Province of the
EASTERN CAPE
COOPERATIVE GOVERNANCE
& TRADITIONAL AFFAIRS

POLICY GUIDELINES ON THE POLICY PROCESS

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Document Name	**Policy on the Policy Process**
Custodian	
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Date Completed	
Date of Approval	
Date Last Amended	
Related Policies	

SIGN OFF

1. Head of Department

This Policy on the Policy Process has been recommended by Ms G Gumbi-Masilela in my capacity as Head of Department for the Department of Cooperative Governance and Traditional Affairs.

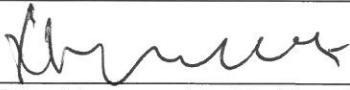I am satisfied and concur with the contents of this Policy.

The development of the policy on Recruitment and Selection will ensure the department is able exercise its powers in compliance with the law and guide decision- making in the department. This policy improvement is also part of our strategic thrust to remodel the Department's internal machinery and its productivity.

Recommended	
Designation	Head of Department
Date	22/5/19

2. Executive Authority

The Department of Cooperative Governance and Traditional Affairs has unprecedented opportunity to improve the lives of the staff by effectively rendering services that it is expected to provide. We have envisaged a Department that has the required capacity to respond adequately to challenges of its staff.

I therefore trust that the guidance from this Policy will contribute to the effective Recruitment and Selection in the department.

Signed	![signature]
Designation	MEC: Honourable X. Nqatha of Cooperative Governance and Traditional Affairs
Date	21/06/2019

1. Policy statement

The policy on the policy process of the Department of Cooperative Government and Traditional Affairs establishes a process to be followed when developing and/or reviewing policies of the department. The policy framework seeks to establish a consistent, coherent, and integrated framework to develop, monitor and evaluate policies of the department.

2. Purpose

The purpose of this policy is to:

2.1. Outline the processes to be followed when a new policy is to be developed or when an existing policy is being reviewed;

2.2. Describe the roles and responsibilities to be played by the various stakeholders in the policy process.

3. Scope

3.1. This policy is applicable to all policy formulation processes of the department including those relating to the support staff to the Member of Executive Council (MEC) and traditional institutions;

3.2. The provisions of this policy prescribe and apply to all policies of the Department.

4. Legislative framework

4.1. The policy seeks to promote the values and principles that should govern public administration as enshrined in Section 195 of the Constitution of the Republic of South Africa, 1996.

5. Guiding principles in the drafting of a policy

In drafting a policy, the following principles must be adhered to:

5.1. Any policy should be structured, drafted and presented in a way that makes the policy easy to understand, read and interpret;

5.2. It must be concise, and action-oriented, and must be written in a plain language that can readily be understood by the intended audience;

5.3. The content of the policy should be used in ways that promote effective communication so as to avoid ambiguity as a result of the internal inconsistencies in the language used.

5.4. Policies must be written in the present tense and active voice instead of passive voice and everyday words must be used.

5.5. The relevant provisions of the policy must be clear whether any matter or action prescribed is mandatory or discretionary by using words "must" or "may".

5.6. The presentation layout of a policy must be used to promote effective communication.

5.7. The layout must include the use of headings, tables of provisions, page headers, white space and typefaces.

5.8. Provisions in a policy should be numbered numerically.

5.9. The format of policies of the department must be in Arial 12 with 1.5 line spacing;

5.10. Policies must be reviewed at least once in five years or when the need arises.

6. Policy types

Policies of the department cut across two broad categories, namely:

6.1. Approved Policies affecting all employees and regulating the operations of the department;

6.2. Interim/ urgent policies that are created under urgent circumstances.

    6.2.1. In the case of Interim Policy decision, the MEC may approve any policy provided that:

        (a) The draft policy is recommended by the Head of Department or a person appointed to act on his/her behalf;

        (b) The draft policy is submitted in writing;

(c) The policy adoption process must thereafter be followed and the policy decision must be regarded as a policy developed.

(d) The policy decision may be amended at the final adoption stage.

7. Policy Initiator

7.1 The Chief Director/ General Manager and/or the Director in consultation with the Chief Director of the line function unit which requires and / or is instructed to develop a policy is the Policy Initiator unless :–

a) A specific Policy Initiator is appointed by the Head of Department in consultation Deputy Director-General of the relevant programme;

b) A task team is appointed to develop the policy and a Policy Initiator is appointed to lead the task team by the Head of Department in consultation with the DDG.

c) Where the Chief Director of that component exists, he or she will be part of the task team developing the policy.

d) For Directorates that are not under a Chief Director, the Director responsible for the work stream will be the Policy Initiator.

7.2 The Policy Initiator is responsible and accountable for the development and processing of the policy until adoption.

8. Reason/s to initiate policy development process

8.1 The issue or problem to be addressed should first be assessed and then it must be established to whom the issue or problem should be presented.

8.2 It must be considered whether the issue or problem can be addressed in other ways, for example by establishing clearer communication channels in terms of existing policies or by developing a policy or procedure at a lower level.

8.3 Some policies may be prescribed by legislation and therefore such policies must be developed as provided by legislation; for example, SCM policy.

8.4 To tighten controls and provide guidelines on processes and responsibilities.

9. Steps in the development of policies

When developing a new policy or reviewing an existing policy, the following steps should be observed:

9.1. Consultation

9.1.1 Once a need to develop a new policy or review an existing one has been established it must be determined which directorate will have jurisdiction over the proposed policy development so that they are the first to be consulted;

9.1.2 The draft policy must be circulated to management to solicit suggestions and advices;

9.1.3 It must further be determined who will be affected by the proposed policy or revision and who should assist in the development thereof;

9.1.4 All the affected must be consulted throughout the drafting process and their inputs and comments obtained;

9.1.5 A draft policy affecting employee conditions of services and work environment must be presented to management-labour forum meeting for consultation purposes;

9.1.6 If the policy directly affects the department's external stakeholders like municipalities or traditional leadership institution extensive consultation is required, and the Department may in appropriate circumstances include public hearings to get the inputs / comments on the proposed policy;

9.1.7 If the policy has financial implications, a thorough consultation with the Head of Department and Chief directorate of finance and supply chain management.

9.2. Final drafting

9.2.1 The Policy Initiator must consider all comments received during the formal consultation process and where necessary, effect the required changes or additions;

9.2.2 The Legal Advisor must consider the amendments and ensure that the draft policy is in correct format and language without changing the contents of the policy.

9.2.3 Legal Advisory Services must validate legal soundness of the policy before submission to the appropriate approval structures.

9.3. Submission and approval

9.3.1 The Policy initiator must submit the edited policy through a memorandum to the relevant DDG and HoD for recommendation to the Executive Authority;

9.3.2 The Executive Authority considers the policy together with the comments received during the consultation process before he/she may adopt, amend or reject the policy;

9.3.3 After approval by appropriate structures, the responsible directorate plan and implement broad communication and distribution of the new or revised policy;

9.3.4 The Head of Department/ the Accounting Officer and the Executive Authority must initial every page of the policy during approval.

10.   Policy Register and accessibility of the Policy

10.1. The Head of Department or a person delegated by HoD must develop and maintain a policy register wherein all policies of the department will be recorded;

10.2. The register must state the approval date and when the policy will be reviewed, if necessary;

10.3. The person delegated by HoD or a directorate responsible for policies of the department must design mechanisms to make policies accessible to all employees of the department.