5 Research design

The research design was a basic interpretive study. The reason for this is that there is not a lot of information that incorporates elements of vetting, immigration services, good governance and accountability. Each element is quite complex and multifaceted. As a result, the research topic first needs to be assessed and described so as to lay down the foundation before it can be assessed critically in further research (Wagner, Kawulich and Garner, 2012). However where it is possible the study will employ critical analysis**.**

3.6 Data and data gathering

The data gathering tool was semi-structured personal interviews. The reason for the interviews being semi-structured was that an interview protocol was used with a predetermined introduction and conclusion that was read out at the start and at the end of the interview. The questions that the research participants were asked during the interview were also prepared in advance (Firfirey and Carolissen, 2010). The questions were based

on the literature review and the information the research sought to extract from the participants. Open-ended questions were used in order to allow unlimited and diverse opinions to emerge (Firfirey and Carolissen, 2010).

The personal interviews were recorded and later transcribed. The transcribed interviews were compared during data analysis to draw up research conclusions (Tuckett, 2005). Thus the research is based on primary data collected from the personal interviews that were carried out with DHA officials that work for Vetting, Human Resources (HR) and Immigration, as well as officials from SSA.

A consent form was drawn up for the research participants to read and sign to participate in the study. An explanation of the purpose and content of the study was included on the form. Although participants did not have anonymity because of personal interviews, participants were assured of anonymity of their responses during the write up phase. It was explained in the consent form that the study is voluntary and the participants could withdraw at any time.

3.7 Sampling

Non-probability sampling was used, specifically purposive sampling to enable the researcher to use her judgement and select a research sample that would best answer the research question. Vetting is a specialised field that not many people are aware of or understand. Therefore it required careful selection of research participant that would be knowledgeable of the process (Wagner, Kawulich and Garner, 2012). Vetting stakeholders from SSA and DHA: Vetting, HR and Immigration were identified in advance and approached to be research participants.

The criterion that was used to include an official in the research sample was seniority. If an official occupies a senior position, they are a decision maker and this requires them to be knowledgeable and well informed in their field of specialisation. The sample consisted of 16 research participants and was therefore large enough to be considered representative and to facilitate data saturation.

Theoretical sample of research participants	
4 DHA Vetting officials	3 DHA Immigration officials- ORTIA
3 DHA HR officials	3 SSA officials
3 DHA Immigration officials- Head Office	**Total sample size: 16 research participants**

The plan was to interview officials from SSA as well as DHA: Vetting, HR, Immigration- Head office and Immigration - ORTIA. Officials from SSA were interviewed because SSA holds the mandate to conduct the vetting for almost all of the South African state departments including DHA. Vetting officials from DHA were interviewed because of their status as custodians of the vetting process in the Department. HR was interviewed in order to determine what impact vetting has on recruitment. Immigration officials from Head office were interviewed to get their strategic view of the matter. Immigration officials from ORTIA were interviewed to get their operational view of the matter and because the research site is ORTIA.

3.8 Data analysis

Data collection and data analysis occurred simultaneously because constant comparison was used between each interview to inform the next step. This allowed the researcher to know when enough data had been collected, to close off all the gaps of knowledge and reach data saturation (Wagner, Kawulich and Garner, 2012). During analysis, the data of each interview was categorised into themes and the themes were coded. The aim was for each code to be distinct yet internally coherent across all the interviews. Codes identified included: factors that contribute to lack of compliance, factors that influenced the rate at which the vetting process is conducted, factors affecting the depth of vetting investigations, factors affecting enforcement of vetting outcomes. There was also a code for atypical cases which consist of unique occurrences that were mentioned by the research participants. Similar codes were combined and any weak codes with insufficient information were removed. Each code was then evaluated so as to synthesise the data and come up with overriding themes that were used to form the research conclusions (Burnard, 1991).

3.9 Validity and reliability

To increase validity of the research, as mentioned, seniority was the criterion that was used to include an official in the research sample. This increased validity of the research because senior officials are involved in decision making which requires them to have knowledge and experience in their fields of specialisation. The senior officials were able to give well informed opinions and make valuable contributions to the research. To facilitate accurate understanding of participant's comments, member-checking was used during the interviews. To achieve triangulation, the research sample consisted of multiple and diverse

participants from Vetting, HR, Immigration and SSA. To further promote validity of the study the researcher was upfront about her biases in the Ethics section of this report.

Reliability refers to the extent to which the research findings are dependable. To achieve reliability the researcher used standardisation. The researcher conducted all the personal interviews and asked the same set of questions to all the research participants. Therefore any variation in the responses was a true reflection, rather than a product created by the researcher (Mason, 2002). As mentioned above for data analysis, the categorising and coding system was used to uncover overriding themes. In addition, the report has included thick descriptions of participant responses to demonstrate depth of understanding.

3.10 Limitations

This study had time and budget constraints. Time constraints in that the Masters programme must be completed within a set period of time and budget constraints in that funds to conduct the study were sourced from the researcher. The funds were used to pay for transport to the different research participants.

The researcher is an official of DHA employed as an Administrative officer in the Directorate: Vetting. Hence the researcher did not experience any limitations in terms of gaining access to the research participants during the study.

3.11 Ethics

Ethics clearance was granted by the University for the researcher to conduct the research. Furthermore in order to participate in the study the officials were requested to sign a voluntary consent form. Although personal anonymity was not guaranteed, the information

shared by the participants was made anonymous during the write up of the report. The information collected during the interviews was recorded with the consent of the participants, later transcribed and filed into a research folder. The consent form, recorded and transcribed data has been kept in its electronic form by the researcher and will be deleted once all matters relating to the study have been concluded. The study had no vulnerable groups and the information gathered was work-related and exerted no trauma on the research participants. The contact details of the research participants were collected so that feedback regarding the study can be communicated at a later stage.

There was a conflict of interest during the study in that the researcher is an employee at the Department under study and works in the Vetting unit. Therefore the researcher is also familiar with some of the research participants. Any biases of the researcher are rooted in having worked in the vetting environment for a substantial period of time. Consequently the researcher has become passionate about the field and personnel security in general. According to the researcher, vetting is an important function that is often overlooked. The researcher says that vetting impacts the organisation immensely by acting as a gatekeeper and using security and integrity standards to determine those who are eligible to gain and sustain employment in state departments.

When vetting is applied properly, the researcher believes that it can increase the operational efficiency and moral fibre of state departments, by ensuring that those who work at state departments are qualified, sober-minded and security conscious individuals.

Given the above the researcher may have approached data collection and analysis in a manner that favoured vetting objectives however a genuine attempt was made to avoid biasness and report participant responses as they were communicated (Mason, 2002).

3.12 Project plan

The project plan was to complete the study within the time allocated for the requirements of the degree and any costs incurred during the study were funded by the researcher.

3.13 Conclusion

This chapter has presented the research methodology of the study. The methodology provided the guidelines that were followed to execute the study. As mentioned, this was a qualitative study that followed a basic interpretative design. The research site was DHA Immigration services at ORTIA and primary data was collected using semi-structured interviews. The data collected was examined using thematic analysis and overriding themes were identified to draw the research conclusions. The next chapter will present the results from the study.

CHAPTER FOUR

PRESENTATION OF RESULTS

4.1 Introduction

This chapter presents findings from the data collected during the interviews with research participants. The findings can be considered reliable because they are based on data collected from multiple and diverse participants from SSA and DHA: Vetting, HR, Immigration Head Office (HO) and Immigration (ORTIA). The data is presented and discussed according to the conceptual framework and overriding themes of the study as follows.

4.2 Compliance

Results from the study showed that there is lack of compliance by DHA officials to the vetting requirement. It was found that this lack of compliance can be attributed to a number of reasons such as ignorance, vetting avoidance and the nature of the vetting process. These reasons are discussed in more depth below.

4.2.1 Ignorance

A respondent from SSA said that non-compliance to vetting is partly due to the fact that there are officials who genuinely do not know about vetting. “Most people are not aware, they are not made aware and it’s not explained to them to know what the reason for vetting is” (Respondent B: SSA, Oct 2018). Respondents from Immigration Services - HO agreed that vetting is not well communicated, therefore there are officials who do not understand the process (Respondent B: Immigration-HO, Nov 2018). It was perceived that many officials

confuse vetting with pre-employment screening and believe themselves to have been vetted upon appointment (Respondent C: Immigration-HO, Nov 2018).

The importance of conducting vetting awareness not only to educate officials about vetting but also as a counter corruption measure was mentioned. A respondent from SSA said that "we cannot take for granted that everybody knows why vetting should be conducted; we go and do the explanation" (Respondent C: SSA, Oct 2018). Another respondent indicated that during awareness officials are educated on how they should conduct themselves, the importance of following procedure and not getting involved in corruption or criminal activity (Respondent B: SSA, Oct 2018). Furthermore a respondent from Vetting commented that awareness campaigns encourage officials to be patriotic by sensitising them to the consequences of corruption and reminding them of their responsibilities to the Department and the country. In the opinion of the respondent awareness can go a long way because there are officials "who are not inherently corrupt in nature but because we are not there to remind them, to appeal to their conscious, they end up being swallowed by all these syndicates" (Respondent B: Vetting, Nov 2018).

According to a respondent from Vetting at DHA, not a lot of awareness has been done in the Department because of capacity issues and time constraints. "Our team is very small; we have 14 people that are working on almost more than 10 000 officials" (Respondent A: Vetting, Oct 2018). The respondent explained that the Vetting Unit has got a backlog of officials that have not yet been vetted in the Department. Therefore, in order to meet the performance targets, the unit has had to compromise on conducting vetting awareness. "If

we do awareness, at the end of the day you might end up not meeting targets and it becomes a problem with senior management" (Respondent A: Vetting, Oct 2018).

In terms of the vetting project at ORTIA, it was communicated by a respondent that SSA did come and present vetting awareness to the immigration officers and management prior to commencement of the project (Respondent A: ORTIA, Nov 2018).

4.2.2 Vetting avoidance

Apart from officials that genuinely do not know about vetting, another group of officials was mentioned. These are officials who fake ignorance and avoid vetting out of fear that the process will expose them for any misconduct they may have committed. A respondent from SSA described these officials: "because of their activities they do not want to be subjected to vetting so they play dumb as if they don't know that they need to be vetted because they have something to hide" (Respondent A: SSA, Oct 2018).

With regards to motivation behind the vetting project at the airport the respondent explained that there has been a lot of activity and collusion with criminals by officials from various state departments operating at the airport (Respondent A: SSA, Oct 2018). A respondent working at the airport explicated that immigration officers are particularly vulnerable to corruption because of their low rank salary and exposure to clients (Respondent A: ORTIA, Nov 2018). One respondent from ORTIA spoke of immigration officers that drive expensive vehicles saying that "we have witnessed level 6 officials driving BMW X6's. Can you imagine a level 6 person affording that kind of vehicle with his or her legitimate salary?" (Respondent B: ORTIA, Nov 2018). Another respondent working at the airport spoke of immigration officers that take frequent trips to fancy places abroad saying

that “people are traveling and they are travelling through OR Tambo. They move here and they wave at everybody and they show off, I will see you when I come back” (Respondent A: ORTIA, Nov 2018).

A respondent from Immigration-HO mentioned the existence of a culture in the Department that officials do not want to have changed. “I want to be able to operate without questions being asked or having certain limitations imposed on me and therefore this is a problem to me; vetting. Because you are going to ask me very difficult questions and you going to ask me very difficult things that I don’t want to reveal if I was ever involved in” (Respondent A: Immigration-HO, Nov 2018). Another respondent from Vetting added that it is in people’s nature to try and protect what they have so they hide and seek all kinds of excuses so that processes like vetting end up not being done in the Department (Respondent B: Vetting, Nov 2018).

According to a respondent from Immigration-HO, vetting is such an intrusive process that nobody willingly wants to go through it. Hence the importance of enforcement when it comes to the process (Respondent A: Immigration-HO, Nov 2018). The respondent went on to explain that at DHA there is a low compliance to vetting simply because the process is not enforced by the Department. “There is no requirement on me to be compliant” (Respondent A: Immigration-HO, Nov 2018).

Another respondent commented that at DHA there are officials who are resistant towards the vetting process (Respondent D: Vetting, Oct 2018). It was explained that these officials feel as though they are being targeted when approached to undergo vetting and some respond in a hostile manner (Respondent C: Vetting, Nov 2018). For instance a respondent

from Vetting recalled an incident in the past when vetting operations at ORTIA were obstructed. “Shop stewards that belonged to a certain union told us in our faces that they will not allow us to vet their people” (Respondent A: Vetting, Oct 2018). According to the respondent, following this boycott it took some time for the Vetting Unit to resolve the matter and continue with operations at the airport (Respondent A: Vetting, Oct 2018).

Even with officials that do comply, a few still show some form of reluctance (Respondent D: Vetting, Oct 2018). This is evident in the day-to-day non-cooperation displayed by officials undergoing the vetting process. Various examples of non-cooperation were mentioned by respondents from SSA and Vetting. These include officials not honouring vetting appointments (Respondent B: SSA, Oct 2018); officials not being forthcoming in their responses to questions posed by the vetting officer or withholding information (Respondent A: Vetting, Oct 2018) and officials not submitting their personal documents such as bank statements or delaying submission (Respondent B: SSA, Oct 2018). Another example of non-cooperation was officials who knowingly provide “weak” references that do not know much about them and therefore cannot provide the vetting officer with the required information (Respondent B: Vetting, Nov 2018).

In terms of the vetting project at ORTIA, a respondent communicated that the non-cooperation experienced during the project related to getting the immigration officers to return their completed Z204 vetting application forms together with the supporting documents to management, for handover to SSA. “People received forms and they wouldn’t return them” (Respondent A: ORTIA, Nov 2018). The respondent explained that this reluctance was somewhat based on the fact that some of the immigration officers had not

received feedback from vetting applications they had previously filled in and submitted to the Vetting office at DHA. “They never got the outcomes so now they had to redo this thing again and they didn’t know whether this time it would actually bear any results” (Respondent A: ORTIA, Nov 2018).

Besides this reason, the respondent mentioned that there were immigration officers who were stalling to submit their applications, possibly out of nervousness and wanting their colleagues to submit before them so they could see the outcome of their vetting. However, after a few positive outcomes the respondent indicated that these immigration officers also submitted their applications probably based on the reasoning that “I am also free to submit because I can see that if they didn’t catch him then me too it means I can be safe.” (Respondent A: ORTIA, Nov 2018). Apart from the applications, some polygraph appointments had to be rescheduled due to the unavailability of immigration officers who had taken sick leave (Respondent B: ORTIA, Nov 2018).

During the period covered by the study a respondent from SSA was of the opinion that there has been compliance to the vetting process amongst immigration officers at ORTIA, although the compliance had not yet reached 100% (Respondent A: SSA, Oct 2018).

4.2.3 Nature of the vetting process

For the vetting process to begin state officials need to comply by filling in the Z204 vetting application form. A respondent described the form as follows; “it asks a lot of questions, it takes a long time to complete but it does not necessarily give you an understanding of why

it is an essential requirement" (Respondent B: Immigration-HO, Nov 2018). In addition to filling the form, officials are still required to source and submit all the supporting documents as part of the application (Respondent B: ORTIA, Nov 2018).

After this paperwork is done, many of the respondents agreed that the wait to get vetted can be lengthy. A respondent attributed the delay to capacity issues at DHA and possibly at SSA. "I understand that there are backlogs because of the amount of capacity that is there in the Department and then of course I don't know how big the unit is at SSA" (Respondent C: Immigration-HO, Nov 2018). Another respondent gave detail that vetting a single official can be a lengthy process. Especially when the databases or references do not provide adequate information because this prompts the vetting officer to take time and seek additional sources of information (Respondent B: SSA, Oct 2018).

A respondent from the DHA Vetting Unit mentioned that even after the official has been vetted and the file is submitted to SSA, receiving feedback from SSA takes a while and sometimes there is no feedback because files can get lost (Respondent B: Vetting, Nov 2018). The respondent went on to explain that delayed feedback or lack of feedback on a particular matter is not conducive to vetting because "when you vet people, people expect feedback". The respondent further explained that this feedback is expected within a certain period of time, therefore, when it is late or it does not come at all, it becomes discouraging in terms of compliance (Respondent B: Vetting, Nov 2018).

4.3 Regularity

Results from the study showed that the rate at which the vetting process takes place at DHA is not adequate. According to a respondent from Immigration-HO there is a backlog in the Department, of officials that have not yet been vetted. The respondent said that "I have seen there's people who have been in the Department for many years and have not been vetted and I don't know if it is because of low capacity or people just not wanting to put themselves forward. I am not sure but I think it could be a bit of both" (Respondent C: Immigration-HO, Nov 2018). Another respondent, speaking about her colleague, reported that "she was here for 5 years, they were doing her clearance now. Imagine if we didn't appoint her or we were waiting for that clearance to come first, we would never fill any post in this Department" (Respondent C: HR, Nov 2018).

A respondent from ORTIA commented that vetting should be done on a regular basis at the Department because when it is not done consistently the process loses its ability to provide constant monitoring of officials. Consequently there are officials that may take this as an opportunity to do misconduct (Respondent C: ORTIA, Nov 2018).

During the study it was found that there are factors which influenced the rate at which vetting takes place in the Department. Such factors include recruitment, foreign mission deployment, meeting attendance and labour relations. These factors are discussed in more detail below.

4.3.1 Recruitment

Respondents from HR mentioned that they encounter little to no resistance when conducting pre-employment screening for recruitment purposes. “It is quite an open attitude, very giving in terms of the information that is required” (Respondent B: HR, Nov 2018). It was said that officials don’t have a choice “if you want a job you have got to go through the process” (Respondent A: HR, Nov 2018). Another respondent, when describing compliance said “It is 100% because that is part of our standard recruitment process, nobody is allowed to deviate from it “(Respondent C: HR, Nov 2018).

According to the participants from HR the following checks are conducted during pre-employment screening: criminal and credit record; qualifications; citizenship and previous employment reference checks. HR does its own qualification and previous employment reference checks while the Directorate: Vetting does the criminal, credit and citizenship checks. If there are any negative findings in the checks conducted by the Directorate: Vetting they advise HR on the level of risk and give an employment recommendation which HR complies with.

4.3.2 Foreign mission deployment

Research participants from DHA mentioned that another factor that has an impact on the rate of compliance to vetting is foreign mission deployments. Foreign mission involves the placement of a DHA official to work abroad under the management of the Department of International Relations and Cooperation (DIRCO). Part of the requirements for this placement is that the official must have a Top Secret security clearance. According to a respondent, at least in this regard the Department is able to get more officials complying with the vetting requirement (Respondent D: Vetting, Oct 2018). A respondent from SSA concurred that officials that normally go abroad are very cooperative when it comes to vetting (Respondent B: SSA, Oct 2018).

4.3.3 Meeting attendance

A respondent describing officials that are likely to comply with vetting said that; "if you are in a position where you have to sit on certain security clusters it will have an impact on you being part of projects that have high security requirements" (Respondent C: Immigration-HO, Nov 2018). Therefore such an official would have to have a security clearance to be part of those clusters (Respondent C: Immigration-HO, Nov 2018). A respondent working at ORTIA reiterated this point saying that at the airport there are monthly and weekly meetings hosted by various security clusters such as the Joint Operations Committee, Airport Security Council and Iletso (Respondent A: ORTIA, Nov 2018). The respondent said that these meetings are usually attended by senior immigration officials or management with the option of their subordinates to attend in their absence. It was communicated that at these meetings

important and sensitive information is discussed “So if you are not vetted than you are not privy to certain information that is critical for your work” (Respondent A: ORTIA, Nov 2018).

4.3.4 Labour relations

It has already been established that during the ORTIA project noncompliance was displayed through lack of cooperation to fill in and submit the vetting application form together with supporting documents. A respondent working at the airport recounted that follow ups regarding the vetting applications were often met with countless excuses from the immigration officers. However, during the time negotiations, were being made with Management at the airport for immigration officers to be allocated parking. According to the respondent, the parking was approved and “we had to use the parking as leverage to say you won’t get parking if you don’t return your form. So that’s how we were able to get the forms otherwise there was very little response” (Respondent A: ORTIA, Nov 2018).

4.4 Enforcement

Results from the study showed that there is poor enforcement of negative vetting outcomes at DHA. The study identified three contributing factors to this issue namely enforcement norms, enforcement coordination and enforcement regulation. These factors will be discussed in more depth below.

4.4.1 Enforcement norms

During the study it was found that there is poor visibility of the vetting process at DHA. A respondent from Immigration-HO said that they know that the Department does do some vetting. But they do not know to what extent or level of integrity the vetting is done and they

do not know what the output of the process is "Besides saying I have done 246 vettings for this year, tick the box" (Respondent A: Immigration-HO, Nov 2018). The difference that those vetting investigations have made in terms of combating the misconduct of officials in positions of vulnerability was not known by the respondent.

A respondent from Vetting mentioned that "We lack teeth" (Respondent B: Vetting, Nov 2018). The respondent explained that vetting is not having the desired impact because the Department does not implement negative vetting outcomes (Respondent B: Vetting, Nov 2018). Another respondent concurred with this statement saying that "Since I arrived here I have never heard somebody saying somebody has been removed to go and work somewhere because of his clearance being denied" (Respondent C: Vetting, Nov 2018). As a result it was communicated that there are officials whose security clearances were denied yet the officials continue to work for the Department in their same positions today. "They were supposed to be removed but nothing was done" (Respondent A: Vetting, Oct 2018).

Many respondents at DHA were of the opinion that a security clearance mainly counts for foreign mission deployment. One respondent explained that this is because the security clearance is requested by an external department; DIRCO. Therefore if the official does not have a Top secret security clearance they cannot be deployed. "Everywhere else in this Department it means nothing" (Respondent A: Immigration-HO, Nov 2018). Another respondent at HR said that besides foreign mission deployment, "special advisors have to have a security clearance, that's the law" (Respondent A: HR, Nov 2018). According to the respondent, Special Advisors to the Minister are required to have a Top secret security clearance prior to appointment. The respondent gave detail that this is the only post in the

Department that is affected by a security clearance or requires the candidate to be vetted prior to appointment. All the other posts including immigration officers are not affected by security clearance. “I have never seen it come into play with any other post, never” (Respondent A: HR, Nov 2018).

It was further communicated by the respondent from HR that the DHA employment offer letter that is issued to all new appointees has a clause in it which says that; the new appointee must qualify for the level of security clearance that is equivalent to the post that they hold. “If you don’t get this clearance level you will be subject to instant dismissal, that is what our letter says to you ,but we never get those results ever as HR” (Respondent A: HR, Nov 2018). As a result the respondent was of the opinion that “from where I’m seated at this point in time, there’s no point for me to put that sentence in the letter because there’s no consequence or outcome to it” (Respondent A: HR, Nov 2018)

With regard to the vetting project at ORTIA, a respondent at the airport shared that thus far there have been no security clearance denials. All the security clearance outcomes for the immigration officers have been positive. (Respondent C: ORTIA, Nov 2018)

Enforcement coordination

A respondent from SSA explained that the Agency has a security advisory function and recommends to state departments such as DHA actions to be taken in order to avoid risk (Respondent B: SSA, Oct 2018). Another respondent shared that the SSA carries out this function through issuance or denial of security clearance. The respondent said “we give you the results to say here we issue clearance there is no risk. Here we are not issuing a clearance because there are security risks that cannot be mitigated, that cannot be rehabilitated”

(Respondent A: SSA, Oct 2018). The respondent went on to say that when a security clearance is denied, it is recommended to the Head of Department to move the official denied security clearance from their current environment in which they are vulnerable to misconduct, to a less sensitive environment where opportunities for misconduct will be minimised (Respondent A: SSA, Oct 2018).

A respondent mentioned that most of the time SSA recommendations are not implemented by state departments. The respondent said that: "In most cases what the Departments are doing when somebody is being denied clearance, they do not want to take that person out of the workplace" (Respondent C: SSA, Oct 2018). The respondent reasoned that "they look into the number of years this person has worked and how much this person will take out of the Department without understanding the severity of the case" (Respondent C: SSA, Oct 2018). Another respondent from SSA argued that state departments are not really security conscious. According to the respondent, state departments just want to have their officials vetted and they miss the security issue; "they push vetting, pushing papers so they can report that they have vetted SCM and HR or whatever" (Respondent A: SSA, Oct 2018).

Presently, SSA does not have the powers to enforce implementation of its security recommendations to state departments. The respondent said "we don't have that force to implement from our side" (Respondent B: SSA, Oct 2018). However, according to another respondent, there is new vetting legislation in the pipeline that is going to enforce implementation of security recommendations: "we are tightening these things so that the decision that we make, it should be implemented or there will be punitive measures for noncompliance" (Respondent A: SSA, Oct 2018).

In the absence of such legislation a respondent from Vetting cited the need for more management support so that DHA can start to act on security clearance denials. According to the respondent "if we can start to act on the denials that are there, I am telling you that people will start respecting vetting" (Respondent B: Vetting, Nov 2018). Another respondent from Immigration-HO suggested that if a security clearance has been denied and the matter is escalated to management, there should be a process in the Department to obtain feedback and determine if the matter was dealt with properly. The respondent said "if you don't put your management process in place, it means nothing. Honestly speaking, I don't think Home Affairs has got that process in place" (Respondent A: Immigration-HO, Nov 2018).

During the study the respondents did not give a definite indication of the process to be followed if an official is denied a security clearance. The respondents knew that the official would have to be moved; however as to who would be responsible for the movement or how it would be done, the responses were diverse and non-conclusive. A respondent from SSA cited the MISS saying that it is the responsibility of the Director General (DG) of the Department to decide whether to move the official or not (Respondent A: SSA, Oct 2018). Most of the respondents from Vetting concurred that it was the DG's decision. One respondent mentioned that the Executive Committee of the Department (EXCO) is responsible for the decision. (Respondent D: Vetting, Oct 2018). A respondent from Immigration was of the opinion that the accounting officer or supervisor of the official denied security clearance would be responsible for effecting the movement (Respondent B: Immigration-HO, Nov 2018).

A respondent working at the airport said that: “I haven’t had anything like that. I’m not too sure how the Department will deal with it but the Department has its own processes at HR” (Respondent C: ORTIA Nov 2018). The respondent assumed that the Department would have processes to implement a security clearance denial should it be required for any of the immigration officers at the airport. The respondent was of the opinion that HR would be most likely to be aware of these processes. However a respondent from HR made it very clear that HR only dealt with vetting from a pre-employment perspective and referred all matters regarding security clearance to the Vetting office. According to the respondent “if there is anything negative I’m not sure what they do. Perhaps somebody in Vetting would be better to give you more on that” (Respondent C: HR, Nov 2018).

4.4.3. Enforcement regulation

A respondent from Vetting said that there was a clause in the vetting legislation that gave the DG or head of state department the power to dismiss an official who had been denied security clearance, given that the official had developed questionable integrity and trust relationships were no longer there. However, according to the respondent, “that clause was removed” (Respondent A: Vetting, Oct 2018). Another respondent cited the Labour Relations Amendment Act as a possible reason why the new requirement became to move rather than to dismiss an official whose security clearance had been denied “Labour Relations Act now says that a person should be, or may be, referred to a less sensitive security post” (Respondent D: Vetting, Oct 2018).

This study established that the requirement to move an official who has been denied security clearance is a bit of a problematic solution. A respondent from SSA said “it is not a solution

to take a person who has not complied with vetting requirements to another post because all posts in government they are sensitive because they are carrying a lot of information" (Respondent C: SSA, Oct 2018). Another respondent from Vetting mentioned that "DHA is a first line of defence and there is no less sensitive security post anywhere in this Department, so now what is the decision that has to be taken, it's a problem" (Respondent D: Vetting, Oct 2018).

A respondent from Vetting mentioned an important issue surrounding the vetting appeal process. The respondent explained that an official whose security clearance has been denied, has got sixty days from notification to appeal to the Minister of State Security for their matter to be revisited (Respondent D: Vetting, Oct 2018). The respondent mentioned that: "as we speak right now, we have appeals that were sent through to SSA dating back 4 years, which they have not yet responded to" (Respondent D: Vetting, Oct 2018). Therefore, according to the respondent, even if DHA wanted to implement strict measures to officials whose security clearances have been denied, the lack of feedback from SSA pertaining to appeals is a problem (Respondent D: Vetting, Oct 2018).

4.5 Investigations

Results from the study showed that vetting investigations lack depth and therefore fall short in their ability to detect misconduct. Two factors were identified to influence the vetting enquiry namely; investigative ability and resources. The factor of resources can be separated into three categories of databases, budget and capacity. These factors are discussed in more depth below.

4.5.1 Investigative ability

When describing the thoroughness of vetting investigations a respondent from Immigration-HO stated that a "challenge in your vetting process is the expectation that all the information I require from the applicant is going to be provided to me" (Respondent A: Immigration-HO, Nov, 2018). According to the respondent, vetting officers should look beyond what has been provided to them and ask themselves, what is the official holding back? The respondent went on to say that vetting officers must be prepared to go out and interrogate the case properly and analyse and interpret the information collected so as to determine its accuracy. The respondent was of the opinion that there is inherent corruption in the Department because this investigative component is missing in the vetting process (Respondent A: Immigration-HO, Nov, 2018).

Another respondent at the airport gave detail that: "Vetting its interviews, its reference checks, its people that have known you a few years. I don't think they dig deeper and it is necessary to dig deeper in order for it to be very effective" (Respondent B: ORTIA, Nov 2018). Questions were asked: "Do you go and you verify with the bank statements I have given you? …..Are you able to pick up other accounts that I have opened through my mother? Unless we

can get to a point where we are able to do that" (Respondent A: ORTIA, Nov 2018). It was further indicated by the respondent that these days a lot of corrupt transactions are being done in cash or through the money market, so officials do not deposit this money into their bank accounts. In this case the bank statements requested during the vetting process are unlikely to reveal any corruption (Respondent A: ORTIA, Nov 2018).

A respondent from ORTIA suggested that vetting should include a lifestyle audit. The respondent explained that a lifestyle audit looks at the "lifestyle the person maintains in comparison to the legitimate income they earn" (Respondent B: ORTIA, Nov 2018). It was suggested that in the case of major discrepancies an official should be required to explain and give proof of how they manage to afford what they have, especially if all the acquisitions have happened within a short period of time (Respondent A: ORTIA, Nov 2018).

Overall the respondents at DHA were generally discouraged about the ability of vetting investigations to detect corruption. A respondent from ORTIA indicated that at the commencement of the vetting project, SSA was given a priority list of immigration officers known to be corrupt. "We gave a list of the corrupt people that we knew and we said prioritise these people and those people came back clean. Now we know that they are not clean so where is the gap? Where are we missing? Or are they hiding the money so well? " (Respondent A: ORTIA, Nov 2018). According to the respondent, the immigration officers were vetted and polygraphed so they had expected the process to detect the misconduct. When it failed to do so, the respondent said it was very demoralising (Respondent A: ORTIA, Nov 2018).

According to a respondent from SSA “Vetting is not a corruption buster; it is not designed to fight corruption but it can” (Respondent A: SSA, Oct 2018). The respondent explained that the vetting process is of a counter-intelligence nature and it works by assessing human behaviour in order to determine the likelihood of an official committing certain unacceptable acts that would warrant them to be considered a security risk to the Department. Therefore vetting is not necessarily designed to detect corruption; it can however be used to prevent corruption if it is able to identify the potential risk (Respondent A: SSA, Oct 2018).

The need for an alternative performance indicator that does not use numbers was indicated by a respondent from Vetting. The respondent said “At times I feel strongly that we tend to compromise quality for numbers” (Respondent B: Vetting, Nov 2018). Therefore, according to the respondent, changing the performance indicator is especially important because at the end of the day the objective is to combat misconduct and be able to say that officials are security competent. Not that the Department has vetted so many officials (Respondent B: Vetting, Nov 2018).

4.5.2 Resources

The study revealed that there are limitations in terms of available resources to facilitate vetting investigations. The limited resources include systems , budget and capacity. In terms of systems used to conduct background checks at SAPS or credit bureaus a respondent said that “the systems we also use to get information, some it’s less and some the information is not sufficient” (Respondent B: SSA, Oct 2018). Another respondent said that “sometimes you find the systems being out-dated, obsolete systems” (Respondent A: SSA, Oct 2018). A respondent from SSA pointed out that if the systems could be improved to better feed the

process, it would limit the need for extensive traveling to interview references and collect additional information (Respondent B: SSA, Oct 2018).

According to a respondent from Vetting, extensive travelling to collect information makes conducting vetting investigations an expensive exercise. To make matters worse the respondent said that the Directorate: Vetting has "had to deal with budget constraints; we have issues of having our budget being reduced every financial year" (Respondent A: Vetting, Oct 2018). The respondent says these budget constraints have a negative impact on vetting operations; "we are unable to do our work" (Respondent A: Vetting, Oct 2018).

In terms of capacity to conduct vetting investigations, a respondent from SSA said that "personnel, the people who are supposed to do vetting are not enough" (Respondent B: SSA, Oct 2018). Similarly the Directorate: Vetting has a small capacity relative to the size of DHA. According to a respondent, capacity is limited to the extent that "leave of absence on its own also presents some challenges in terms of reaching our targets" (Respondent D: Vetting, Oct 2018).

4.6 Vetting, good governance & accountability

Results from the study will be used to give an overview of the pre-employment screening and vetting process at DHA. It will then be determined what implications this has on good governance and accountability in the Department.

4.6.1 Pre-employment screening

The study showed that Pre-employment screening is the better understood and accepted form of vetting. A respondent from HR explained that Pre-employment screening is beneficial because it prevents unfavourable candidates, in which risk has been identified, from becoming part of the Department. However, the benefits of pre-employment screening are short lived because people change over time once appointed. According to the respondent; "I make sure I'm bringing the good people in but then what is the next step once they get into the system?" (Respondent C: HR, Nov 2018). The respondent recommended that the next step should be to conduct regular follow up vetting conducted on officials after the initial appointment (Respondent C: HR, Nov 2018).

4.6.2 Vetting

A respondent from DHA described the vetting process as "a very good fight against corruption and it is direct because it is intrusive, it's a very intrusive, investigative tool that we have and it is legislated, it is instituted by the Department" (Respondent D: Vetting, Oct 2018). Another respondent reported that the Directorate: Vetting has the prerogative to conduct vetting at any time to any official in the Department. The respondent explained that "they can request anybody to fill that form and vet them and I think as employees… we need

to be open- minded about those kind of vetting's that can happen at any time during our career" (Respondent B: HR, Nov 2018).

However a respondent from SSA pointed out that vetting in itself is not a solution because vetting simply points to the problem. The respondent highlighted the importance of the sanction in combating misconduct. According to the respondent "it is not only necessary to just clear or deny that person a clearance; without action that is being taken" (Respondent C: SSA, Oct 2018). The respondent explained that in merely denying a security clearance, the problem has not been dealt with. The sanction needs to follow up as an action to deal with the problem and this sanction becomes the deterrence that makes officials realise that there are severe repercussions for corruption (Respondent C: SSA, Oct 2018).

Respondents further deemed the current sanction of moving an official denied security clearance not strong enough to deter officials from engaging in misconduct. One respondent said; "They don't respect that very same vetting, when they know nothing will happen if they are caught they will just be called back to HQ or whatever, so it won't work for governance" (Respondent A: SSA, Oct 2018). Similarly a respondent from Vetting recalled that due to corruption in ORTIA, a previous Minister of DHA once gave an instruction for the moving of immigration officials at the airport to other offices and new officials were brought into ORTIA to replace the old ones. "At some point some of the people that work in that environment were removed by the Minister and spread to other places where they would do immigration work because of the corruption that was going on there. To have new people start on a clean slate in that environment" (Respondent A: Vetting, Oct 2018).

This study indicated the requirement for stronger sanctions with a respondent from SSA saying that "vetting needs to work closely with the police especially people who have swindled a lot of money from their Departments; they need to be arrested" (Respondent C: SSA, Oct 2018). Another respondent echoed this point saying that if misconduct is detected, working together with law enforcement agencies such as SAPS and NPA will enable arrest and prosecution to go hand-in-hand with the vetting process (Respondent B: SSA, Oct 2018).

A respondent commented that when there are proper sanctions like losing one's job because of a security clearance denial, officials will realise the impact of vetting, they will avoid corruption and subsequently good governance will be promoted (Respondent A: SSA, Oct 2018). However, pending such arrangements, it was said that state departments should move an official whose security clearance has been denied, especially if it relates to corruption (Respondent C: SSA, Oct 2018). It was the opinion of a respondent that "it is vetting that can begin to cleanse government and bring back the integrity of the state through implementing and enforcing the decisions of vetting" (Respondent A: SSA, Oct 2018).

4.7 Conclusion

The results presented in this chapter are based on primary data collected from semi-structured interviews with the research participants. This data was recorded; later transcribed and thematic analysis was conducted to derive the results that have been presented. The next chapter, Research analysis will synthesise the results from this study with existing knowledge from the literature review to draw up research conclusions.

CHAPTER FIVE

RESEARCH ANALYSIS

5.1 Introduction

This chapter discusses the four factors of compliance, regularity, investigation and enforcement based on the findings of the study and existing knowledge from the literature review. During this discussion, the strengths and weaknesses of the vetting process are measured comprehensively and used to determine the implications that the process has on accountability and good governance. The chapter concludes by answering the research question: To what extent can the vetting process promote accountability and good governance at DHA immigration services, ORTIA?

5.2 Compliance

The literature review revealed that there is a low compliance to vetting (Wardle, 2014). As a remedy it was suggested that more awareness campaigns be conducted to educate officials about vetting and improve compliance (Molapo, 2017).

The study concurred that compliance to vetting is low. However, the reasons for low compliance are diverse and show that conducting awareness campaigns may not be the entire solution for low compliance. Conducting awareness campaigns would only remedy those who are willing to be vetted but do not comply because they lack knowledge about the process. The literature review established that vetting is a relatively new process in the public sector that was not used during the transitional period to democracy, therefore it is likely that there are officials that are ignorant to the vetting process. Besides this group there

are other officials who know about vetting but do not comply for different reasons such as corruption and lack of enforcement.

Corrupt officials tend to avoid the vetting process out of fear that their misconduct will be exposed. There are other officials who are not necessarily corrupt but choose not to comply because there is no strict requirement on them to be compliant. According to a research participant, vetting has to be enforced because of its intrusive nature otherwise very few officials will willingly comply. At DHA, compliance to vetting is not enforced. So there is no real requirement placed on officials to be compliant and when they do comply, it tends to be shallow. This means that compliance to vetting is a choice because it is possible for officials who are corrupt or simply rebellious to avoid being vetted. Furthermore there are no repercussions for a lack of compliance. Therefore low compliance to vetting is perpetuated in the Department.

When it is made possible for officials to avoid being vetted, it is likely that any misconduct they may have committed will go unnoticed and the official will not be held accountable. As a result, vetting fails in its objective to uphold integrity standards and combat corruption. In this case, contrary to the literature review, vetting does not foster a culture of openness, transparency and accountability in the Department. Instead, corrupt officials are protected and allowed to operate freely due to permitted low compliance to the vetting requirement.

The study revealed that another group of officials that are noncompliant may have previously complied with vetting by filling in the Z204 application form or even going through the entire process. Their noncompliance can be attributed to possibly becoming weary of the vetting process. It was communicated that the application phase of the vetting

process consists of a lot of paperwork and after the application has been completed and submitted it can take a long time for the official to get vetted. After being vetted, the official's file is forwarded to SSA and the official has to wait for feedback as to whether their security clearance has been granted or denied. Sometimes feedback is delayed or does not come at all because files can get lost. When this happens, officials become demoralised and unwilling to comply with vetting in the future.

This shortfall in the vetting process transpires from the state itself because officials are willing to comply, however, they are demoralised by poor processes, poor systems and low capacity within the vetting process. In this case a more comprehensive solution besides conducting vetting awareness and enforcing the vetting policy is required. The solution would have to improve the vetting process as a whole. Consider electronic vetting solutions such as online applications and processing. Improving databases and increasing capacity of vetting personnel to meet the demand for security clearance applications. This could expedite completion of the vetting process and enhance the ability for officials to get feedback within a reasonable period of time.

5.3 Regularity

The literature review cited the importance of constant surveillance of officials through means such as vetting. Constant surveillance results in officials becoming more vigilant of security breaches (Kaiser, 2003). Departments are also able to detect and deal with officials that have developed questionable behaviour (Nixon and Kerr, 2008). However, vetting was not found to be regular and previous research indicated that in state departments officials are screened prior to appointment and then vetted years later if at all (Wardle, 2017).

Previous research also showed that regularity of the vetting process is negatively impacted by low capacity of vetting personnel, the lengthy time it takes to receive a security clearance outcome and lack of enforcement by state departments for officials to be vetted (Molapo, 2017).

The results from the study concurred with previous findings in that all officials undergo pre-employment screening but subsequently very few are vetted. DHA participants agreed that there is a low visibility of the vetting process. This low visibility can be attributed to low compliance and the fact that the Directorate: Vetting has a small capacity relative to the size of the Department. As a result, there is a limit to how much the Directorate can do. This is to the extent that the Directorate has had to forego conducting vetting awareness in the Department in order to concentrate its capacity on vetting investigations and be able to meet the quarterly and annual performance requirements. Having done this, the Directorate still has a backlog in terms of officials that have not been vetted in the Department. Besides capacity, participants from the Directorate said that their operations are often constrained due to budget cuts.

It would appear that the vetting unit at DHA exists for compliance to state requirements; however, it is not supported or equipped to carry out its mammoth task of combating corruption in a Department the size of DHA. The unit is severely under capacitated in terms of personnel and budget and as a result it struggles to fulfil its function. The vetting unit's resources have been spread thinly in order to try and cover all its responsibilities.

Given the above, the low compliance to vetting by DHA officials is fitting because if all officials were to comply and submit their vetting applications, the vetting unit would be overloaded.

Furthermore, given the intrinsic delays of the process it is unlikely that all the officials would be vetted timeously.

Low compliance and capacity constraints mean that officials at DHA are not being vetted regularly. The vetting unit has a limited reach in the Department; as a result, not many officials have been vetted, let alone re-vetted. It appears that the main struggle still lies in getting all the officials to be vetted for the first time.

This poor regularity of vetting indicates that the vetting process at DHA has most likely only reached those officials who are willing to be vetted and have availed themselves to the process. This willingness may have come about due to factors such as foreign mission deployment or meeting attendance as revealed by the study. These officials, having submitted themselves to the vetting process, are unlikely to be corrupt relative to officials that are avoiding the process. Even though the main objective of vetting post-employment is to identify those officials that have engaged in corruption. In such a case corrupt officials succeed in evading the vetting process due to poor regularity and it is the same officials that choose to be compliant that get vetted and re-vetted. This distracts the attention away from corrupt officials and they continue to evade the vetting process.

5.4 Investigations

The literature review described vetting as a risk driven process, the depth of which is determined by the extent of associated risk (Kooistra, 2015). Hence the ascending levels of security clearance that relate to the associated risk (NIA, 2010). However previous research

showed that the vetting process is lacking in its investigative ability (Kuhn and Nieman, 2017). This was confirmed during the study.

This study revealed that vetting investigations only touch the surface. The focus is more on personality issues and interviews with references. It was learned that the process should be more investigative, include lifestyle audits and collaborate with law enforcement agencies such as SAPS and NPA in order to improve the ability to detect and punish corruption. It was further indicated that the systems used to conduct background checks by state departments during the vetting process may provide insufficient information to feed investigations. Therefore much of the information still depends on the official being vetted as well as their references.

Depending on officials and their references for freely offered information may not be conducive to the investigation because these individuals can choose to be dishonest or selective about the information that they reveal. Vetting officers may not be able to detect this discrepancy if they do not have other sources of information to verify against. Thus the information provided by the official and their references will end up being accepted as true. This has the potential to lead to inaccurate results whereby a security clearance is issued to a corrupt official. When this happens the vetting process is defeated.

The study indicated that there needs to be a shift in the focus of vetting away from the number of officials vetted to the quality of investigations so that vetting has an actual impact in terms of combating corruption and promoting good governance. A research participant admitted that at ORTIA there has been a lot of collusion with criminals by officials from various state departments. It was noted that immigration officers are particularly vulnerable

to corruption due to their low rank salary and close contact to clients. Yet, for the period covered by this study, the research participants from ORTIA indicated that they had not received any security clearance denials. Most of the immigration officers including some of those thought to be corrupt, have been granted security clearances.

All these positive security clearance outcomes amidst widespread corruption raises questions about the depth and accuracy of vetting investigations as well as their ability to detect misconduct. If vetting investigations are only touching the surface in an effort to chase numbers then the chances of vetting being able to detect misconduct are substantially minimised and a security clearance loses its value. Having a security clearance no longer means an official has integrity or is trustworthy to work with classified information in a state department. This is because any official can get cleared whether they are corrupt or not.

One participant argued that vetting has an intelligence background and was not designed to combat corruption but it can be used to do so. Granted, the original uses of vetting may have been for other purposes however this position is unacceptable because times have changed and so have the demands for the process. Therefore the vetting process needs to be modified and updated to meet the new challenges of the day. It is likely that the process is not yielding the required results because it has lagged behind in terms of development and continued to make use of unimaginative and obsolete methods of investigation.

When vetting is unable to detect corruption it loses its deterrence nature. Corrupt officials can continue their misconduct and become pompous to say that: “the state will never catch me”. Seeing that the chances of detection are low and there are no repercussions for misconduct, officials that are not corrupt can be easily influenced to join corruption

syndicates. As a result, corruption continues and there are no positive implications for accountability or good governance.

5.5 Enforcement

The literature review said that vetting works when officials that have engaged in corruption are denied security clearances because it means that these officials can be dismissed, demoted or moved in order to minimise or eliminate further opportunities for misconduct (McEvoy and Whit, 2003). In South Africa the requirement is that the official be moved (Lucas, 2018). However previous research indicates that negative vetting outcomes are often not implemented by state departments (Kuhn and Nieman, 2017).

Results from the study concur with previous research and further indicate the need for a stronger consequence other than moving an official whose security clearance has been denied. The study found that moving an official is not an adequate deterrent for corruption because it appears that new officials that replace the old ones also become lured into corruption.

At DHA, officials who are denied security clearance are not dealt with because a security clearance denial does not even lead to an official being moved to a less security sensitive area. In fact the study showed that there is little to no visibility of negative vetting outcomes in the Department. Evidently it was indicated by respondents from SSA that state departments do not take security recommendations seriously. Their main concern is that operations must continue, therefore this requirement to move officials around for security reasons is an inconvenience. That might even be viewed as a waste of time.

The participants from DHA could not reach consensus about what process needs to be followed in order to implement a negative vetting outcome or who is responsible for executing that process. In terms of who should take responsibility for execution, opinions ranged from the DG of the Department, EXCO, HR, the accounting officer of the official denied security clearance to the Directorate: Vetting. Therefore vetting fails as a tool to mitigate risk because no one is sure of the internal process to be followed after a security clearance is denied, no one is willing to take responsibility or make a decision and this translates into no action.

This begs the question what is the point of conducting vetting if there are no consequences for negative vetting outcomes? Maybe the answer is that vetting is done to tick a box for compliance to state requirements. To maintain the façade that all is well, things are being checked and done the way that they are supposed to be done. Even if it is not true because ultimately it would appear that corruption has become an acceptable means to secondary income or extravagant living.

State departments have adopted a complacent attitude towards corruption and vetting as it is now protects the criminality of state officials. This could be the reason why vetting investigations are superficial and only touch the surface because even if something was found and the security clearance was denied it would mean nothing. Therefore, in essence, vetting truly becomes an exercise of chasing numbers of officials vetted and reporting to meet compliance requirements and nothing else.

If SSA is serious about their security recommendations they should issue state departments with Standard Operating Procedures (SOPs) to be followed in order to implement negative

vetting outcomes. It is not enough to just communicate the denial of a security clearance. There needs to be guidelines and follow ups to facilitate the implementation of the negative vetting outcomes. Otherwise, state departments will continue to consider these security recommendations as non-compulsory advice, in which case the vetting process will continue to be a fruitless exercise. It was further suggested that the issue of lack of feedback from appeals be addressed by SSA because it further impedes enforcement of negative vetting outcomes.

5.6 Vetting & Good governance

Literature said that vetting is supposed to promote responsible ways of working by encouraging officials to be more vigilant of security breaches and protective of the state resources under their control (Kaiser, 2003). However, the study revealed that instead of fostering this culture of accountability, state departments like DHA seem to have adopted a culture whereby officials desire to operate as they choose without being asked questions or having limitations imposed on them. It is found that officials protect themselves from accountability by faking ignorance, trying to hide and looking for excuses to stall or disrupt processes like vetting. An example of such behaviour, as a participant shared, is past vetting attempts at ORTIA being obstructed by shop stewards of a certain labour union who would not allow their members to be vetted.

Existing literature indicate that vetting can be used as an avenue for state officials to confess their wrongdoing and weaknesses and to seek rehabilitative assistance (Matakata, 2011). It

further mentions that vetting findings afford managers the opportunity to identify and deal with work environments and employees in which risk has been detected. Subsequently this exchange enables the management of risk to become proactive instead of reactive (Nixon and Kerr, 2008). However, results from the study show that the management of risk is minimal in the vetting process. This is due to low compliance which means that many officials, including those who are corrupt, have managed to evade the vetting process. This has reduced the opportunity to identify misconduct.

Furthermore the Directorate: Vetting is crippled by a small capacity and has low visibility in the large Department that is DHA. This puts pressure on the Directorate to achieve numbers at the cost of not doing due diligence on investigations. Vetting officers also express challenges in sourcing pertinent information about the official due to poor references and inadequate systems. Research participants said that vetting investigations tend to be superficial and restricted in their ability to detect misconduct such as bribery at ports of entry. Even after the vetting process is completed, risk is identified but not managed. The DHA tends to ignore the recommendations made by SSA. In this case, neither the risk identified in the work environment nor the official is dealt with. When it is superficially applied, vetting is unable to fulfil any of its objectives that relate to accountability and good governance; consequently a state of lawlessness and moral decay prevails.

5.7 Research question

The research question asked:

- To what extent can the vetting process promote accountability and good governance at DHA immigration services, ORTIA?

Vetting, in its current form is not an effective tool to promote good governance and accountability at DHA Immigration services, ORTIA. The process still needs to be improved in order for it to be effective. The report has mentioned various ways in which the process needs to be improved. These include increasing the capacity of vetting personnel, conducting more awareness, making compliance to vetting compulsory, improving investigative ability and proper sanctioning of officials denied security clearance so as to deter future misconduct. These improvements should better equip the vetting process to meet its objectives of promoting integrity standards and combating misconduct in state departments. Once this is done, it should be possible for vetting to be used as a tool to promote good governance and accountability at DHA Immigration services, ORTIA.

5.8 Conclusion

Based on results from the study at this point it can be concluded that the potential for the vetting process to enhance anticorruption measures at immigration services, ORTIA is inadequate. This inadequacy is due to systematic problems in the vetting process that need to be resolved in order to improve effectiveness of the process.

This study found that vetting when it is used to screen pre-employment candidates is the better understood and accepted form of vetting. However periodic vetting post-employment is not well supported and it lacks capacity in terms of personnel, budget and systems. This is unfortunate because periodic vetting post-employment is arguably the most important as it facilitates the legitimacy of state departments and enhances the management of risk.

Besides this other implementation challenges in the vetting process include noncompliance, investigative shortfalls and lack of enforcement of security clearance denials. These challenges culminate to the inadequacy of the vetting process as an anti-corruption measure.

At present it is evident that the vetting process at DHA simply exists for compliance and reporting reasons. The process is not having the desired impact in terms of promoting accountability and good governance.

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Appendix A.

Interview protocol

Greetings, introduce myself and the study. Hand over the consent form, explain it and get signature from interviewee.

Legislation says that vetting is a national requirement for public servants how well would you say this is understood by DHA officials in terms of their compliance to the vetting requirement?

What would you say are the challenges of the vetting process?

It is known that the vetting process is concluded at SSA in terms of issue or denial of clearance, what weight do vetting outcomes carry at the DHA in terms of decision making?

Vetting is described as a preventative measure against corruption in what ways can vetting be used to prevent corruption at the Department?

How would you say vetting promotes good governance or accountable ways of working amongst immigration officials?

Do member-checking, thank the interviewee for their participation and inform them of the possibility that I may contact them again in the future should I need any additional information regarding the study.

Appendix B.

Research study consent form

Dear Sir/Madam,

I am a student studying towards a Masters of Management in Security at Wits School of Governance. My research question is: How can vetting be used as a tool to promote good governance and accountability at DHA immigration services, ORTIA.

The purpose of this letter is to request your participation in the study through the completion of a personal interview. Your permission to record this interview for ease of reference is also requested.

Please note that your response will be kept confidential and not disclosed for any other purpose but the research. Further the data collected from this interview will be used purely for academic purposes. Your participation in the interview is voluntary and you have the right to withdraw at any time.

Thanking you in advance for your participation in the study.

Sincerely,

Ms Zama Shezi

I…….. in my capacity as …….. working at …….. agree to participate in the study and understand the content of this consent form.

Signature…….. Date…….. Email address……..