



**rural development
& land reform**

Department:
Rural Development and Land Reform
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE DIRECTOR-GENERAL

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Dr Sean Phillips
Director-General
Department of Performance Monitoring and Evaluation

Dear Sean

**IMPLEMENTATION EVALUATION OF THE RESTITUTION PROGRAMME ON THE
NEP 2013/14**

I refer to your letter dated 7 March 2014 in the above regard.

I would like to thank you and your team for the support and collaboration on the implementation evaluation of the Restitution Programme. The Department as well as the Commission has taken the recommendations to heart and has committed themselves to attend to the recommendations and ensure improved processes and procedures by *inter alia* including some of the main recommendations in our Strategic Plan for 2014/19 and APP 2014/15.

As requested please find attached the management response for your consideration.

I will await further decision from your office on the plan going forward.

Kind regards

MR P M SHABANE

DIRECTOR GENERAL: RURAL DEVELOPMENT AND LAND REFORM

DATE: 16/04/2014


Cc Dr Tsakanai Ngomane: Outcome Facilitator for Outcome 7, DPME
Cc Dr Ian Goldman, Head: Evaluation and Research, DPME
Cc Ms Nomfundo Gobodo, CLCC, CRLR
Cc Ms Irene Sinovich, Chief Director, CRLR

Restitution Evaluation NEP 2013/14
Recommendations and management response

RECOMMENDATION FROM THE EVALUATION	RECORD OF AGREEMENT OR DISAGREEMENT	REASONS FOR DISAGREEMENT
<p>1. The clear definition of the function of the CRLR as an independent entity dedicated exclusively to the administration of the restitution process. The CRLR's role must be clarified to commence definitively with the lodgement of a claim and to end with the submission of its final settlement recommendation. It should be screened from any activities which are not core to its mandate.</p>	<p>Agree with recommendations, a process towards autonomy has already commenced and is included in the Strategic Plan 2014/19 and APP 2014/15 of the Commission.</p>	
<p>2. The definition of a detailed business process and its elaboration into Standard Operating Procedures which describe every step in the restitution process, and the roles and responsibilities of staff.</p>	<p>Agree with recommendations. This business process is aligned with the project management approach that has already commenced</p>	
<p>3. The rationalisation of all different existing management information systems (MIS) into a single, web-based system. The MIS should provide for the electronic management of every step in the business process and lay the basis for performance management and monitoring and evaluation (M&E).</p>	<p>Agree with recommendation. Data migration from LandBase to Uhmilaba Wethu has been restarted and should conclude by mid 2014.</p>	
<p>4. Provincial Restitution managers should be given responsibility (and budgets) for all non-capital aspects of their programmes.</p>	<p>Agree with reservations. All corporate support services such as HR and procurement is currently located within the PSSCs. Depending on the availability of financial resources, this can be fully assigned to Provincial Restitution managers should recommendation 1 be implemented fully.</p>	

RECOMMENDATION FROM THE EVALUATION	RECORD OF AGREEMENT OR DISAGREEMENT	REASONS FOR DISAGREEMENT
<p>5. Performance management systems should be put in place which manage and reward staff according to: the quality of research; adherence to agreed procedures and systems; the integrity of the claims process; the quality and the rate of settled claims. A competent and dedicated HR capacity should be established within the CRLR, independent of the DRDLR.</p>	<p>Agree with recommendation with reservations. A performance management system is in place; however it needs to be reassessed as to cater for the recommendations. Furthermore HR capacity dedicated to the CRLR will be an added advantage.</p>	
<p>6. The current M&E system should be broadened to measure intermediate outputs of the settlement process as well as qualitative aspects. It should be used to capture and communicate best practice.</p>	<p>Agree with recommendation. A new APP target was added for 2014/15 i.e. "Phased claims" to measure intermediate deliverables. We are also conducting an impact evaluation which will commence by mid 2014</p>	
<p>7. The budget for the Restitution Programme needs to be re-considered. In the recent years, the budget for the Restitution Programme has been reducing; impacting on the CRLR's ability to settle the outstanding claims. In line with this, should the second phase of restitution take place, the CRLR will require a greater operational budget than that which is currently available.</p>	<p>Agree with the recommendation National Treasury is doing a Performance and Expenditure Review and together with our inputs will form the basis for future negotiations.</p>	
<p>In terms of immediate priorities, three recommendations are made:</p>		
<p>a. The current filing system must be cleaned up and systematised. All future cases should be managed through the MIS, strictly in relation to the prescribed operating procedures and delegations.</p>	<p>Agree with recommendation. The revised file plan, policy and operating procedures have been drafted and will be work-shopped early in 2014/15 for internal and National Archives approval. This is also a key internal audit finding with concomitant management responses and deadlines.</p>	

RECOMMENDATION FROM THE EVALUATION	RECORD OF AGREEMENT OR DISAGREEMENT	REASONS FOR DISAGREEMENT
<p>b. All outstanding claims should be settled before any work begins on the processing of new claims.</p>	<p>Do not agree with recommendation</p>	<p>In terms of the Amendment Act, priority shall be given to outstanding claims, although it may not mean that they will all be settled before the commencement of the processing of new claims.</p> <p>Because of timelines involved and the fact that the Amendment will be effected this financial year the budget allocated to CRLR can only settle and finalise a number of claims as defined in our APP. Therefore it is highly unlikely that we will be in a position to finalise all outstanding claims. Furthermore the Amendment speaks to prioritisation of the current claims which will opportune the settling of new claims.</p>
<p>c. The operating procedures and MIS must be updated to reflect the criteria for new claims before any new claims are processed, and all necessary training of staff provided.</p>	<p>Agree with recommendation with the proviso as stated in 8b. above</p>	


MS N GOBODO
CHIEF LAND CLAIMS COMMISSIONER
DATE: 30/04/2014


MR PM SHABANE
DIRECTOR GENERAL: RURAL DEVELOPMENT AND LAND REFORM
DATE: 27/05/2014


 DG Signature