

2017 KZN Cabinet Report Card

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The following KwaZulu-Natal Cabinet Report Card serves as an overview of the performance of the provincial Premier and his Cabinet using the following criteria;

- Policy Direction: Does the MEC have a clearly articulated vision for his/her department and has he/she been effective in implementing this vision;
- Accountability and Attendance: The MEC's conduct in office, approach to accountability and attitude towards the Legislature;
- Finance and Administration: Has he MEC kept control of the Department's finances and how has the Department or Office performed?

The Premier and each MEC, along with the provincial Legislature Speaker are scored on a scale from "A" to "F" with an "A" the highest score a Member of the Executive can achieve and an "F" the lowest. Cabinet members are listed in descending order.

Office of the Premier, Premier Willies Mchunu

Score: D

The office of the Premier is the bed rock for an effective provincial government. *"To be the centre of governance, providing leadership towards achieving KZN Vision 2030 through co-operative governance, performance management and accountability through monitoring and evaluation"*. If this department fails in terms of its own mandate then it is unable to lead from the front.

This could not be more true than right here in KZN, as Premier Willies Mchunu shows all the signs of having been given the opportunity to serve his "glory years" as a puppet Premier.

It is under Premier Mchunu's control that both Amafa and the Gaming and Betting Board entities regressed in the Auditor-General's audit opinion. It is also under Premier Mchunu's watch that effective steps were not taken to prevent irregular expenditure within the Office of the Premier and the Royal Household Trust, with no consequences for these transgressions as a result of no investigations having been launched.

The Department is also yet to finalise probes relating to irregularities around procurement and travel and subsistence between 2012 and 2017. And then there is

the fact that the Premier remains in possession of a forensic audit report into alleged departmental supply chain management irregularities. This while implicated officials still walk the corridors of power and the Premier remains obsessed on how this report was leaked rather than its damning contents.

All this is from a man who should lead by example while holding members of his executive and their departments to account in the interests of effectivity and accountability. As the adage goes, "People in glass houses should not throw stones".

Finance MEC, Belinda Scott

Score: C

MEC Scott continues to find herself out in the cold when it comes to ensuring financial compliance from her ANC counterparts – a clear indication of her weakening stature within the provincial executive. Add to this the fact that her Legislature debates are bursting with racist vitriol and it is clear that she is pandering to her ANC bench mates while struggling to remain politically relevant.

While the KZN Treasury, under the leadership of MEC Scott, continues to be one of the province's better performing Departments in terms of holding the purse strings and a clean audit from the Auditor-General, scratch the surface and it is a case of "all that glitters is not gold".

The Department remains embroiled in allegations of fraud and corruption, with the appointment of the Special Investigation Unit (SIU) to probe these ongoing claims. This comes hot on the heels of the former Public Protector's damning report, "Rocking the Boat" which the MEC unsuccessfully challenged.

In fact, MEC Scott appears to have a passion for litigation considering the legal costs incurred in the province's Bingo licence debacle, which ultimately led to this mandate being removed from her clutches. And then of course there is the matter of a certain Ms Hlatshwayo-Rouget...

Based on her overall performance, MEC Scott receives a 'C'.

Sport and Recreation MEC, Bongive Sithole-Moloi

Score: C

The botched Commonwealth Games bid continues to haunt this Department with MEC Sithole-Moloi still to take responsibility for her role in this disaster and provide reassurance to the people of KZN that it will never happen again. She is also yet to account to the DA for where the related infrastructure funding is.

The MEC continues to enjoy the benefits of having inherited a strong administration while an improved audit outcome by the Auditor-General is welcomed. Regrettably though, there is no clear indication about what she has done to ensure that her Department benefits from the 15% ring-fenced Municipal Infrastructure Grant, specifically for sports infrastructure. She needs to be more proactive on this.

It is difficult to fully assess this MEC's performance given that the province's Sport and Recreation portfolio committee has not met once in almost seven months. The Department is also no longer providing the portfolio committee with monthly reports, despite having been requested to do so. Based on what we can apply, MEC Sithole-Moloi receives a 'C'.

Transport MEC, Mxolisi Kaunda

Score: D

MEC Kaunda inherited many of his Department's problems from his predecessor – the current Premier. These include an inadequate budget which is negatively impacting on the service delivery demands of all departmental programmes, financial mismanagement, fraud and corruption, a lack of effective law enforcement resulting in high crash rates and increasing levels of taxi-related violence.

The MEC appears to have adopted a more hands-on approach than the former MEC and does attend portfolio committee meetings where he responds to the committee's queries. Under his watch there has also been an improvement in the quality of the Department's reporting to the committee.

In terms of policy direction, the MEC has a reasonably clear vision for his Department and has set about reviewing departmental policies, particularly Supply Chain Management processes, as well as systems to plug the capacity and service delivery gaps identified. He is also implementing strategies to deal with the concerns raised by the portfolio committee, the Auditor-General and Treasury which are related to the poor audit performance of his Department in the last few years.

Measuring the Department's actual out-put against its Annual Performance Plan shows that the DoT has failed to meet its targets under Transport Infrastructure, Transport Maintenance, Transport Operations, Transport Regulations as well as Community Based Programmes. Based on this, along with an unresolved historical irregular expenditure problem, the MEC scores a 'D'.

Public Works MEC, Ravi Pillay

Score: D

As a province, KZN is yet to reach a point where other Departments regard Public Works as a service delivery arm with most still using external service providers while Public Works is yet to prove competent and respond timeously. This has triggered questions around the competency, credibility and integrity of the Department as a whole.

While the DA notes the financial constraints the department operates under, it remains a concern that this Department has not contributed positively towards the creation of jobs and entrepreneurial opportunities for the people of KZN.

The MEC's attendance at portfolio meetings is fair and when present he does provide the necessary guidance. However, he needs to follow up on the decisions taken by the portfolio committee and ensure that they are implemented accordingly. Based on his overall performance, the MEC scores a 'D'.

Agriculture and Rural Development MEC, Themba Mthembu

Score D

The MEC's budget speech was the best this Department has seen in years for the simple reason that it finally addressed many of the issues the DA has been raising for ages. In fact, it was a direct response to our issues.

Within the Department though, all is not well with the post of Director: Agriculture Services only recently filled after seven long years. Meanwhile, Supply Chain Management remains a disaster with vast amounts of money still being spent on consultants and other agencies while the unit has been without a procurement Director or manager for more than four years. This while the bulk of tractors in the province are not operational and can hardly be accounted for.

The MEC is also yet to provide a clear directive on the Department's three failed agencies – ADA, Mjindi and Intingwe while the outcome of a massive forensic audit remains under wraps with the MEC yet to present the findings to the portfolio committee.

Arts and Culture MEC, Bongwiwe Sithole-Moloi

Score: E

The province's Arts and Culture Department remains in Intensive Care with the current MEC struggling to turn it around.

The KZN Music House is bankrupt with the entire Board having resigned amid allegations of fraud and corruption which are now the subject of a Treasury investigation. Staff have been told to go home and the recording studio's doors are

shut, denying emerging artists in particular a much needed facility. The DA has been reliably informed that the audit into this entity is complete, yet it remains under wraps and is yet to be tabled by the MEC at Portfolio Committee level.

The Department is also a repeat offender in terms of under-expenditure with underspending on Library services having had a massive impact on communities with nine modular libraries still not constructed. Add to this the long-awaited forensic audit into the Uthungula Art Centre which is still not finalised with funds allocated to this important community project remaining unspent.

Within the Department there is no HOD, no CFO and no one heading up Supply Chain Management and Cultural Affairs. There are also a number of senior managers on special leave however the DA has been reliably informed that a new HOD has recently been appointed and that the Acting HOD will soon return to his old position of Director of Cultural Affairs.

The Department currently has approximately 80 vacant posts of which six are critical. Meanwhile it is blaming Treasury and the Premier's Office for allegedly failing to approve the filling of these posts. The Finance MEC has denied this. And so the ANC's blame game continues - at the expense of delivery to the people of our province.

Human Settlements MEC, Ravi Pillay

Score: E

KZN's Human Settlements Department under MEC Ravi Pillay underspent its budget by a massive R557million - a figure straight from the Auditor-General.

This is a direct result of the factionalism and divisions within the ANC in KZN and the crippling of service delivery as a result of MEC's being so busy canvassing on behalf of their factions that they are neglecting their duties within the Legislature.

In terms of housing delivery, KZN has far too many stalled projects. A recent oversight trip to the Mpofana Municipality has revealed massive failure by that Municipality and the Department, with housing developments stalled and other projects abandoned by contractors. Jika Joe and Merlewood are two other such projects while the massive Vulindlela Housing project remains fraught with problems and has stalled in many Wards.

An overview of the Department's 2016/17 performance shows a worrisome picture for the first time. In terms of its Annual Performance Plan targets, it under-performed on 49% of its indicators, exceeded on 26%, failed to report on 19% and in fact only achieved a miserable 7% of them.

The MEC appears to have lost focus on his Department's mandate with further analysis showing under-performance in one of its core functions under Programme 2

- Housing Needs Research and Planning – where the Department only achieved 33.3% of its targets and under-achieved on 22.2%.

The Department can however be complimented on its overachievement on providing technical support to municipalities. Hopefully this will see better municipal performances in the current year.

Legislature Speaker, Lydia Johnson

Score: E

The Speaker presides over a Legislature which has three main functions to perform – hold government to account, exercise oversight over the implementation of projects and the spending of the provincial budget, and conduct the work of a democratic legislative chamber.

As with any ANC-run parliament, accountability continues to be the big problem within the KZN Legislature. The inability to separate party from state means that MPLs and Speakers simply do not get the basic point of all democratic governments – they are not elected to make government look good but to hold it to account. There are a few ANC MPL's in this province who are brave enough and conscientious enough to put accountability first but they know they are in a 'career limiting space' if they do so.

When the Speaker is present the conduct of the House, while frequently noisy, is generally conducted in a reasonably tolerant and respectful atmosphere. The Speaker was not present when the TLTP to uMgungundlovu plunged to new lows of aggression, spite and vicious abuse directed at DA members, without any significant leadership from the presiding officer. A female DA member was threatened with physical violence, a Muslim member was mocked for wearing traditional attire, white members were abused simply because they were white and somehow responsible for the sins of their long dead forefathers and DA MPL's were sworn at because they objected to ANC conduct. All in all, a disgusting display of intolerance and disrespect for constitutional rights and responsibilities.

On a more positive note, oversight by the Legislature's Portfolio Committees has seen a definite improvement, with committees conducting more oversight inspections than before and documentation better prepared by committee researchers. Most importantly, committees are now regularly reporting on their work to the House which is allowing the opportunity to debate their reports and recommendations. After a recent visit to the Gauteng Legislature the members of the Whips Forum and Stacov agreed that while Gauteng ran an impressive operation when it came to the conduct of the members and the MECs in the Chamber we still thought our model of oversight was preferable.

In summary, while there has been some progress the overall score for the Speaker declines to an 'E'.

CoGTA MEC, Nomusa Dube-Ncube

Score: E

This Department has had little to no effect in supporting and ensuring that KZN municipalities expand on their functionality, with no improvement in municipal finances and capacity.

A clear example is that of Msunduzi and Howick which experienced a prolonged electricity outage, which eventually affected the water situation in the area too. The MEC and her Department took ages to respond to the situation, eventually presenting an apology. This was followed shortly after by a withdrawal of the same apology. This is unacceptable. Yet another example exists in Ugu. Not only has the MEC failed to address a very serious ongoing water crisis in the area, when she was presented with a petition by local residents calling for help in terms of intervention within that municipality, she tore it up in front of them. This is typical of an uncaring and irresponsible ANC government.

However, the worst indictment against MEC Dube-Ncube and KZN's entire ANC cabinet has to be the handling of iziNduna salaries. When the COGTA budget was cut in half and other Departmental budgets slashed, the MEC and the provincial cabinet remained silent instead of speaking up to ensure that the remuneration is funded out of the national budget, and not the provincial coffers. This is money directly related to service delivery in our province and is why, in Weenen for example, residents will now have to wait many more years for the electricity that they should have been getting now.

Another area of responsibility no doubt also affected by the huge budget cuts is that of disaster management. Sadly the recent Durban storm has proved that the Department is incapable of proactively handling any kind of major disaster. Had the severity of the storm been properly communicated to residents, many lives could have been saved. This is how a caring and responsible government operates.

Overall, the MEC's performance has been poor while she continues to be a serial question dodger, often refusing to respond to matters which require her attention. She receives an 'E'.

Community Safety & Liaison MEC, Mxolisi Kaunda

Score: E

The DA had high hopes at the start of 2017 that a new MEC would mean the start of tackling KZN's violent crime situation and putting an end to communities living in fear.

Regrettably, KZN's violent crime levels continue to soar, with 10 people murdered every day, 23 women or children the victims of sexual offences every day, 112 homes that are burgled and 23 people who are the victims of hi-jacking. These are the violent crimes that plague all communities, with the poor and vulnerable bearing the brunt of it.

Meanwhile, the Department's crime-fighting initiatives seem to be ineffective and outdated when compared to modern global community crime fighting programmes. Of particular concern are the two stalled programmes within the Department - the VSCPP (crime fighting volunteer programme) and the case docket review. The VSCPP aims to provide the next new batch of crime-fighting volunteers with improved training and skills in working with communities but it has seen constant delays despite restructuring having been on the cards for the year. Meanwhile, the case docket review programme, which seeks to monitor the high number of cases thrown out of court due to poor police investigation and to identify shortcomings and report them to the police for rectification. Both of these programmes were adopted from the DA-governed Western Cape and have now stalled or been delayed here in KZN.

On a positive note, the portfolio committee finally saw a MEC that respected its input, including the solutions brought forward by the DA, and attended all its meetings. Unfortunately though, the Department's operational issues continued with two districts offices still not opened while staff appointments, part of a restructuring process, remain incomplete. This has had a major impact on the department's ability to fight crime.

Despite its small budget, this Department can be successful with the correct political will. Unfortunately the DA has not seen this political will from MEC Kaunda.

Social Development MEC, Weziwe Thusi

Score: E

Despite a successful PAIA by the DA, this Department has still not handed over its master list relating to the funding of NGO's in the province. This lack of accountability and transparency by MEC Thusi and her Department is both appalling and in contravention of the law. It is also alarming that the MEC, who claims to run a 'clean' Department, would not want this critical aspect of her relationship with NGO's to be scrutinized.

While the MEC does attend some meetings she was MIA when it came to addressing serious issues during the tumultuous last quarter. Despite KZN being one of the country's bigger provinces, the MEC and her Department also seem to contribute very little to the national debates around SASSA or its procedures. There also seems to be no leadership at a provincial level to escalate concerns on behalf of KZN's citizens.

The Department is still without a Chief Financial Officer with a Treasury official still acting in the post after two years due to a lacklustre recruitment effort which only ever saw one candidate being taken seriously. It also has no operational head while the CFO post has been vacant for an entire year with Treasury forced to deploy an acting official to this position. In terms of financial compliance, the A-G found that sufficient steps had not been taken with R110 million in irregular expenditure. Of this, R98million was attributed to month to month contract renewals, mostly within catering and security.

The Department continues to be plagued with incomplete projects and others with no long term strategic goals. Its offices routinely fail citizens with wide-scale irregularity around the issuing of grants while these reports of corruption appear to be slow to be investigated – which means that our most vulnerable citizens continue to be exploited by the state system.

Non-strategic spending, an inability to deliver consistently on its mandate which includes and is not limited to an adequate number of social workers within the system and a lack of transparency around NGO's funding sees MEC Thusi receive an embarrassing 'E'.

Economic Development, Tourism and Enviro Affairs MEC, Sihle Zikalala

Score: E

2017 has been a dreadful year for MEC Zikalala. Apart from having to contend with his own ANC leadership battles in the province, he also had to face facts when KZN lost 47 000 jobs in the 3rd quarter of 2017.

Without a growing economy, unemployment levels in our province cannot improve. A prime example exists within the Ugu District, where tourism is being destroyed by the lack of water while hundreds of jobs are lost as a result. Even the MEC, on his social media feed, made the statement that the ANC's leadership contestation has distracted its members from the National Development Plan – a plan which is supposed to create jobs. Again a case of the ANC before the people of KZN.

The curse of fruitless and wasteful expenditure as well as shifts and intra-departmental transfers or virements continue to plague this Department. Fortunately it appears the MEC is being held to account by Scopa. This after his recent attempts to wrangle out of responsibility and shift the blame to his predecessor went down like a lead balloon during a recent hearing.

In terms of conservation, poaching is out of control, with embarrassingly low conviction stats even when criminals are caught. The 19 ranger posts promised to KZN Ezemvelo Wildlife have still not been filled, with whistle blowers claiming that the recruitment process is unfair to all applicants with the additional posts having been designed for specific people.

MEC Zikalala scores a sad 'E'.

Education MEC, Mthandeni Dlungwane

Score: F

As a newly appointed tKZN cabinet member, MEC Dlungwane began 2017 with enthusiasm, addressing issues raised and attending portfolio committee meetings. Regrettably this commitment appears to have waned, with the MEC seemingly more concerned with ANC factional battles than his primary responsibility of Education.

The MEC has also not made any progress on the issues raised by the DA in 2016. School violence has increased; both learner-teacher and inter-learner violence. The province has been traumatised with numerous incidents of corporal punishment and sexual violence. The MEC's response to these other crises has been completely reactionary, instead of finding a permanent solution. He is yet to acknowledge the DA's proposal for sexual offence and corporal punishment registers for educators while there is still no proper security plan for dealing with school violence.

Within the Department all is not well and the DA is extremely concerned by what we suspect is a purge of senior officials by the MEC. This has led to the crucial vacancies of Chief Financial Officer, Head: Curriculum, Head: Legal Services and Head: Supply Chain Management, raising major concerns about the management of the Department.

Meanwhile, under MEC Dlungwane's watch, the Department is in its greatest financial crisis since the advent of democracy. Compensation of employees comprises over 90% of the non-grant budget, leaving limited funds for school maintenance, textbooks and school nutrition. It is also under MEC Dlungwane that the Department has racked up R168million in irregular expenditure. It has also not completed a proper headcount of learners and educators meaning that the issue of overcrowded classrooms and ghost teachers continues unabated.

Health MEC, Dr Sibongiseni Dhlomo

Score: F

The single improvement from MEC Dhlomo this year lies in his attendance level at KZN Legislature Sittings. This as his Department verges on collapse and his now suspended HOD exposes his true leadership style, revealing that the MEC interferes in areas of Management that it is illegal for him to venture into.

In June the MEC was implicated as KZN's chief violator of human rights when the South African Human Rights Commission released its findings on the Oncology Crisis. Today there are still no full time state oncologists, nor is there any recruitment process in place to fill the HOD post in Oncology, oncology machines remain broken and - worst of all - the waiting time for cancer patients to receive treatment has increased to up to 9 months.

Then there are the patients who have gone deaf as a result of ototoxicity, a side-effect of TB treatment. This as a result of the non-availability of monitoring equipment and staff. This while state hospitals are falling apart and staff vacancies remain at an all-time high while there are fewer functional ambulances on the road than ever before – this was very obvious during the recent Durban storm when the ability to come to the fore when most needed was severely compromised.

The Department's irregular expenditure increased from R4.3 billion to R7.1 billion while fruitless and wasteful expenditure rose from R8.9 million to just short of R15 million during the last financial year. Medico-Legal Claims have soared to over R10billion and the reasons are obvious. The almost R1.5billion in accruals is an area to hide massive corruption.

MEC Dhlomo appears to be oblivious to the suffering of KZN's people – in particular cancer patients. Extending his tenure is only making matters worse. Last year's report card placed him as the lowest performing MEC in the province - a dubious honour he shares with Education MEC, Mthandeni Dlungwane this year.

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