

PROPOSING A FRAMEWORK FOR ENHANCING GOOD GOVERNANCE IN THE LIMPOPO PROVINCIAL GOVERNMENT: THE CASE OF THE DEPARTMENTS OF HEALTH AND EDUCATION

BY

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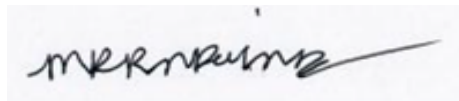
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DECLARATION

I, Nkwinika MKK (Student number: 23002595), herewith affirm that this research thesis - **PROPOSING A FRAMEWORK FOR ENHANCING GOOD GOVERNANCE IN THE LIMPOPO PROVINCIAL GOVERNMENT: THE CASE OF THE DEPARTMENTS OF HEALTH AND EDUCATION** - for the degree of Doctor of Administration at the Department of Public and Development Studies in the School of Management Sciences, at the University of Venda, is my own work, and it has not been submitted before for any degree at this or another University. In this regard, I fully understand the University of Venda's plagiarism policy. The sources used in this thesis are detailed in the reference section.



Signature: _____

Date: 30/05/2025

Nkwinika M.K.K

DEDICATION

This study is devoted to my late father, *Theron Mdu'nwazi Nkwinika*, who passed away in January 2018. He always encouraged me to equip myself with education that will assist in enhancing my knowledge and skills to ensure that I contribute to society, hence, leave a legacy for future generations. I also dedicate this research thesis to my late grandfather, *Jimmy Shandlale Chauke*, who met his death in 2013. I was doing my second year at the University of Limpopo then; he nurtured me to be the man I am today, with principles and ethics.

I also dedicate this study to my late uncle who died in 2008. I was only 16 years old when he died. I believe that he is smiling, in his eternal rest, at his first nephew with a certified and legal title of a “*Doctor*”, because when he passed on, I was not even in matric. Further, I also dedicate this study to my paternal late Aunt, *Diana Solana Nkwinika*, who met her death in 2015. She played a pivotal role when I passed my matric in 2011 by advising my late father to take to the University of my choice on the basis that I had passed matric with a bachelors.

I am a young activist and politician, apart from being a scholar and a professional practitioner in the Public Service attached to the local government sphere through the guidance of the late “*Nkwinika twins*”, namely, Cde Ben Nkwinika who was my paternal brother and Cde Joyce Nkwinika who was my paternal aunt; they both passed away in 2021. They contributed immensely to my political upbringing and ensured that I would become a politician, leader and an administrator with discipline, respect, dignity and able to always enhance my wisdom and knowledge. This is to enable me to overcome any storms or challenges, that may confront me or my family, with ease

The above-mentioned deceased relatives played a pivotal role in my childhood and adulthood too; in this regard, may they continue to rest in perfect peace. In peroration, I also devote this study to my spiritual home, the Evangelical Presbyterian Church of South Africa (EPCSA). It is a home where I get spiritual peace and comfort, a place of worship which I am proud to be part of.

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ABSTRACT

The aim of the research was to propose a framework for improving good governance within the Limpopo Provincial Government, specifically, in the Health and Education Departments. The investigation aimed to assess whether the existing policy framework supports good governance and is advantageous for government institutions, by strengthening the public administration ethos and advocating for best practices, to create a state that is effective, efficient, accountable, and transparent. The Office of the Auditor-General of South Africa (AGSA), in its national and provincial audit report for the 2021/2022 financial year, expressed concern over the high levels of corruption within the South African government. Additionally, the AGSA highlighted issues of ineffective governance and incompetence within the Limpopo Departments of Health and Education, which continue to receive qualified audit opinions and clearly show evidence of fruitless and irregular expenditure; consequently, the researcher chose these two departments as case studies. Financial challenges in government continue to be a concern, post the attainment of democracy in 1994. During the 2023 budget speech for Vote 5, the former MEC for the Provincial Treasury in Limpopo, Honourable Seaparo Sekoati, confirmed that both the Health and Education departments had received qualified audits for the 2021/2022 financial year. The research utilised a case study research design as its chosen methodology, hence, in the case study framework organised and structured the processes involved in data collection. This research employed a qualitative research approach, this approach proved effective as it enhanced understanding through an informative and naturalistic exploration of the topic under investigation. Participants were selected using purposive sampling to recruit individuals who can provide valuable insights necessary for the analysis and interpretation of data in this study. Purposive sampling intentionally selects individuals, groups, and organizations to provide critical information that might not be available from participants selected from other sampling methods. The study noted the non-adherence to the law, ineffective security systems in vetting of government employees, poor planning and coordination as well as lack of district and management support to be key factors that affects the state of governance in both the departments.

The study recommends that the Limpopo provincial government should draft a provincial policy that prevents the interference of the Premier, MECs, Director-Generals and HODs on programmes that do not require their personal participation, such as supply chain management processes, project management, and audit steering committees. The study also recommends that the upgrading of the security vetting system should be enhanced to detect any irregularities, such as fake qualifications, criminal records or dismissal records in respect of officials within the public service. Furthermore, the study also recommends that the two departments, Health and Education, need to consult with various stakeholders, such as the Department of Public Service and Administration and the National Treasury on whether, the Performance Management Policy can be amended to ensure that any employee who does not achieve his/her Key Performance Targets in the responsibilities assigned to him or her should be made to account to the employer. This will assist in addressing challenge of non-implementation of the departmental policies and other key legislations that seek to enhance good governance by intensifying service delivery in communities. This research is unique as it aims not only to articulate challenges to good governance but to also suggest a Framework that would enhance good governance in the public service with reference to the Limpopo provincial government.

KEY TERMS: Governance, Good governance, Ethics, Corruption, Policy, Framework, Public Service and Public Servant

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LIST OF ABBREVIATIONS AND ACRONYMS

Abbreviation / acronym	Description
ACDEG	African Charter on Democracy, Elections and Governance
ANC	African National Congress
AU	African Union
AG	Auditor-General
AGSA	Auditor-General of South Africa
APP	Annual Performance Plans
ASGISA	Accelerated and Shared-Growth Initiative for South Africa
CFO	Chief Financial Officer
COGTA	Co-operative Governance and Traditional Affairs
CoGHSTA	Co-operative Governance, Human Settlements and Traditional Affairs
DA	Democratic Alliance
DDM	District Development Model
DG	Director-General
DORA	Division of Revenue Act
DPSA	Department of Public Service and Administration
EFF	Economic Freedom Fighters
EIG	Education Infrastructure Grant
FIC	Financial Intelligence Centre
FY	Financial Year
GDP	Gross Domestic Product
GEAR	Growth, Employment and Redistribution
HOD	Head of Department

IEC	Independent Electoral Commission
JSC	Judicial Service Commission
LDP	Limpopo Development Plan
MEC	Member of the Executive Committee
MMS	Middle Management Service
MTSF	Medium-Term Strategic Framework
NACH	National Anti-Corruption Hotline
NACS	National Anti-Corruption Strategy
NCOP	National Council of Provinces
NDP	National Development Plan
NHA	National Health Act
NPA	National Prosecuting Authority
OAU	Organisation of African Unity
PFMA	Public Finance Management Act
POPIA	Protection of Personal Information Act
PP	Public Protector
PPE	Personal Protective Equipment
PSC	Public Service Commission
PSTT	Public Service Task Team
RDP	Reconstruction Development Programme
RSA	Republic of South Africa
SDG	Sustainable Development Goals
SAPS	South African Police Service
SCM	Supply Chain Management

SCOPA	Standing Committee of Public Accounts
SGB	School Governing Body
SMS	Senior Management Service
SIU	Special Investigating Unit
SONA	State of the National Address
SOPA	State of the Provincial Address
VBS	Venda Building Society

CHAPTER ONE

INTRODUCTION AND BACKGROUND OF THE STUDY

1.1. INTRODUCTION

The aim of this study was to design a framework to enhance good governance within the Limpopo Provincial Government. The researcher concentrated on the departments of Health and Education as a case for analysis and the proposed frameworks. Since the onset of South Africa's democratic transition in 1994, the pursuit of good governance has faced various challenges, mainly concerning the improvement of governance in governmental operations. The ideas of good governance and service delivery have become global issues linked to the growing responsibilities of public service and the ethical management of affairs.

Delphus (2020) argues that good governance is crucial for creating mechanisms and internal structures that act as safeguards against unethical practices, scandals, and different types of crime. Modise & Modise (2023) state that adopting a good governance approach is vital for ensuring that the processes of decision-making and policy formulation are executed transparently and fairly, which fosters accountability. Good governance comprises a legitimate, efficient, and effective framework for executing public policy, enabling government institutions to be adequately supported with robust governance strategies and systems.

This chapter will include an introduction to the study, its background, and rationale, as well as the problem statement, the study's objectives, aims, and research questions. The theoretical framework underpinning this study, significance of the study was also discussed in this study. In addition, the limitations and delimitations surrounding the study, a conceptualisation of the operational terms of the study and the organisation of the whole study was also offered in this chapter.

1.2. BACKGROUND AND RATIONALE OF THE STUDY

Many studies have investigated how ineffective governance is hampering service delivery. This research is unique as it aims not only to articulate challenges to good governance but to also suggest a framework that would enhance good governance within the Limpopo Provincial Government. The significance of this study, hence, is in its offering of a framework meant to strengthen good governance in governmental bodies and institutions, thereby, making a notable contribution to policy. This process, as it is anticipated, will ensure that the current framework is assessed and refined to advance good governance.

The study specifically selected two departments from the Limpopo provincial government, as they are the largest recipients of the provincial budget. The Limpopo Provincial Treasury presented its budget speech for Vote 5 on April 4, 2023, where the Member of the Executive Council (MEC) for Treasury announced that the Education Department has been allocated R38.1 billion, and the Health Department is granted R23.7 billion for the 2023/24 financial year, although, these Departments have been accused of corruption over the past five financial years. During the same budget speech, the former MEC for the Provincial Treasury in Limpopo, Honourable Seaparo Sekoati, highlighted that both these departments had received qualified audits for the 2021/22 financial year.

According to Thokoa, Naidoo and Herbst (2022), a “qualified audit report” with reference to government is an audit opinion instituted by external auditors, such as the Auditor-General of South Africa (AGSA) which produce a report that, although, most matters have been dealt with adequately within an institution, however, certain areas need to be rectified and attended to, for compliance. In most instances a qualified audit report is awarded to an institution when there is a limitation in the scope in the auditor’s work, as well as when there is disagreement with management regarding application, acceptability, or adequacy of accounting practices and relevant legislative prescripts.

Mbandlwa (2022) notes that an “unqualified audit report” is one in which the external auditors have concluded that the financial statements of a particular government institution present fairly its affairs in all material aspects. The opinion embodies the assumptions that government institutions should comply with generally accepted accounting principles and statutory requirements. The enhancement of an unqualified audit opinion leads towards clean audit report.

In South Africa, narratives about service delivery are commonly characterised by insufficient monitoring and evaluation, poor governance, frequent occurrences of corruption and fraud, and the slow pace of the provision of rudimentary services, which all result in poor governance and citizen dissatisfaction. The traditional and common interpretation of service delivery is mainly the distribution of services, such as water and electricity, to communities (Nkwinika, 2021).

Section 34 of the Prevention and Combating of Corruption Activities Act (No. 12 of 2004) requires that procedures for senior management service (SMS) officials be improved to effectively address, investigate, and report corrupt practices to law enforcement bodies, thereby starting legal actions that will assist in resolving them. Chapter 2 of this Act outlines comprehensive details regarding corruption and misconduct associated with senior officials in the South African public sector. Shava and Mazenda (2021) note that South African government institutions have a constitutional obligation to investigate unethical conduct within the public service. Additionally, they hold a crucial duty to foster awareness and educate staff about good governance, which has significant potential to reduce corruption through preventive measures. A deficiency in awareness and outreach programs focusing on good governance to combat unethical behavior, can negatively impact the execution of educational and awareness initiatives, ultimately leading to the ineffectiveness of such programs.

Mamokhere (2022) argues that poor governance significantly contributes to communities being deprived of essential services, which exacerbates challenges for public service users. Ineffective governance can also lead to instability in the public service, resulting in high unemployment rates and financial hardships while also undermining the value of education. The failure of governance systems and mechanisms aimed at prioritizing service delivery can result in unfavorable audit outcomes, such as adverse or disclaimer audit opinions. Nevertheless, governmental internal systems play a crucial role in enhancing effective administration through adherence to good governance principles.

Koto and Kanjere (2021) contend that self-interested individuals drive unethical behavior within the public sector, through misusing public resources intended for economic development, poverty reduction, and the achievement of specific objectives. The presence of unethical practices and societal issues like fraud and corruption hampers the distribution of essential services to communities. If the root causes of unethical behavior are not addressed, it will lead to non-compliance, causing bad governance to become normalised within public service thereby, fostering a culture that condones unethical practices, such as money laundering and corruption, which is increasingly becoming an accepted practice in the public sector.

Phahlane (2021) indicates that unethical behavior such as corruption has reached epidemic levels in South Africa and is detrimental to the economy's performance. The National Anti-Corruption Strategy (NACS) was created to establish an effective and transparent governance framework that aims to foster an environment intolerant of unethical conduct, rather, emphasising values like integrity, transparency, accountability, respect for legal prescripts, and a rejection of poor governance. These are in alignment with the goals set out in the National Development Plan (NDP) 2030 and South Africa's international and regional commitments. The advancement of anti-corruption initiatives across various sectors of government institutions is essential to improve governance within these entities and to help achieve the vision of a corruption-free South Africa as outlined in the National Development Plan (NDP) 2030.

1.3. PROBLEM STATEMENT

Unethical behavior within government institutions is a global crisis, particularly in developing economies, such as South Africa. In South Africa, ineffective governance is frequently reported and is a significant driver of corruption and misconduct. Numerous senior public officials have been implicated in corrupt activities, however, due to bureaucratic delays within the judiciary and law enforcement agencies, only a few have faced prosecution (Koto & Kanjere, 2021). According to Denters, Ginther and De Waart (2023), the idea of good governance was primarily introduced to address the problems of uneven economic growth globally and initially focused mainly on economic and technical aspects. The discourse surrounding governance effectiveness arose as a reaction to the weakened and inefficient bureaucratic structures in developing countries that qualified for financial aid.

The Department of Education in the Limpopo Province had allegations of bribery leveled against it, between the period of 2022/23 FY and the current financial year of 2023/24 FY, on the issue of enrolment of school children in public schools. The awarding of contracts for feeding schemes is another thorny issue wherein some people accused senior officials in the department of requesting *cold drink*, which is a traditional phenomenon for *bribes*, to facilitate the process of awarding contracts to those who bid for the feeding scheme tender <https://www.edu.limpopo.gov.za> (31 June 2023).

The Member of the Executive Council (MEC), Mavhungu Lerule-Ramakhanya of Education in Limpopo province during the departmental budget in 2024, noted that the Department has reinforced its departmental internal and risk audit committee, which will also deal with any element of maladministration and unethical practice.

The Limpopo Department of Health was embroiled in a corruption scandal of personal protective equipment (PPE) during COVID-19. The department approximately lost about R182 million in irregular and/or fruitless and wasteful expenditure. To this end, the MEC of Health in Limpopo province, Dieketseng Mashego revitalized the departmental Anti-Corruption Task Team in October 2024 which intends to investigate and curb unethical practice in the department.

This study differs from the previous studies that also focused on good governance because this study focuses on enhancing the current existing framework that underpins good governance in the public service with reference to the Limpopo provincial government, whilst most studies focused on exploring monitoring and evaluation within the context of good governance.

Having noted the challenges mentioned above, there is a need to enhance the current existing frameworks to ensure that unethical behaviour within government institutions is addressed by instilling ethics which will in turn promote effective governance and internal control systems.

1.4. AIM OF THE STUDY

The purpose of this study was to analyse the extent of unethical behaviors, such as corruption, within the Limpopo departments of Health and Education and then develop a framework to improve good governance within these departments.

1.5. RESEARCH OBJECTIVES

As highlighted by Mboweni (2020), a research objective is a comprehensive statement that outlines key issues to concentrate on within a research initiative. Typically, research projects will have multiple specific objectives.

The study's objectives include:

- To analyse the extent of unethical behaviors, such as corruption, within the Limpopo departments of Health and Education.
- To investigate the constitutional, legislative, and policy frameworks that support good governance in the South African public service in general, and specifically in the Limpopo public service.
- To explore the implications of unethical leadership on service delivery in Limpopo provincial government.
- To explore the institutional bodies that combat bad governance in Limpopo provincial government.

- To determine if there are any challenges that need to be addressed in the existing constitutional, legislative and policy frameworks that underpin good governance in the public service.

1.6. RESEARCH QUESTIONS

Research questions in the context of a research project is a method that seeks to respond to the aims and objectives of the study, where the fundamental issues that the research project seeks to examine, analyse and investigate are stated in the form of questions (Purvis, Nicholas & Tai, 2024).

The research questions for this study are as follows:

- What is the level of corruption in Limpopo departments of Health and Education?
- What is the constitutional, legislative and policy frameworks underpinning good governance in Limpopo public service?
- What are the implications of unethical leadership on service delivery in Limpopo provincial government?
- What are the institutional bodies that combat bad governance in Limpopo provincial government?
- Are there any challenges that need to be addressed in the current constitutional, legislative and policy frameworks, that underpin good governance in the public service?

1.7. THEORETICAL FRAMEWORK

An effective way to understand good governance is through the lens of internal systems which have been overlooked by individuals who lack the moral principles essential for fulfilling their official duties. Poor governance frequently leads to corruption, which inevitably breaches the ethical standards designed to uphold responsible conduct. Every authority's obligation, whether it belongs to government institutions or the corporate sector, is founded on ethics, which serve to regulate behavior. Numerous theories within Public Administration address unethical behavior, however, this analysis will focus on Public Choice Theory and Governance Theory due to their relevance to the topic.

1.7.1. Public Choice Theory

Public choice theory, as described by Schuster (2018), is an economic framework that emerged after World War II to tackle political conflicts by suggesting ways to enhance the global economic structure. It became well-known in the United States during the 1950s and spread to Europe and Japan in the 1970s.

Ericksson (2022) explains public choice theory as empowering citizens by allowing them to engage and influence their society. This theory asserts that the population determines how governments make their decisions and is crucial in fostering public involvement in the governmental policy-making process (Ericksson, 2022). It encourages the populace to participate in elections to promote economic stability. According to Mbaku (2020), the theory provides a clear understanding of corruption, and it creates a platform to analyse consequence management, hence, most anti-corruption laws are enacted with sanctions for non-compliance. The public choice theory is relevant in this study as it is concerned with corrupt public servants and political office bearers who attempt to make the most of their positions through unethical conduct. The South African public sector has adhered to the traditional hierarchical bureaucracy proposed by Weber, for many years (Lane, 2000).

The public choice theory is pivotal in enhancing governance, promoting accountability, and boosting transparency to combat corruption (Delphus, 2020). This theory posits that public officials, regardless of their rank, ought to prioritize the interests of the public above their own personal gain, by comprehensively elaborating the role of bureaucrats in government (Schuster (2018). Olujobi and Olujobi (2020) note that Buchanan, J.M., an American economist, was awarded the Nobel Prize in Economics in 1986 for his contributions to public choice theory, which employs economic principles to analyze the actions of voters and public officials.

The central premise of public choice theory is on ethical conduct and governmental operations through a transparent and accountable framework that aims to deliver services to beneficiaries in fair and lawful ways. Public choice theory is fundamental in creating programs in government institutions that are cost-effective for society, involving communities, markets, and industrialization (Dinca, Dinca, Negri & Barbuta, 2021). The theory is vital in discussions of public administration because it promotes participatory democracy, which is a fundamental principle of good governance, thereby, facilitating community engagement in articulating perspectives on decision-making and policy formulation.

1.7.2. Good Governance Theory

According to Ansell and Torfing (2022), the good governance theory is significant in ensuring the drafting of clear policies that will address the socio-economic challenges of South Africa and the globe. Good policies in public service contribute immensely towards economic growth, which in turn enhances good governance. The authors deduce that the main goal of any government is to build a capable state that will be able to create jobs, quality health and education systems and economic opportunities.

The government also aims to strive for quality life for every citizen, therefore the former must identify specific service delivery needs which can be implemented, which in turn will contribute to ensure that articulated goals are realised (Maela and Selepe, 2023). According to Chen, Tong, Tang and Han (2022), the theory of good governance establishes foundational principles and methods for the execution of the government institutions coordinated in a manner where best practices are adhered too, with the intention to deliver services to communities. Hanania (2021) argues that good governance theory plays a pivotal role in the public sector by enhancing planning and development efforts. It is evident that today's government system is not solely focused on productivity, but also on accountability and transparency, between the state and its populace.

Svara (2021) views good governance theory as a key political theory designed to foster ethical values within public institutions. Additionally, the author asserts that the effectiveness and significance of the governance theory hinge on the populace having sufficient political power to engage in elections, policy formulation, and administration, contributing to the establishment of a competent and progressive state authority and order.

Ekundayo (2017) argues that good governance theory pertains to how society perceives its members as citizens, rather than as clients or consumers, with the constitutional right to hold the government accountable for any misconduct. Government encompasses all three levels (Local, Provincial, and National) and the branches of government (Executive, Parliament, and the Judiciary). This theory is crucial for obtaining a comprehensive understanding of the principles that enforce best practices and ethical norms and standards in government, and in this case, concerning the Limpopo provincial government.

The lack of accountability and transparent systems in government may significantly contribute to poor governance, causing government employees to feel less obligated to those they serve, resulting in diminished pressure to justify their actions (Ricci, 2023). Any lack of administrative and political oversight in government can create an environment where numerous political officeholders may stray from the mandates given by voters, leading to a disconnect between some politicians and their responsibilities.

The primary objective of this theory is to promote good governance and implement programs in public service to combat corruption, however, this model does not outline how it will monitor and assess the rendering of public service in a climate of corruption, consequently, it is crucial to make sure that a strategy for enabling administrative oversight to control corruption levels in state institutions is realised.

Chapter 9 of the Constitution of the Republic of South Africa, 1996, established various state entities in South Africa to support constitutional democracy. These entities are appointed and accountable solely to Parliament and they operate independently, however, the government maintains an oversight role regarding the Chapter 9 institutions to ensure that they comply with their mandates.

Upon analysing the two theories mentioned earlier, the research will utilize both public choice theory and the governance model, as they align most closely with the aims of the study, which is to suggest a framework for ensuring good governance within the Limpopo provincial government, particularly, within the Health and Education department.

1.8. SIGNIFICANCE OF STUDY

As noted by Stillman (2020), the significance of a study pertains to its anticipated value, impact, and influence on stakeholders and in this case, it will be Public Administration as well as related fields of study. This research aims to enhance the current frameworks surrounding good governance within governmental institutions and entities.

The study will extend knowledge within the field of Public Administration and Social Sciences. The findings of the study will assist future researchers, to provide in-depth insights into good governance, for although there is plethora of studies on governance and good governance, however a gap still exists between knowledge and the application of the current legislative and policy frameworks that underpin good governance. For that purpose, more research and theories on good governance still need to be conceptualised in attempts to enhance good governance. This study will help public servants identify characteristics linked to unethical practices and enable them to address these concerns through appropriate methods that would advance good governance in Limpopo Province since ineffective governance has negatively impacted service delivery in local communities.

The study will enhance the understanding within the South African public service, ultimately cultivating the spirit of ethical leadership to foster good governance and establish a functional and effective government.

Public servants need to recognise that public administration is a domain that necessitates ethical conduct and professionalism in government institutions to cultivate a capable and developmental state that significantly contributes to effective, efficient, and economical governance. Achieving good governance will help mitigate the number of state departments still receiving qualified, adverse audit opinions, moving them towards obtaining unqualified and clean audits.

The findings of this study will greatly support future researchers investigating the concept of good governance within the Limpopo provincial government. By enhancing good governance, services for communities will be provided effectively, and efficiently. The findings will promote ethical practices, through in-depth analysis of ethics, and the critical role ethical leadership plays in reinforcing good governance.

The results of this study will help public servants identify characteristics linked to unethical practices and enable them to address these concerns through appropriate methods that would advance good governance in Limpopo Province since ineffective governance has negatively impacted service delivery in local communities.

1.9. LIMITATION OF THE STUDY

The process to obtain permission for conducting research and gathering data from the Limpopo Department of Education was completed in a month or less. Additionally, the participants from the Limpopo Department of Education were generally cooperative. The researcher, however, faced some delays with the Limpopo Department of Health. It took approximately two months to get approval to conduct the research and to start collecting data from the Limpopo Department of Health.

The researcher encountered various challenges with some employees demonstrating a lack of interest in participating in the study, which slowed down the data collection process and, consequently, the analysis and interpretation of the findings.

1.10. DELIMITATION OF THE STUDY

South Africa is made up of nine provinces, however, this research focused specifically on the departments of Health and Education within Limpopo Province, South Africa. For comparative analysis, the study will also include an examination of poor governance within other spheres of government (local and national). The study specifically focused on employees within the public service, particularly in the Limpopo departments of Health and Education. The main goal of this research is to propose a framework aimed at improving good governance in the Limpopo provincial government.

1.11. CONCEPTUALISATION OF KEY OPERATIONAL TERMS

This section provides an in-depth understanding of the essential concepts that will be employed in this research. The concepts include - governance, good governance, ethics, corruption, policy, public service, public servants, and framework.

1.11.1. Governance

According to Delphus (2020), governance refers to the systems and legal frameworks implemented within institutions that ensure the citizens of a country can manage their economic, political, and social matters through active community participation.

Public engagement enables the citizenry to collaborate with the government in developing solutions for policy initiatives aimed at delivering services to the population in an effective and transparent manner. This study defines governance - as the structures, systems, and laws established to fulfill governmental responsibilities and to ensure that services are provided to those who need them.

1.11.2. Good Governance

Effective governance is characterized by institutions that are efficient, functional, and accountable, recognized by society as legitimate, and through which individuals engage in decision-making that enhances the social and economic wellbeing of the community (Nelson, 2016). Singo, Mafunisa, and Vermaak (2022) assert that good governance requires effective internal systems that are essential for tackling socio-economic issues.

The authors add that the concept of good governance has gained traction in both developing and developed countries and can foster respect for human rights and uphold ethical standards in various institutions. Public engagement is the cornerstone of good governance and bolsters citizens' confidence in the government (Mathebula, 2018). In this study, good governance is defined as ethical and transparent operational system within government, across all levels and branches of governance.

1.11.3. Ethics

Ethics involves the principles that guide human behavior, to assist in distinguishing between right and wrong, moral, and immoral behaviour (Gildenhuys, 2004). Hondeghem (1998) argues that ethics refers to the morals and principles that should be applied in a clear and fair manner when implementing policies in any organization, be it public or private. This study characterises ethics - as the principles employed by individuals, within any organization to maintain integrity, accountability, responsibility, and trustworthiness in delivering services to communities.

1.11.4. Corruption

According to Myint (2000), corruption involves the misuse of authority granted to a public official through manipulating governmental and corporate systems for personal gain instead of ensuring that communities receive their due services. Building on this definition, Manyaka and Nkuna (2014) describe unethical practices that can lead to corruption, which in turn gives rise to bribery, extortion, fraud, and nepotism.

The Auditor-General and the Public Protector traditionally view corruption as reprehensible behavior. Corruption is likened to a disease for which there is no definitive cure, but it can be managed with treatment. Its detrimental effects on public services can severely harm the economy and contribute to socio-economic issues, such as poverty and unemployment. For the purposes of this study, corruption is understood as - dishonest actions by individuals in public office aimed at circumventing, for personal gain, internal systems are designed to enforce government policies and achieve institutional goals.

1.11.5. Policy

As stated by Ward, Lumby, Bagley, Hamilton, Woods, and Roberts (2016), policy represents an expression of intention that governs the implementation of goals and objectives to guarantee that service delivery is provided ethically. Cerna (2013) posits that policy is also defined by public and social matters; thus, it is the state's responsibility to formulate and assess policies in governmental institutions and entities to tackle socio-economic issues. A policy acts as a guiding framework that outlines the processes and procedures necessary to ensure the effective, economical, and efficient attainment of an institution's primary objectives and goals.

In the context of this study, policy is described - as a strategic plan that includes the delivery targets, goals, procedures for managing consequences, and a budget that supports an institution's efforts to achieve a specific aim. A policy is a formal document that is obligatory for all users, whether they are the policy creators or the recipients.

1.11.6. Framework

Connell (2016) refers to a framework as a conceptual document that provides legal assistance for performing and implementing activities within an organization. A framework serves as a supportive structure or guideline that improves and advances a process, turning the framework into a functional entity.

In the realm of a government, a framework is fundamental because it outlines the processes and mandates the government should follow to ensure that services are provided successfully and effectively to the communities they serve. This study defines a framework - as a monitoring tool that delivers administrative and technical guidance for executing functions, implementing institutional plans and the resources allocated to ensure that targeted deliverables are met.

1.11.7. Public Service

The Public Service is the regulatory body of government, which has constitutional and legislative mandates to implement government programmes (Rosenbloom, Kravohuk and Clerkin (2022). The primary framework for the public service is shaped by the Public Service Act, 1994 (Act No. 103 of 1994) and the Public Finance Management Act (No. 1 of 1999). These Acts guide the management of state affairs to provide services in society promptly and ultimately contribute towards improving the internal control system in government. Agostino, Saliterer and Steccolini (2021) explain that the public service delivers services to the people, and it depends on public servants in implementing government policies, programmes, and projects. Government delivers services like education, health, safety, transport, water, electricity, welfare, and housing, waste removal and transportation, on a massive scale.

1.11.8. Public Servant

Mojapelo, Modiba and Saurombe (2023), conceptualise a public servant as one who is employed by a government institution to provide service delivery. The authors continue that a public servant may also be politicians deployed by their political parties to serve in government institutions as office bearers. Political office bearers are traditionally known as Ministers, Deputy Ministers, Premiers, MEC's and Mayors.

According to Thornhill (2005), the roles of political office bearers and appointed officials have been studied and described since Woodrow Wilson's famous article was published in 1887. The relationship between, for example, a minister and the managerial cadre of a department is probably one of the most complex issues related to the public sector operations.

Thornhill (2005) add that the main role of political office bearers is to ensure that they implement the manifesto of the ruling party in various government institutions; for example, an African National Congress (ANC) employees in government, are expected to discharge political oversight in their area of work to ensure that the manifesto of the ANC is realized. Similarly, the Democratic Alliance (DA) implements its manifesto in the Western Cape provincial government, as well as the Economic Freedom Fighters (EFF), in municipalities, hoping to have majority of seats in council.

For Lukhele (2022), the core function of government employees is simply to serve the public. They are tasked with delivering public services and programs, guided by policy procedures, and offering evidence-based recommendations to political leaders. Public servants face significant responsibilities and are crucial in enabling basic services such as water and electricity to be offered to society. Additionally, Lukhele (2022) states that public servants must ensure they do not carry out any unlawful actions in their duties, regardless of whether such decisions originate from a Minister, Deputy Minister, Director-General, or any senior government official. The Public Service Regulation (11b) of 2016 requires public servants to comply with the Constitution and other laws of the Republic, thus, they must prioritize public interest when fulfilling their official responsibilities.

1.14. ORGANISATION OF THE STUDY

This study has seven chapters as follows:

Chapter One: Introduction and background to the study

Chapter One provides the introduction and background of the study, the aim and objective of the study, research questions, the significance of the study as well a conceptualisation of key operational terms.

Chapter Two: Theoretical framework underpinning good governance

This chapter presents the theoretical framework underpinning good governance. The public service, in South Africa, has, since the dawn of democracy in 1994, prioritised programmes that promote good governance and ethical behaviour.

Chapter Three: Constitutional, legislative and policy frameworks to enhance good governance

This chapter outlines the foundations of effective governance. The discussions focus on the constitutional, legislative, and policy frameworks that champion good governance within the South African public service.

The legislative and policy frameworks play crucial roles in fostering good governance as it directs government on the implementation of programs by public servants to guarantee that service delivery is achieved in communities.

Chapter Four: Institutional bodies for combating bad governance in the public service

In this chapter, institutional entities aimed at addressing poor governance within the public service. Additionally, it highlights the primary roles and duties of the Departments of Health and Education, in South Africa in terms of servicing the community. The chapter also introduces the institutional bodies that foster good governance in the public sector and examines reforms in public administration, within the public service.

Chapter Five: Research design and methodology

This chapter will outline the research's methodological approach, explaining various aspects undertaken in, for example, selecting participants and analysing the collected data.

Chapter Six: Data presentation, analysis, and interpretations

Chapter six will focus on the interpretation of the data collected by utilising thematic analysis for the evaluation. The main aim of this section is to understand the data acquired from the participants.

Chapter Seven: Recommendations and Conclusions of the study

This chapter provides conclusions and suggestions based on the research findings and interpretations as well provide recommendations for future studies intended to promote good governance. This chapter will also evaluate the existing framework for good governance within the Limpopo provincial government of South Africa and introduce a new framework that seeks to reinforce good governance in the public sector.

1.15. CONCLUSION

This chapter has provided the background and justification for the research; the problem statement that prompted the initiation of this study; the study's aim, along with its research objectives and questions. The theoretical framework - good governance theory and public choice theory - were chosen for their relevance to the study's objectives as the researcher aims to propose a framework for good governance within the Limpopo provincial government, specifically concerning the Health and Education departments. Further, this chapter reviewed various existing literature pertinent to the study, which will be elaborated on in the literature review chapter. The study's significance was also emphasized, and key operational terms were defined, within the context of this research.

CHAPTER TWO

THEORETICAL FRAMEWORK UNDERPINNING GOOD GOVERNANCE

2.1. INTRODUCTION

The purpose of this study is to propose a framework aimed at improving the current existing frameworks that underpin good governance within the Limpopo provincial government, focusing particularly on the Health and Education departments.

This chapter outlines the theoretical foundation supporting good governance; since the establishment of democracy in 1994, the public service has consistently prioritized initiatives aimed at promoting good governance. Good governance involves functional internal systems that are both effective and efficient. Further it adds value in enforcing government priorities and plans to tackle socio-economic issues. This chapter will discuss the symptoms of poor governance, followed by an exploration of the African charter, which emphasizes democracy, elections, and governance, highlighting its significance for good governance. Additionally, the discussions will focus on relevant theories associated with good governance and the final sections will summarise the consequences of unethical leadership on good governance and service delivery.

2.2. THEORIES UNDERPINNING GOOD GOVERNANCE

This section outlines the public choice theory and governance theory within Public Administration, which support the concept of good governance. There are numerous theories in Public Administration that emphasize good governance, however, this study will focus only on the theories mentioned above. A key perspective on good governance is that it falters when individuals lacking moral principles disregard the internal systems that dictate their official responsibilities. Poor governance frequently leads to corruption, which often results in breaches of the ethical codes designed to ensure responsible behavior in authorized roles. Every role held by officials, whether in government institutions, agencies, or the corporate world, is bound by ethical standards that serve to guide their conduct.

2.2.1. Public Choice Theory

The political economy literature, which started to take shape in the late 1970s, is fundamentally based on public choice theory (Johnson, 2014). Emerging as a separate field within economics, the public choice theory has been essential in guiding governments to enact initiatives that economically empower communities. As noted by Schuster (2018), the theory originated in the post-World War II period to tackle political disagreements by suggesting ways to improve the global economic system. It gained popularity in the United States in the 1950s and subsequently spread to Europe and Japan during the 1970s.

As noted by Jolande (2017), the public choice theory allows citizens to actively engage and make influential decisions within society. This theory asserts that the populace has a say in how government decisions are processed and is vital in promoting societal participation in the governmental policy-making process (Jolande, 2017). It also encourages citizens to vote in elections to maintain economic stability.

The public choice theory is essential for promoting good governance and ensuring accountability and transparency to fight corruption and that both junior and senior public officials should act in ways that prioritize public interest over their personal gain (Delphus, 2020). Schuster (2018) explains that the theory examines the role of bureaucrats within the government. According to Olujobi and Olujobi (2020), J.M. Buchanan, an American economist who won the Nobel Prize in Economics in 1986, significantly contributed to public choice theory by utilizing economics to study the behaviors of voters and public officials.

Mbaku (2020) argues that the theory offers valuable insights into corruption and establishes a framework for consequence management, leading to the establishment of most anti-corruption laws with penalties for non-compliance. In relation to this study, public choice theory is pertinent because it addresses corrupt public officials and politicians who seek to maximize their gains through unethical behavior, holding them accountable for their actions.

The emphasis of public choice theory lies on ethical behavior and governmental processes through transparent and accountable systems designed to equitably provide services, to recipients in line with established laws (Dinca, Dinca, Negri, and Barbuta, 2021). The theory is fundamental in promoting participatory democracy, a key principle of good governance, hence, it encourages community engagement to enable society to express their views on decision-making and policy formulation.

2.2.2. Good Governance Theory

According to Munzhedzi and Makwembere (2019), good governance includes efficient and cost-effective internal systems and processes designed to improve government efficiency and productivity in delivering essential services to local communities. They conclude that good governance significantly influences the use of political authority and state resources, as well as community involvement in tackling the mismanagement of resources.

Nzimakwe (2005), notes the good governance theory as being significant in ensuring the drafting of clear policies that will address the socio-economic challenges of South Africa and the globe; good policies in the public service contribute immensely towards economic growth, which in turn enhances good governance. The author asserts that the main goal of any government is to build a capable state that will be able to create jobs, quality health and education system and economic opportunities. A government also aims to strive for quality life for every citizen, therefore, the government must identify specific service delivery needs which can be implemented, which in turn will contribute to the goals being realised (Maela and Selepe, 2023).

The principles and techniques outlined in governance theory are crucial for overseeing state institutions, through a transparent, accountable, efficient, and economical points of view, with the goal of improving service delivery to communities (Ekundayo, 2017). Jolande (2017) contends that governance models provide significant advantages to the public sector through efficient planning and development.

It is apparent that the current governmental framework, in South Africa, encompasses not just productivity but also accountability and transparency between the government and its citizens.

Keping (2017) states that good governance theory is key in the public service through its execution of public administration, as it underscores the significance of public involvement in elections, policy formulation, administration, and oversight to guarantee effective and efficient service delivery. Additionally, the author points out that democracy serves as the only feasible method to protect equal and free political power belonging to citizens, thus, good governance is intrinsically linked to democracy.

Achieving good governance is only possible within a free and democratic political environment, as it cannot operate without freedom and democracy. Good governance extends beyond the confines of the State; it is also essential for businesses, communities, regions, states, and the global community.

Keping (2017) argues that good governance theory has emerged as the principal political theory aimed at fostering ethical values within public institutions. For good governance theory to be effective and significant, it is essential that individuals possess sufficient political power to engage in elections, policymaking, and administration, thereby, helping to create a capable and developmental state that adheres to public authority and order (Keping, 2017).

Ekundayo (2017) explicates that good governance theory focuses on how society perceives its members as citizens instead of being mere clients or consumers, who hold the constitutional right to demand accountability from the government for any misconduct. Government encompasses all three tiers (local, provincial, and national) as well as the branches of government (executive, parliament, and judiciary). This theory is crucial for gaining a thorough understanding of the principles that contribute to the improvement of good governance in the context of the Limpopo provincial government.

The governance model, established by Dominion in 1999, states that corruption can diminish governance capacity, which subsequently leads to increased poverty. This theory is pertinent to the study as it examines how best practices in public service are undermined by corruption, ultimately hindering the delivery of government services. The governance model plays a vital role in fostering trust and confidence in both the public and the government itself. However, corruption undermines this trust and confidence between the citizens and the government.

The primary objective of this model is to promote good governance regarding how the government addresses corruption within public service. However, the model lacks specific methods for monitoring and evaluating public service corruption. Incorporating a monitoring and evaluation strategy, thus, is crucial for managing corruption levels in state institutions. Chapter Nine (9) of the Constitution of the Republic of South Africa, 1996, established state institutions, aimed at advancing constitutional democracy; these entities are appointed by Parliament. Chapter 9 institutions operate independently and are accountable solely to Parliament, however, the government plays an oversight role to ensure these institutions adhere to their mandates as outlined in the Constitution of the Republic of South Africa.

These two theories underpin this study due to their direct relevance to the study's objective. The research aims to present a framework for improving good governance within the Limpopo provincial government, specifically in the departments of Health and Education.

Public choice theory is essential for ensuring that society is involved in policymaking and decision-making in public service. This theory enables one to anticipate the outcomes of corruption, as most anti-corruption legislation includes penalties for non-compliance. Additionally, the theory of good governance has the potential to ensure that effectiveness and efficiency play crucial roles in bolstering economic growth through public service institutions, therefore, it is for these reasons mentioned above that the study incorporates both public choice theory and good governance theory.

2.3. MANIFESTATION OF BAD GOVERNANCE

This section outlines the signs of poor governance. The public sector is encountering significant issues, particularly concerning unethical behavior among majority of senior public servants and political office holders (AGSA, 2020). The AGSA (2022) in its report compiled a standardized review of audit results for both national and provincial levels for the 2021/22 financial year (FY), which indicated a rise in unethical behavior within government departments and a continued decline in accountability.

The report also noted that the Limpopo Province has improved its overall audit outcomes over the three years since the previous administration, however, the 2021-22 FY audit outcomes regressed from the previous year (2020-21 FY) because the provincial Health and Education Departments could not sustain their clean audit status due to findings on performance reporting and compliance with legislation.

There is a need, therefore, to implement a strong and sustainable control environment. Auditors develop action plans to address internal control weaknesses and at times they detect findings that repeat itself from previous financial years. The accounting officers, internal audit units and audit committees, do not consistently monitor the implementation of these plans, hence, audit findings are repeated. Oversight structures must play a more prominent role in ensuring that accounting officers take responsibility for implementing sound financial management disciplines.

According to the AGSA (2022), irregular expenditure in the province has decreased over the administration term since 2019. Over the previous two financial years 2019/20 FY and 2020/21 FY, the irregular expenditure incurred averaged R3,38 billion. In 2021-22 FY, this decreased by almost R1,26 billion to R2,12 billion.

The decrease was largely due to non-compliance of contracts that came to an end in the previous year, at the provincial departments of Public Works, Roads, and Infrastructure, and of Cooperative Governance, Human Settlements, and Traditional Affairs, as well as the Roads Agency Limpopo which managed to reduce the approval of standing-time variation orders relating to delayed projects.

Furthermore, the Provincial Health Department, which is one of the key service delivery departments, faced medical negligence and malpractice claims amounting to R14,29 billion. If these claims translate into actual liabilities, funds earmarked for strategic and service delivery objectives will need to be used to settle them. The Premier must enforce the implementation of robust strategies to generate revenue and curb expenditure to prevent much-needed resources from being wasted, thereby, ensure their efficient use. During the Limpopo State of Provincial Address (SOPA) on the 23rd of February 2023, the Honourable former Premier of Limpopo Province, Stanley Chupu Mathabatha, indicated that the provincial administration is committed to ensuring a culture of accountable and transparent leadership in the province, by entering into service delivery agreements with the Members of the Executive Council's (MEC). This included the agreed-upon service delivery initiatives and projects to be implemented over the Medium-Term Strategic Framework (MTSF) period.

The former Premier of Limpopo Province, Stanley Chupu Mathabatha, indicated that the provincial administration led by the Director-General (Nape Nchabeleng), must champion implementation of the NDP vision 2030 (NDP), *inter alia* the Limpopo Development Plan 2020-2025 (LDP) and continuously monitor the execution of the departmental commitments in the Province; these were led by MECs and HODs of all the provincial departments for improved service delivery and to enforce consequence management. Furthermore, the culture of not complying with Supply Chain Management (SCM) regulations is still prevalent, and measures must be put in place to ensure consistent compliance with these regulations.

This research will examine prevalent forms of poor governance within the public sector. The expressions of poor governance in public service encompass corruption, inappropriate spending, financial mismanagement, and inequitable procurement practices. These aforementioned challenges will be outlined below.

2.3.1. Corruption

According to Cloete (2013), corruption is a global phenomenon, and it has been characterised differently, depending on the country's economic and social outlook. Corruption occurs more in some countries than in others, however, it spans over colour, creed and culture; it does not operate against rich (developed), poor (underdeveloped) or (developing) countries as its objective of destruction remains the same, everywhere.

Taiwah (2021) notes that developing countries which are embroiled in high levels of corruption, include South Africa, Nigeria, Egypt, Brazil, and Mauritius, whilst developed countries include Russia, China, England, and America. Manyaka and Nkuna (2014), explain that corruption refers to the misuse of entrusted power for personal benefit, which compromises the integrity of a nation's Constitution, due to the exploitation of public resources through dishonest or fraudulent actions by certain officials and politicians in the public service. Mafunisa (2000) states that corruption within the government impacts citizens' livelihoods, disrupts service delivery, hinders economic progress, and diminishes the legitimacy and proper governance of the state.

Cloete (2013) construes that corruption is generally understood as “hijacking” the public office and directing state resources for private gain. Corruption requires man-made solutions to curb it, in the public service. Mafunisa (2000) contends that corruption is generally linked with unethical practice, dysfunctional behaviour, deviance, organisational misbehavior, and counterproductive work behaviour.

Mantzaris (2017) asserts that corruption in South Africa has evolved into a widespread dilemma or affliction, particularly after the onset of democratic governance in 1994 and the implementation of the constitution in 1996. It has become a common subject of conversation and presents itself in numerous ways across all areas of life, encompassing corporate settings and governmental bodies, affecting even the highest echelons of state power.

Uslaner (2008) points out that corruption within the healthcare sector infiltrates numerous programs across the industry. Bribes to administrators and healthcare workers restrict access to government services for the underprivileged, indicating a neglect of citizens' rights to health, especially for the impoverished, which is recognized as a human right in the Constitution of the Republic of South Africa, 1996, particularly in the Bill of Rights, Chapter Two (2).

Mantzaris, Ndevu, and Munnik (2016) contend that insufficient funding for public hospitals and schools, unauthorized payments, favoritism, supply-chain management (SCM) issues, irregular procurement practices, and collusion with pharmaceutical companies, contribute to the infringement of human rights within the healthcare and educational sectors.

The Corruption Act (No. 94 of 1992) indicates that corruption is the manipulation of administrative authority and political power for illegitimate or illegal gain or profit. Cloete (2013) maintains that corruption has a negative impact on the economy as it affects service delivery. It is very clear that corruption weakens public administration, the state of governance and the public service.

The Annual Report for the Limpopo Department of Health for 2021/22 FY (2022) presented that there was progress made in implementing the fraud-prevention strategy policy. The policy has been approved, and a number of training and awareness campaigns have been conducted as a proactive approach of combating fraudulent and corrupt activities in the workplace; these mechanisms report fraud and corruption.

The Whistle-blowing policy of the Department, which was electronically circulated to all employees, indicates that cases of fraud and corruption are reported through the National Anti-Corruption Hotline (NACH) of PSC. It further states that departmental employees can report cases to the MEC, HOD or Director responsible for Risk Management. Whistle-blowers or reporters are given the freedom to disclose their identity or remain anonymous when reporting these cases.

In the Annual Report for the Limpopo Department of Education for 2019/20 FY (2020) the Department has a fraud-prevention plan which commits itself to actively combating fraud and corruption including all other acts of dishonesty on a zero-tolerance basis. The fraud prevention plan provides, amongst others, mechanisms to avoid acts of corruption and to detect fraud and corruption, as well as the investigation of fraud and corruption to minimise its negative impact.

The Annual Report for the Limpopo Department of Education for 2021/22 FY (2022), the investigation conducted to date highlighted fraud and corruption risks, such as the misappropriation of funds, conflict of interest as well as, tender and other irregular procurement. The Annual Report for the Limpopo Department of Education for 2021/22 FY (2022) further indicates that the Department has a whistle-blowing policy, which is one of the strategic considerations in the National Anti-corruption strategy 2020-2030; it encourages the whistle-blowing policy as a platform to fight corruption.

The aim of this policy is to establish a method for staff and the public to express concerns to the appropriate line management or designated personnel in the Department of Education if they reasonably suspect incidents of fraud or corruption within the Department. These policies and procedures serve as an extension of the integrated strategy and plan for managing fraud and corruption within the Department. The whistle-blowing policy also aligns with the Protected Disclosure Act, No. 26 of 2000, which came into effect in February 2001 and offers protection to employees who make disclosures in good faith and without any malicious intent.

In South Africa, the Department of Public Service and Administration (DPSA) is responsible for leading initiatives aimed at combating unethical practices within the government and promoting best practices to strengthen governance in the public sector. Chapter Nine (9) institutions, including the Public Protector (PP) and the Auditor-General of South Africa (AGSA), also play a crucial role in addressing and reducing corruption (Krsteski, 2017).

The issue of corruption is on the rise within the public service. A study conducted by Edward Nathan Sonnenbergs, which examined documented cases of fraud and misconduct, presented to Parliament, and included in reports from the Public Service Commission, revealed that the monetary value involved rose from R130-million in the 2006/07 fiscal year to over R1-billion in the 2011/12 fiscal year. In this context, the primary challenge is the ineffectiveness and absence of accountability for unethical behaviors.

2.3.2. Irregular Expenditure

According to Mazibuko & Fourie (2019), irregular expenditure in the context of public service is one factor which contributes towards bad governance. They concluded that irregular expenditure was the most common factor of audit findings in most government institutions, which causes public institutions to be non-compliant in certain areas in the auditing checklist.

Motubatse and Ngwakwe (2020) are of the opinion that peddling by government employees, especially those who are attached to Supply Chain Management Unit and Project Management Unit within the public service are more involved in irregular expenditure, through escalating rates for tenders for the purpose of private gain. Escalating tender pricing contributes negatively to government institutions' finances, since they will be paying services at an exorbitant amount although the original prices were fair.

Irregular expenditure, with reference to government institutions, is money which was spent without following legislative and policy procedures which guide the control of the expenditure and budget, such as the Public Finance Management Act (PFMA, No. 1 of 1999), according to Mazibuko and Fourie (2019). The PFMA provides for steps that the accounting officers should take to investigate irregular expenditure to determine whether any officials are liable for them and to recover the money if liability is proven.

As noted by Motubatse and Ngwakwe (2020), one of the recurring issues highlighted in the AGSA's annual reports concerning the public service is primarily related to insufficient supply chain management controls and irregular spending. It is crucial for state entities to adhere to proper procurement procedures and practices concerning the threshold values for quotations, competitive bidding, and the selection of bid committee members, which often do not conform to policy requirements.

In terms of Section 38 1 (c) of the PFMA (No.1 of 1999) the accounting officer must establish measures that will prevent irregular expenditure. This provision is key in ensuring that good governance is realised and enforced in government for ethical conduct to be adhered to. The above-mentioned section of the PFMA enforces accountability, as the accounting officer will have to explain whether these measures have been established and are effective. This section further indicates that heads of administration, in various government institutions must ensure that financial resources should be spent accordingly, as budgeted and planned for. Dlomo (2017), stresses that accountability is vital in the public service because it enhances good governance and promotes ethics in state institutions.

The PFMA (No.1 of 1999) defines irregular expenditure as transactions that lack prior approval but are utilised for various programs. Moeti (2007) argues that irregular expenditure occurs when government employees authorize payments or orders by straying from established processes and procedures, for spending public funds. The AGSA (2022) characterises irregular expenditure as resources used by the government without adhering to the proper public financial protocols that safeguard public service expenditure.

Dlomo (2017) asserts that to enforce the PFMA and curb irregular expenditure, public institutions need to employ qualified accounting officers and chief financial officers (CFOs) to successfully implement government objectives and provide quality services to communities. In many public institutions, CFOs report directly to accounting officers, and together they hold substantial responsibility for maintaining and executing government policy through the application of the PFMA and the annual Division of Revenue Act (DORA). The AGSA (2018), in its presentation of the audit report for the 2017/18 fiscal year for national and provincial departments, emphasized that numerous projects encounter delays due to late or non-payment to service providers, resulting in instances of non-compliance. Furthermore, challenges with expenditure management and interests frequently lead to breaches of the 30-day payment requirement, placing government institutions in a vulnerable situation.

Dlomo (2017), adds that the PFMA requires that departments should take appropriate measures to prevent wrongful expenditure. Section 32 of the Act also requires National Treasury to publish monthly or quarterly expenditure reports to Parliament to ensure that the budget is spent according to the adopted annual plans. The AGSA (2022), during the 2020/21 FY, reported about R20 billion in irregular expenditure, therefore, this clearly indicates that expenditure controls in some departments are non-existent. While audit outcomes across national departments and public entities improved in the 2021/22 FY, there were still monies that were wasted and spent irregularly.

The oversight, monitoring and evaluation process of government to enforce budget and expenditure controls through other organs of the state are weakened by lack of skills and personnel in key areas of the public service (Dlomo, 2013). In line with Chapter Four (4), Section 55 (2) of the Constitution of the Republic of South Africa, parliament and provincial legislatures should establish mechanisms for oversight and accountability for the executive. In this regard, the mechanisms for oversight and accountability are traditionally known as the “watchdogs’ instruments”, such as Chapter 9 and 10 Institutions of the Constitution of the Republic of South Africa, 1996.

Dlomo (2013) posits that the oversight process is aimed at making sure that the executive members are held accountable for the execution of government programmes and policies. The oversight process does not exclude safeguarding the use of state resources but focuses on the weakness of external expenditure control that is not integrated within the departmental programmes. It only comes after the damage has been done, for instance, when departments have already spent the money, and it can only make recommendations for future purposes.

The Parliament, which is composed of the National Assembly and the National Council of Provinces (NCOP), inclusive of the provincial legislatures plays a pivotal role in providing legislative oversight in state departments to conform with any legal prescripts in ensuring that expenditure is always on track (Maganoe, 2023). To this extent, parliament and provincial legislature should hold the executive liable to ensure that expenditure controls are maintained and fulfilled as required by the financial legislative framework (Maganoe, 2023).

Having noted the discussions from authors mentioned above, it is pivotal that state institutions should create measures that will prevent irregular expenditure; if these are not established, the accounting officer should justify the irregular expenditure before parliament and to other oversight bodies. Parliament and the provincial legislature are, thus, duty bound to hold the executive answerable in the form of oversight, while at the same time acting as the representative of the people.

The AGSA (2018) suggests that a lack of effective accountability and transparency is a fundamental cause of irregular expenditure. As a result, government officials in senior positions, including political office holders, must be held accountable during a crisis. Irregular expenditure within the public service impacts service delivery, as ineffective use of departmental budgets negatively affects the provision of services.

2.3.3. Financial Mismanagement

According to Tsharane and Bussin (2022), the Department of Basic Education with reference to public schools, is embroiled with financial mismanagement whereby several cases have been registered in the department, inclusive of provincial departments of education in the Republic of South Africa. The cases which were registered included the lack of internal audit, lack of transparency in procedures and financial management, poor budgeting and credit controls and unaudited financial statements.

This is also interpreted from the reports produced by anti-corruption organisations like Corruption Watch (2012, 2015, and 2022) and the Public Service Commission, which suggest that, despite the diligent efforts by civil society to address corruption, it continues to be a significant issue in South Africa (Talane and Pillay, 2013). Rangongo, Mohlakwana, and Beckmann (2016) conclude that Limpopo is among the provinces with the highest occurrences of unethical behaviours, including corruption in schools.

These reports, including Corruption Watch (2022), highlight that some school principals in Limpopo Province engage in unethical behaviors that contribute to poor governance, such as financial mismanagement, which encompasses misappropriation of funds, a lack of financial accountability, ignoring due process, and failing to report financial matters to both parents and School Governing Bodies (SGBs).

Sibanda (2017) defines financial mismanagement as the improper use of financial resources and the ineffective implementation of accounting systems, resulting in the misappropriation of funds for personal gain. Koenane and Mangena (2017) describe financial management as the application of fiscal information, skills, and methods to utilize public funds appropriately, as guided by relevant policies and legislation.

According to Naidoo (2011), effective financial management is a crucial tool for promoting good governance within government departments. The thoughtful management of state resources is essential for good governance, with the responsibility of monitoring and assessing fund usage resting with the state. The key financial oversight bodies at the national governmental level, along with the Auditor-General, are constitutionally tasked with the monitoring and evaluation of departmental finances at both provincial and national levels.

Sibanda (2017) states that the primary institution for financial oversight concerning national, provincial, and local government departments resides within the National Treasury. The National Treasury plays a central role in advocating for the Public Finance Management Act (PFMA), which operationalizes key sections of the Constitution of the Republic of South Africa, 1996, by providing a framework for the management of finances within the national and provincial government realms. Roman (2008) mentions that the central goal of the PFMA is to ensure the establishment and maintenance of sound financial management within the public sector.

The PFMA represents a significant milestone within the government's budgetary, expenditure, and financial reform initiatives. These financial reforms, which included the Accelerated and Shared Growth Initiative for South Africa (ASGISA) and Growth, Employment and Redistribution (GEAR), were designed to achieve macroeconomic stability while enhancing fiscal discipline, ultimately aiming to create an environment conducive to employment generation.

Rangongo, Mohlakwana, and Beckmann (2016) assert that both the National Treasury and the Auditor-General, have played a key role in implementing policies and monitoring processes to hold departments accountable for the funds they receive. The authors emphasize the necessity of establishing a robust monitoring mechanism to ensure that mismanagement of funds is not overlooked. Given the significant public interest in the expenditure of public funds, it is crucial that the reporting instruments and mechanisms related to financial performance are reliable and adequate.

Van Rooyen (2012) maintains that corruption causes deep-rooted misery for deprived communities, by causing extra problem for people who rely on government services. Corruption also reduces government revenue and reduces the quality and value of education. Rangongo, Mohlakwana and Beckmann (2016) notes that in 2015 an international agreement was endorsed by the United Nations which aimed at addressing the learning needs of children, youth, and adults. This agreement is pivotal because it has an element of strengthening the state of education, globally. In achieving the international agreement on education, it requires nations' effective participation in global economies.

To achieve this goal, there is a need for accountable systems of educational governance, and effective use of existing financial resources, however, all these efforts are hampered by the global tendency of financial mismanagement, which is said to be at its highest peak in most of the developing countries, and that has an impact on the Department of Education, and subsequently the public sector itself.

A report issued by the Limpopo Department of Education in 2010 highlighted that 31 schools were selected for a sample to investigate financial matters, in the Capricorn District, Limpopo Province. The findings indicated significant instances of financial mismanagement and violations of the legislative framework by the School Governing Bodies (SGBs) in public schools. The results of the survey showed that finance committees had not been formed, and minutes documenting financial decisions were not validated as authentic records by either the chairperson or secretary.

In addition, the survey pointed out non-compliance with the stipulations regarding the creation of monthly financial and performance reports as mandated by the Provincial Financial Management Prescripts for the fiscal years 2009/2011, with incomplete financial statements also identified during the assessment. Weaknesses in financial record maintenance, inadequate cash management and recording practices were noticed, along with the lack of approval for certain expenditures or their unsubstantiated nature. These findings clearly indicate that the monitoring mechanisms in government need to be reinforced to enhance good governance.

In 2023, the Department of Education in Gauteng Province carried out a survey and issued Circular D3 to tackle some of the challenges affecting the education sector. The survey discovered that inadequate transparency and accountability surrounding the expenditure of state funds at Section 21 schools is a significant issue, contributing to poor governance within South Africa's education system. Additionally, it found that there was insufficient control regarding cash receipts, the issuing of receipts and cash banking, the authorization of payments, incorrect requisitions, and deficiencies in document control and filing systems, which are contributing factors to financial mismanagement in the Department of Education.

The AGSA audit report for the fiscal year 2017/18 unveiled extensive financial mismanagement regarding funds intended for services to impoverished communities within state departments and governmental parastatals. This situation has been exacerbated by unfulfilled political commitments, abuse of power, and a deficiency of accountability among high-ranking government officials and political leaders. According to Sibanda (2017), the public service has been plagued by allegations of poor administration, inadequate financial oversight, and internal disputes, which have impaired its ability to fulfil its duties and responsibilities.

2.3.4. Unfair Procurement Practices

Section 217 of the Constitution of the Republic of South Africa, 1996, regulates procurement across all levels and branches of government. This section oversees the contracting of goods and services based on internal institutional systems that are - just, equitable, transparent, competitive, and economical. This law is crucial in safeguarding and promoting individuals who were previously marginalized by unjust discrimination.

According to Sheng (2010), equity is key in enhancing good governance. It ensures that all applicants and stakeholders who bids for contract and tenders are treated the same and included in various activities of government, irrespective of gender, race, disability, and economic class.

Singo (2018) posits that transparency is a good foundation of enhancing good governance in public procurement, in government institutions. Transparency necessitates that essential information be conveyed to citizens via different media platforms, enabling them to engage in public policy development and effectively oversee the public administration process. Keping (2017) construe that competitive and cost-effective practices play a vital role in Supply Chain Management (SCM) because they enable bidders to provide quality services, be cost effective and to ensure that they best meet the requirements and affordability of various government institutions.

In their study of 2015, Zitha and Mathebula point out that the main aim of procurement in the public service is to ensure that it gets the best supply of goods and services from the market regarding quality and cost efficiency. Procurement is also significant in the public service because it manages the risks and accomplishes socio-economic objectives including, promoting competition, and managing integrity. Zitha and Mathebula (2015) note that officials attached to the SCM have a responsibility to execute procurement function in the public service.

Mazibuko and Fourie (2019) contend that public sector procurement functions, within a highly public interest domain and regulated framework, where officials linked to Supply Chain Management (SCM) are obligated to uphold a high standard of ethical behavior. Section Two (2) of the Public Finance Management Act (PFMA, No. 1 of 1999) is essential in fostering sound financial management within the public sector, ensuring accountability and transparency. Additionally, section 38 of this Act allows Accounting Officers in the public service to inform the Treasury about unauthorized, irregular, or wasteful expenditures. The PFMA advocates for accountability and responsibility of public servants who are managing public resources to engage in ethical practices, which ultimately fosters good governance. The adherence to this Act by SCM officials will lead to government procuring goods and services at competitive market rates, while ensuring high-quality public service delivery.

Shai (2017) states that procurement is a strategic procedure within government, involving the acquisition of goods and services through Supply Chain Management protocols. The procurement processes involve various activities, including generating purchase orders, conducting inventory checks, and acquiring goods and services that enhance the provision of essential services to communities. According to Mazibuko and Fourie (2019), the national departments did not implement adequate SCM controls to ensure compliance with the legislative framework and to combat unethical practices, between the period 2013/14 FY to 2018/19 FY, hence from 2013/14 FY to 2020/21 FY, there has been no decrease in the number of auditees with internal control deficiencies.

According to Maepa, Mpwenya and Phume (2023), unethical procurement practices in all the three spheres of government continue to be a challenge. Both the national and provincial government are duty bound to draft policies and guidelines to establish general principles on carrying out responsibilities. The authors maintain that the public service is becoming more decentralised, which is allowing for abnormal behavior. Unusual behavior, however, could not always be a bad thing because it could be an indication of officials attempts at creativity, rather than wrongdoing.

Mazibuko and Fourie (2019) posit that, despite the procurement policies in place, some national and provincial departments, such as Health and Education, continue to face challenges relating to - unethical behaviour, the unavailability of documents, and unfair procurement practices by employees in awarding bidder's contracts without following the correct procedures. According to Anthony (2018), procurement is pivotal in the public service, simply because it is the vehicle used by public servants attached to SCM and the process political office bearers utilise to address socio-economic imbalances of the past apartheid regime. Anthony (2018) concluded that for these inequalities to be addressed, parliamentarians and senior officials in various state institutions, must develop a framework which will regulate the procurement process, and that must be implemented in a manner that does not unduly favour one and prejudice others. Complying with the provisions of this regulation by procurement officials, therefore, will reduce biasness in the procurement processes.

Section 16(a)(8) of the PFMA (Act 1 of 1999), stipulates that all authorities and stakeholders participating in a Supply Chain Management (SCM) system are required to maintain the highest ethical standards, to promote respect, trust, and an atmosphere where business is conducted fairly and with integrity. It further states that the following guidelines must be adhered to by SCM officials and other participants:

- Recognise and declare any possible conflicts of interest and treat all current and prospective suppliers fairly.
- Must refrain from abusing their positions to further their own interests or unfairly help others.
- Make sure they do not accept gifts, show hospitality, or act unethically in any other way that could compromise the integrity or credibility of the SCM systems.

Section 217 (1) of the Constitution of the Republic of South Africa, 1996, governs procurement practices in South Africa, according to Rangongo, Mohlakwena, and Beckman (2016). This section requires adherence to the principles of justice, equity, transparency, competitiveness, and cost-effectiveness to achieve statutory compliance.

Unethical public procurement practices, according to Mazibuko and Fourie (2017), cause irregularities in public service, which make it more difficult for the government to serve communities. As a result, individuals in the community may express their discontent with government institutions. They further contend that corruption and misconduct are facilitated by a history of non-compliance as well as a current lack of accountability and transparency.

The occurrence of unethical procurement practices is indicative of poor governance within the public service. The practice of awarding contracts by employees to individuals with whom they have personal connections and the absence of supporting documentation from bidders has been a persistent issue nationally, which has prompted the government to establish a centralized procurement system aimed at combating corruption. This centralised procurement initiative led to the creation of the Central Supplier Data (CSD) system, which manages the operations of entities across various public entities (Zitha and Mathebula, 2015).

The Constitution of the Republic of South Africa, 1996, with reference to section 217 (1), emphasises that public servants involved in Supply Chain Management (SCM), across all three spheres of government (national, provincial, and local) must operate ethically to ensure that due diligence is maintained.

To achieve best practices in the public sectors' SCM units, they must adhere to a system that is fair, equitable, transparent, competitive, and cost-effective. Section 217 (3) of the Constitution of the Republic of South Africa, 1996, supports the legislative framework that facilitates preferential procurement to address past disparities.

2.3.4. Conflict of Interest

The Organisation for Economic Co-operation and Development (OECD, 2005), explains conflict of interest in the context of the public service, as a situation wherein public servants contravenes the legislative and policy prescripts, by rendering private services which aligns to the responsibilities that they are tasked with in the public service. It is vital that conflict of interest in the public service is also avoided to minimise any risk of damage to government reputation and public image, rather than to ensure that good governance is enhanced. Kanyane (2010) notes that conflict of interest by public servants in the public service contributes towards public dissatisfaction.

Conflict of interest in the case of the public service, according to Cloete (2013), refers to a situation wherein an official manipulates access and influence on institutional processes, to fulfil his or her own personal interest, whilst using government resources. Ntalaja (2004) narrates that the former President of the Democratic Republic of Congo, Mobutu Sese Seko, was once embroiled in conflict of interest during his tenure as President, a position he held for more than 30 years. He diverted between \$50 and \$70 million a year from the Bank of Zaire to his personal accounts in Europe.

President Mabuto Sese Seko's actions were characterised as conflict of interest because he was using his presidential powers and office to capture the Democratic Republic of Congo. Kanyane (2006) argues that Limpopo Province, similarly, was entangled with an issue of conflict of interest, in the period of 2004/5 and 2005/6 FY, and this affected the implementation of government priorities.

Singo (2018) asserts that conflicts of interest are now a "disease" that affects public administration; this makes it very difficult for government organizations to meet service delivery goals that target socio-economic issues facing the former-underprivileged class. Conflicts of interest are frequently criticized by the media, opposition parties in municipal councils, provincial legislatures, the national parliament, interest groups, and the public and Singo (2018) agrees that public servants holding senior positions in government institutions should be concerned about them.

Kanyane (2015) notes that instances of conflict of interest from officials and political office bearers in the public sector, can cause community members to embark on protests to demonstrate their dissatisfaction towards government institutions, which will have a negative impact on government implementing service delivery priorities to address socio-economic challenges in the society.

According to Wechsler (2013), conflict of interest is a vital subject when dealing with ethics. The author notes that conflict of interest, in the case of the public sector, involves personal relationships between government officials, political office bearers and one's family members, and friends, seeking benefits from the government coffers or rather state resources. Noting the views of Wechsler (2013) and Singo (2018) about conflict of interest, government officials should not appear to be assisting their friends and relatives to benefit from state resources in not following standardised procurement best practices and other legislations that underpins good governance.

In this regard, there is nothing wrong with public servants and political office bearers having relationships with people doing business with the state, however, in such circumstances, public servants and political office bearers need to apply ethics and disclose or declare their interest with whoever they happen to have a close association with, and who is also doing business with the state.

Conflicts are topical issues in the public service because they have a great potential of leading to corruption and subsequently bad governance (Wechsler, 2013). In the public service, conflicts involve the relationship between the employer and the employer's family members or business associates.

Nkwinika, in his study of 2021, recommended that government officials and political office bearers should distance or excuse themselves in any matter involving their close allies' either in public procurement, criminal investigations, administration of the courts and other matters which are confidential and require legislation to be applied. It is essential to keep in mind that conflicts occur in all arms and spheres of government, due to personal relationships; they are problematic because they have the potential of causing community members to embark on a protest towards the government to demonstrate their unhappiness which negatively affects the socio-economic status of communities.

2.3.5. Bribery

In the context of this study, bribery is an illegal transaction from an external stakeholder to a public servant in exchange for a government service, such as a tender or being shortlisted or appointed to a post in the public service. Singo (2018) explains that bribery in government institutions happens when an official expects payments from external stakeholders or from people who need government services which are provided for free.

Cloete (2013) conceptualizes bribery as an informal and unethical agreement between a public servant and a client by which the former offers a government service or contract after accepting or requesting money to render those services. The process involves a client giving a public servant money or any form of gift without declaring it, with the intention of being awarded a government service without necessarily following prescripts of government. Schoeman (2014) posits that bribery has gained momentum in the public service and it is contributing towards making people disgruntled towards the government as some people fail to get government services because of not paying a government official a fee to assist him or her in providing a particular service, which should be rendered for free.

Bribery has become commonplace in the South African government, and most customers are even aware that paying a bribe to receive assistance is an unethical practice (Singo, 2018). Getting a driver's license in South Africa, for instance, has become a difficult process even when one knows how to drive; inspectors in testing stations fail people whenever they do not pay a fee to be awarded the driver's license.

The problem of bribe is that it is now in all spheres of government structures with reference to promotions, recruitment, tender allocation and procurement of goods and services.

The Department of Education in the Limpopo Province had allegations of bribery leveled against it, between the period of 2022/23 FY and the current financial year of 2023/24 FY, on the issue of enrolment of school children in public schools. The awarding of contracts for feeding schemes is another thorny issue wherein some people accused senior officials in the Department of requesting *cold drink*, which is a traditional phenomenon for *bribes*, to facilitate the process of awarding contracts to those who bid for the feeding scheme tender <https://www.edu.limpopo.gov.za> (31 June 2023).

2.3.6. Lack of Consequence Management

Sibanda and Van Rooyen (2023) note consequence management as referring to legislative and policy frameworks which entail a set of rules and disciplinary measures in response to unethical conduct. Lindani, Naledi, and Warren (2021) assert that improving good governance in the public sector is largely dependent on effective consequence management. A culture of unethical behaviour in the public sector is fostered and ill governance is exacerbated when consequence management is not enforced, whenever there are irregularities.

According to Thusi, Matyana and Jili (2023), the public service which encompasses both the spheres and arms of government, is currently under the shadow of poor consequence management, especially for public servants who are violating the law and the code of conduct. Thusi, *et al* (2023) further indicate that inconsistent application of consequence management in government institutions undermines the provisions of the supreme law of South Africa and legislations that oversee the public purse in the South African public service, particularly the PFMA (No.01 of 1999) and Municipal Finance Management Act (MFMA, No.56 of 2003), mainly in municipalities.

Apart from the violation of these legislative framework, the ordinary populace of South Africa has become the primary victims of fruitless and wasteful expenditure as well as irregular expenditure due to poor consequence management.

The current Auditor-General, Tsakani Maluleke, argues that the mismanagement of public funds remains a challenge in government (AGSA, 2022). The Auditor-General opines that there are only a few measures in place to address the mismanagement of funds and subsequently to apply consequence management, whenever there is any wrong-doing. He indicates during the 2021/22 FY, that about R119.07 billion was lost in municipalities because of mismanagement of public funds, through such practices as irregular expenditure, fruitless expenditure, and corruption.

The former Premier of Limpopo province, Honourable Stanley Chupu Mathabatha, when presenting the State of the Provincial Address (SOPA) on the 23rd of February 2023, indicated that in the 2021/22 FY, national treasury allocated R68.8 billion to the provincial government towards service delivery, however, the provincial government returned almost R2.1 billion to the fiscus. The Premier has called on all MECs in the Limpopo Provincial Government to enforce internal controls in departments to ensure that the provincial government does not return money in the 2023/24 FY.

Further, the Premier issued a stern warning to all the HODs and MECs that consequence management will be applied in the provincial government, to reverse the negative practices of underspending and overspending. The Premier indicated that sound financial management should be practiced enhancing good governance in the provincial government. Subsequent, to the address by the Premier, the Director-General of Limpopo Province, Mr Nape Nchabelang, issued a directive to all Heads of Departments in the Limpopo Provincial Government to strengthen their internal systems and financial management in a bid to be compliant and adhere to best practices of government.

The Limpopo Provincial Treasury (2023) presented its budget speech Vote 5, on the 4th of April 2023, during which the former Member of Executive Council (MEC) for Treasury, Honourable Seaparo Charley Sekoati, called on municipalities in Limpopo Province to plan differently to break the cycle of poor performance, and poor spending of equitable share and conditional grants.

The former Limpopo Province MEC, Sekoati, together with the MEC for CoGHSTA, Mr Basikopo Makamu, chaired the MUNMEC (Municipal and Members of Executive Committee) on the 2nd of February 2023; this was the last provincial MUNMEC of 2022/23 FY and was attended by the executive mayors, mayors, HODs and municipal managers amongst others. The MEC of Treasury indicated that some municipalities across the province were found to be below 30% performance, hence, the MEC of CoGHSTA instructed that consequence and accountability sessions with all these municipalities with poor spending and performance, should be convened.

The MEC of CoGHSTA also indicated that poor spending does not only lead to loss of allocated money, but it is a loss of an opportunity to develop the province. Having noted the concerns raised by both the MECs of CoGHSTA and Treasury, it is vital that all municipalities must put in efforts to improve the audit outputs and financial management of the province and start planning differently to avoid the economic implications of losing resources that should be augmenting service delivery. The MEC of the Provincial Treasury then also indicated that political office bearers and councilors in municipalities should be involved in planning and not leave everything to officials, further indicating the essential need for forward planning for multi-year programmes.

According to Ramatsoma (2022), there should be a legal consequence management and a sense of accountability for every government document that is lost. The author added that the public service, especially municipalities, should avoid the consistent use of consultants in preparation of Auditor-General submissions. All the spheres and arms of government should implement consequence management to ensure compliance with financial reporting and sound corporate governance practices.

2.4. THE AFRICAN CHARTER ON DEMOCRACY, ELECTIONS, AND GOVERNANCE (ACDEG) AND ITS SIGNIFICANCE ON GOOD GOVERNANCE

The African Charter on Democracy, Elections and Governance (ACDEG) was approved at the eighth (8th) ordinary African Union (AU) Assembly of Heads of State, held in Addis Ababa in 2007 (Wiebusch, Aniekwe, Oette and Vandeginste, 2019). For the ACDEG to be enforceable, 15 signatures were needed in February 2012, and these fifteenth signatures were obtained.

The ACDEG has since been ratified by 17 other states, hence, as of January 2019, 46 states had signed it, and 32 states had ratified it, however, despite being one of the most generally ratified and signed AU treaties, the ACDEG has only been ratified by slightly more than half of the AUs member states.

Mudau (2022) records that the African Charter took effect on July 23, 2016, but currently only 19 of the 55 African Union member states have backed the Charter. The Charter is intended to be instrumental in enhancing the policy framework for public services across African nations and to serve as a source of motivation for creating and redesigning national codes of conduct concerning transparency, professionalism, and ethical principles, while it specifically targets government institutions and its employees.

This Charter represents the first enforceable legal mechanism adopted by AU member states aimed at thoroughly tackling the issues that have affected public service and administration in Africa. Wiebusch et al. (2019) believe that the Charter serves as a significant catalyst for advancing good governance within the African public sector and its administration.

The principal challenge facing the Charter is its lack of a demonstrated history of effective application and execution. In the scope of this research, the African Charter is essential for improving good governance in public service, as it mandates best practices and ethical codes in government institutions, to adhere to various oversight organizations, such as the AGSA, PSA, and parliament, as well as provincial legislatures and, to a lesser degree, municipal councils. In addition, the Charter strengthens public services and administration.

It is crucial to acknowledge that, instead of merely specifying standards for member states to follow, the African Charter aims to establish a thorough legal framework that guides member states in developing efficient national legal systems for public service and administration.

Niyungeko (2019) notes that Article Four (4) of the ACDEG is directed at enhancing good governance because it enforces and promotes that all the 55 member states commit to promoting democracy and adhering to the rule of law and human rights. The author recommends that all the 55 countries in the AU should strengthen public participation through universal suffrage as an inalienable right of the people.

The ACDEG is instrumental in enabling active engagement by African States, with a vision of broadening policy approaches to resolve the challenges of continental human rights protection, democratisation, collective security, international development, and good governance programs (Wiebusch et al., 2019).

According to Mudau (2022), the failure to uphold the rule of law, by African countries affiliated with the African Union, inevitably leads to poor governance within nations' state institutions. A lack of political has diminished the effectiveness and efficiency of citizens' participation in policy-making and decision-making processes - both of which are essential for enhancing professionalism and ethics in public service and administration. Additionally, Mudau (2022) argues that the Charter represents crucial normative standards that influence good governance and human rights. The charter is critical as it offers solutions to address service delivery issues and the ethical shortcomings associated with bad governance, including corruption, abuse of power, and a deficiency in transparency and accountability.

Wiebusch *et al.*, (2019) assert that the fundamental objective of the ACDEG is to address the socio-economic challenges facing the African continent, with the intention to cultivate the economic outlook and social development in Africa and the globe, as well as deepen and consolidate the rule of law, peace, security, and enhance good governance. Niyungeko (2019), reports that the 55 heads of states or rather presidents of the 55 countries in the African Union adopted the African Charter on democracy, elections, and governance in enhancing good governance and that the ACDEG also advocates for the application and implementation of the human rights policy prescripts in state institutions.

Human rights are rights that the citizens should have on the basis that they are human beings, and Mudau (2021), states that the United Nations has defined 30 articles of human rights and tabled the universal declaration of the rights in 1948, based on humanity, freedom, justice, and peace. South Africa has included indivisible human rights in its own Bill of Rights, in Chapter Two (2) of the Constitution of the Republic of South Africa, 1996.

Article 3 of the ACDEG advances respect for human rights and democratic principles by promoting internal systems in government institutions that are representative of all genders, race, tribe, and economic classification (Wiebusch *et al.* (2019). This Article is key in ensuring that African countries hold their general elections as per the country's constitution in a transparent, free, and fair elections. Further, Article 3 of the ACDEG also has great potential for citizens to participate in democratic and developmental processes that intend to enhance good governance, by developing programmes that will address the socio-economic challenges, such as poverty and unemployment.

The 2002 OAU Declaration on the Principles Governing Democratic Elections in Africa was the result of an effort by the Organization of African Unity (OAU) to create a legal mandate to supervise elections (Wiebusch *et al.*, 2019). The ACDEG is more than just a significant piece of AU treaty legislation - it has aided in the AU's legislative processes, and three further AU accords have resulted directly or indirectly from the ACDEG since it was adopted. The African Charter on Values and Principles of Public Service and Administration was ratified in 2011, according to Niyungeko (2019). By providing more specific information about its goals for better public sector management, with an emphasis on transparency, accessibility, and more effective and efficient public service delivery - this instrument has expanded upon the ACDEG.

As noted by Mudau (2017), the AU Commission is tasked with establishing mechanisms and enhancing capabilities for the execution of the African Charter. These mechanisms aim to create a standardised approach to be adopted by AU member states and by harmonizing the policies and legislation of state parties, the AU commission is responsible for fostering conditions conducive to good governance, in line with Article 23 (2)(d). The AU Commission can be viewed as a cohesive entity embodying the values and principles of good governance, serving as mandate for African nations. The commitment to consistent values and the promotion of ethical standards in individual countries fuel optimism for advancements in public service governance.

In a study by Busieka (2018), many charters adopted across the continent often fail to move to a stage of full acceptance as an effective instrument of the AU. The reasons for this impasse are complex and varied, but they do point to the need to focus substantial attention on using a charter or a similar framework, as an instrument to support public administration effectiveness across African countries. Busieka (2018), explains that the Charter has 34 articles organised into six chapters and the obligations it outlines provide a framework for upholding the legitimacy of public services. The endorsement of the Charter by AU member states is crucial in fostering moral values foundational to public service activities, enhancing public service delivery, combating poor governance, and encouraging good governance.

According to Tjihambuma (2011), the political-administrative interface is a delicate balance, between public administration and management, that exists at the nexus of political and administrative responsibilities; in this context, technical applications and methods are entwined with social considerations and political directives for the benefit of the public and the welfare of its citizens. Demir (2009) emphasizes the interaction and interdependence between professional public servants and political appointees, which comprise public service administration.

This interaction is essential because the political sphere needs to ensure that political and administrative responsibilities are clearly and consistently separated, with different roles for political leaders and administrative heads. The advancement of the developmental agenda in the reform of public service governance depends on this relationship.

2.5. IMPLICATIONS OF UNETHICAL LEADERSHIP ON GOOD GOVERNANCE AND SERVICE DELIVERY

Unethical leadership, according to Singo, Mafunisa, and Vermack (2022), is an act of dishonesty and a lack of openness in the way public administration is carried out in the public sector and unethical leadership is linked to ethical failure, which results in subpar community service delivery and governance.

Nkwinika (2021), notes that protests, regarding service delivery have accelerated inside the South African public sector and being deeply rooted in the nation's politics and history, it is protected as a means of expressing one's opinions by the Republic of South Africa's 1996 Constitution. Unethical leadership in the public sector, however, greatly adds to community members' annoyance with both political office holders and senior public servants.

Singo et al. (2022) argue that unethical leadership leads to poor governance of government priorities, particularly in tackling socio-economic issues like - poverty reduction, creating job opportunities, and delivering essential services such as water and electricity to communities. Mafunisa (2007) highlights that a significant concern regarding unethical leadership is the erosion of public trust and confidence in the government. The ongoing decline in ethical standards within public institutions negatively impacts societal morale, prompting individuals to protest as a means of expressing their dissatisfaction with unethical leadership by public officials, particularly those in senior roles within public service and political positions.

The South African Police Service (SAPS) led by the then Minister, General Bheki Cele, and the current Deputy Minister, Cassel Mathale, presented a quarterly report in April 2021 in Parliament. The Ministry highlighted that between the 1st of August 2020 and 31st January 2021, a total of 909 protests which were related to service delivery demonstrations had occurred, clearly indicating that most South African municipalities had experienced high incidences of service delivery protests, and that unethical leadership is a stumbling block towards achieving government priorities.

For Ngcamu (2019), the demonstrations that are taking place in communities are due to the unethical behavior of politicians and high-ranking public servants, and they can be interpreted as a means for irate citizens to draw the attention of the government and implore it to pay attention to the concerns of common people. This will enable the government to provide effective leadership that encourages good governance and ensures the provision of essential services, particularly in rural areas. To promote justice and fair access to government services, Aphiri (2016:32) contends that demonstrations against service delivery can be seen, as outbursts of rage and a continuation of the pain endured under apartheid.

Unethical leadership and the sluggish pace of service delivery in communities are the main causes of service delivery demonstrations (Nkwinika, 2021). Communities believe that corruption and poor administration, which in turn result in poor governance, are among the main causes of some government institutions' failure to provide fundamental services to communities.

Singo et al. (2022) highlight those practices, such as negative views regarding accountability, insufficient transparency, and the incompetence of certain public officials and political leaders, reflect a failure in leadership to uphold ethical standards, consequently, the public perceives leadership as full of ethical shortfalls, which exacerbates corruption.

Maela and Selepe (2023) are of the view that society tends to withdraw from partaking in public processes in government in its attempts to tackle forms of bad governance in the public service. Bad governance with reference to - corruption, fraud, bribery, and money laundering - hits hard on the average communities. A practical example is the Venda Building Society (VBS) Mutual Bank saga that led to many people losing their monies because of the corruption syndicate in which some of the politicians and public servants are bribed to defraud an institution.

Phago (2018) asserts that by offering basic education to school-age children, including basic adult education, the Department of Basic Education significantly contributes to the reduction of poverty. Section 28 of the Constitution of the Republic of South Africa, 1996, which addresses the rights of children under the age of eighteen to be nurtured within the basic education stream, must be implemented by the Department of Basic Education whose fundamental mission is covered in Section 29 of the Constitution.

During the 2010/2011 FY, the provincial Department of Education in five provinces - Limpopo, North-West, Mpumalanga, Eastern Cape, and Gauteng - experienced some administrative and governance challenges to the extent that they obtained qualified audits for their financial performances (Phago, 2018). During that very same financial year, the Department was all over media platforms, for failing to deliver textbooks in some schools within these provinces. Furthermore, the Department also encountered procurement difficulties, which many service providers were not paid as per the 30 days' timeframe stipulated in Section 38(1)(f)(f) of the PFMA.

According to Uwizeyimana (2014), the Department of Education in Limpopo Province encountered administrative challenges, such as poor management of human resource functions with 2 400 excess teachers, and 200 teachers who could not be accounted for, physically.

These challenges mentioned above cost the Department one billion rand, annually. Secondly, there was an accumulated unauthorised expenditure of R2.2 billion, and, thirdly, accruals were recorded at R189 million, and overspending was projected. These challenges encountered by the Department of Education were classified as bad governance by journalists and other key stakeholders within the education sector.

Phago (2018) asserts that the Department of Health is required by the Constitution to guarantee the realization of Section 27 of the Republic of South Africa's 1996 Constitution which requires that the Department of Health in Limpopo Province must, oversee and make sure that crucial provincial health issues, such as the appropriate operation of public hospitals and clinics, are adhered to. The Department is also in charge of keeping an eye on private clinics and hospitals to make sure they follow health regulations.

The AGSA audit report for provincial and national spheres of government, for the 2010/11 FY, indicated that the Limpopo Department of Health obtained a disclaimer due to insufficient audit evidence provided to the Auditor General (Uwizeyimana, 2014). The audit report highlighted that amongst other key issues that led to the Department obtaining a disclaimer, was a R400 million irregular expenditure for goods and services and the contravention occurred with regards to supply chain management irregularities, *inter alia*, the R138.2 million unpaid accruals and poor asset management, as well as unauthorised expenditure of R340 million, by March 2011.

Coetzee (2014) asserts that unethical leadership in the public sector hinders good governance by fostering bad governance, which in the case of the Province of Limpopo has an impact on infrastructure and economic development. Shai (2017) claims that poor governance and unethical leadership in the Limpopo public sector has slowed down government efforts to build projects that will improve infrastructure development and programs that will generate employment opportunities, both of which would raise the province's GDP.

Singo (2018) opines that unethical element, in the public service, influence citizens not to fulfil the objectives of various government sectors; in addition, bad governance contributes to dependency by community residents on the government regarding state resources, which is negatively affecting good governance in South Africa.

Manyaka (2018) notes that for infrastructure and economic development to be achieved by government, public servants occupying senior positions and political office bearers should create a conducive environment to allow the populace to participate in policy-making processes, through public collaboration processes.

A statement released by a Union, NEHAWU, in Limpopo Province on underspending of the provincial departments (2022) maintained that bad governance in Limpopo Province is caused by the underspending of provincial departments, despite all the service delivery challenges confronting the Provinces which include - shortage of staff, medicines and working tools, unmaintained roads, poor housing, electricity shortages, and lack of water - yet money is returned to Treasury.

Oversight and monitoring of performance of the MECs and HODs, which is coordinated by the Premier of Limpopo Province is not effective, hence, similarly, some of the monies allocated for the 2021/22 FY, were returned to Treasury due to underspending. In the 2021/22 FY, the National Treasury allocated R68.8 billion to the Limpopo Province towards service delivery; unfortunately, the provincial government returned almost R2.1 billion to the fiscus. This underspending has been highlighted in the Auditor-General's annual reports and the following government departments were identified as the main culprits:

- Office of the Premier – R16m (4%)
- Agriculture – R98.7m (6%)
- Cooperative Governance, Human Settlements and Traditional Affairs – R474.1 million (20.1%)
- Education – R523.3 million (1.5%)
- Economic Development, Environment and Tourism – R8.4 million (0.5%)

- Health – R570.5 million (2.4%)
- Legislature – R45.1 million (10.5%)
- Public Works, Roads, and Infrastructure – R226.1 million (5.1%)
- Sport, Arts and Culture – R53.9 million (10.5%)
- Social Development – R72.4 million (3.1%)
- Treasury – R14 million (3.8%)
- Transport and Community Safety – R40.7 million (1.7%)

After these two situations, the Limpopo Provincial Government was subject to national intervention in 2011–12 FY, but this time due to excessive spending and an almost R2 billion overdraft, which was triggered by section 100(b) of the Republic of South Africa, 1996 Constitution. The provincial government of Limpopo is obviously lacking in internal control and monitoring, therefore, to guarantee that governance is improved, financial management systems must be upgraded; because the province either returns funds allocated for service delivery due to underspending or is overspending and relying on overdrafts. Underspending, however, is worse than overspending because it irritates the public by not providing services which are glaringly lacking in communities.

2.6. CONCLUSION

The public service is encountering significant issues, especially concerning unethical behavior among many senior public officials and political office holders. Corruption, financial mismanagement, irregular expenditure, and conflict of interest are characterized as bad governance and dents service delivery. The chapter also discussed the ACDEG, which is critical in strengthening the legislative and policy framework and is also instrumental in championing human rights, to be applied in the public service.

Additionally, the chapter presented the theories that support public service and good governance. The governance model is significant in the public service and public administration field because it places a strong emphasis on public participation in elections, policymaking, administration, and supervision to enable active and resourceful delivery of services to communities.

The public choice theory is also pertinent to this study because it supports the public's satisfaction and the shaping of society, since it results in good governance and hastens the delivery of essential services to communities. Clearly outlined in this chapter is the fact that, unethical leadership in the public sector has a detrimental impact on good governance. The next chapter focuses on constitutional, legislative and policy frameworks that enhance good governance in the public service.

CHAPTER THREE

CONSTITUTIONAL, LEGISLATIVE AND POLICY FRAMEWORKS UNDERPINNING GOOD GOVERNANCE

3.1. INTRODUCTION

The purpose of this study was to develop a framework aimed at improving the current existing legislative and policy frameworks that underpin good governance in the Limpopo Province, focusing particularly on the Health and Education departments.

The constitutional, legislative and policy frameworks are the focus areas in this chapter. They are fundamental in enabling best practices in government institutions to be realised. Mboweni (2022) opines that legislation is a written law that is endorsed or approved by a legislative body or authorised person. The legislative and policy frameworks are key in ensuring that good governance is enhanced because they guide the government on how public servants should implement government programmes to enable the delivery of rudimentary services to communities.

The concepts of good governance are covered in this chapter and along with other initiatives aimed at improving good governance, the chapter offers a thorough study of the legislative, policy, and constitutional frameworks. The significance of the code of ethics in government institutions is another focal point of this chapter.

3.2. GOOD GOVERNANCE

This section outlines the principles of effective governance which is essential in promoting the public good. It involves active and positive collaboration between the government and its citizens, with its effectiveness dependent on the influence of various stakeholders in political processes. The principle of effective governance is crucial in overseeing the execution of legislative and policy frameworks, ensuring that progress in providing governmental services to communities is achieved, thereby establishing national standards and socio-economic wellness.

3.2.1. Principles of Good Governance

The illustration below emphasizes 8 good governance principles aimed at creating an effective and efficient state, capable of development by fostering a better environment and enhancing the quality of life in society, while also encouraging community participation in the decision-making process related to development.

Figure 3.1. Principles of good governance



Source: Sheng, 2010

Figure 3.1 depicts Sheng's (2010) depiction of the 8 good governance principles. These principles were clearly articulated by former United Nations Secretary-General Kofi Annan in his 1997 acceptance speech. He indicated that good governance is the degree to which a country's institutions and processes are transparent. Institutions refer to such bodies as parliament and its various ministries. Its processes include such key activities as elections and legal procedures, which must be seen to be free of corruption and accountable to the people. A country's success in achieving this standard of good governance has become a key measure of its credibility and respect in the world.

The greatest threats to good governance come from, corruption, violence, and poverty, all of which undermine transparency, security, participation, and fundamental freedoms. Delphus (2020) defines "good governance" as a transparent, accountable, effective, efficient, and economical management of governmental institutions to strive for communities to access government services with ease.

A purpose-driven administration, dedicated to raising the standard of living for the populace and increasing community involvement in decision-making process for development - is what is meant by good governance. The successful application of good governance depends on an efficient public administration; hence, the two ideas are intertwined. Section 195 of the Constitution of the Republic of South Africa, 1996, which outlines the concept of good governance, is essentially supported by the idea of public administration (Onichakwe, 2000). Although other principles are also important, this study will focus on four - accountability, openness, public engagement, and effectiveness and efficiency - since they have a major impact on the proposed framework, meant to promote good governance.

3.2.1.1. Accountability

Zhu (2015) details that accountability serves as a mechanism for ensuring that organisations, government employees and political leaders are held responsible for fulfilling their duties. The concept of accountability can also be analyzed in terms of - who is responsible, to whom they are accountable, what their responsibilities entail, and the methods employed. Koenane and Mangena (2017) argue that accountability is essential for upholding moral standards and the rule of law within the public sector. Furthermore, accountability is essential to the advancement of good governance, which seeks to guarantee that communities receive government services in a fair and cost-effective manner.

Additionally, Zhu (2015), conceptualizes accountability as involving the expectation and enforcement of responsibility among institutions and employees as they carry out their roles. This concept can be further dissected by considering - who is held accountable, to whom they report, what they report on, and the manner of this accountability. Accountability is instrumental in ensuring that public officials, politicians, and parliamentarians exercise their powers diligently, adhering to legal standards and ethical guidelines, across all levels of government.

Nkwinika (2021) asserts that citizen satisfaction is crucial as it enables public officials and employees to account to the community, leveraging public engagement initiatives, which ultimately improves service delivery and leads to fewer instances of service delivery protests. Sibanda (2017) notes that the lack of sufficient internal controls within public sector financial management systems significantly contributes to poor accountability.

Sustainable development, poverty alleviation, and efficient use of limited resources all depend on an accountability framework and a stable public financial management system. Accountability is the duty to reveal, clarify, and defend behavior and according to Sibanda (2017), it encourages prudent financial management and effective administration in public affairs. In the public sector, accountability is a tool used to hold political office holders and public employees accountable for any misconduct in public institutions, according to Dlomo (2017). The author maintains that accountability is essential since it effectively and efficiently monitors and controls the use of public resources, hence mechanisms for accountability play a major role in improving public service, good governance, and service performance.

Koenane and Mangena (2017) note that parliament and provincial legislatures, in all the nine (9) provinces in South Africa adopted an accountability mechanism through the parliamentary committee on Standing Committee on Public Accounts (SCOPA) which is mandated to provide oversight to state institutions and to ensure that monthly, quarterly, and annual progress reports are submitted to relevant oversight bodies, which monitor and evaluate performance of various state institutions.

Accountability is essential in all government institutions for it enhances good governance, which has a strong potential of also yielding positive results for the populace of South Africa on service delivery (Khalo, 2013). In addition, section 195(1) (f) of the Constitution of the Republic of South Africa, 1996, advocates for the state, along with its employees to be accountable to society by providing services.

As stated by Koenane and Mangena (2017), accountability plays a crucial role in fostering ethical practices and effective governance so that services are provided to communities, thereby helping to reduce the incidences of service delivery protests.

3.2.1.2. Transparency

Public service transparency involves providing essential information that keeps the community informed regarding service delivery plans, progress, and challenges (Musa, Bebic, and Durman (2015). Nkwinika (2021) states that transparency is crucial for improving the relationship between public service and citizens, hence, a government that practices transparency can foster confidence, trust, and satisfaction in its operations.

Harpe, Rijken, and Roos (2008) argue that transparency in public service holds significant potential for promoting good governance. Transparency ensures that important information is shared through various communication channels such as - departmental websites, magazines, newspapers, social media platforms, as well as television and radio. The commitment to transparency in public service plays a key role in establishing trust between the government and its citizens. Within the context of this study, transparency addresses unethical behavior in public service and encompasses the public's right to easily access information intended for community awareness while respecting privacy and confidentiality of professional and business matters.

Nkwinika (2021) further explains that making government information available to citizens aids in informing them about service delivery plans, progress, and challenges. The right to access state information is governed by Section 10, 14 and 32 of the Constitution of the Republic of South Africa, 1996, which stipulates that transparency should be promoted by providing timely, accessible, and accurate information to the public. Additionally, key legislation such as the Promotion of Access to Information Act, 2000 (No.2 of 2000) and the National Archives and Records Service of South Africa Act, 1996 (No.43 of 1996) regulate how state institutions disseminate information.

One important measure of quality public service is transparency and is openness to the public (Davoudpour and Rezapour, 2016). The public's trust and contentment with the government's operations are increased when it is transparent, therefore, satisfaction plays a crucial role in mediating interactions between state institutions and citizens (Nkwinika, 2021).

Transparency is vital for improving governance and reducing service delivery protests since it allows society to also engage in policy-making and infrastructure planning for effective community service delivery (Musa et al. (2015). Nkwinika (2021) asserts that transparency enables individuals to assess the quality of service delivery, thereby motivating public servants to meet citizens' needs by implementing policies that ensure basic services are available in communities.

3.2.1.3. Public Participation

To promote good governance, public institutions must involve the business community, civil society, religious organizations, traditional sectors, and community members in decision-making and other platforms. This is how public participation, in relation to good governance, happens, according to Shai (2017). Delphus (2020), states that community involvement in policy review initiatives that seek to create an ethical and competent government, through an efficient and successful governance system, is improved by public participation.

Public involvement is crucial in ensuring that those impacted by policies related to service delivery can share their opinions by suggesting strategic solutions and inputs, which help to ensure that policies are adapted to meet societal needs (Raophala, 2013). Furthermore, public participation ensures that the government addresses the general population's requirements in providing services and not a select few. Community participation is fundamental for delivering relevant services, hence, Masiya, Davids and Mazenda (2019) reiterate that engaging the public enhances ethical standards and efficiency, which helps to prevent poor governance and the abuse of political power and administrative authority.

Maloba (2015) defines participation as the direct involvement of citizens in the affairs of planning, governance, and overall development programs in various spheres of government. Public participation, thus, has a potential of ensuring that ordinary people or the citizens themselves hold public servants accountable of any wrong doing (Maloba, 2015).

Public collaboration, according to Imraan, David, Laurence and Jannie (2007), is about involving society in community structure so they can contribute to policy making processes of government institutions or parliament and provincial legislatures in amending legislations or drafting a bill. The period between 2021 and 2023, for example, saw the national parliament, together with provincial legislatures, crisscrossing the length and breadth of South Africa to involve citizens in the process of drafting the National Health Insurance (NHI) bill to ensure that it is tabled into a legislation, as a collaborated effort.

According to Mathebula (2018), when community members effectively engage with government institutions, they are better equipped to take part in decision-making processes that can support government initiatives, ultimately leading to improved service delivery. Moreover, involving the community in public service decision-making is deemed vital for good governance, fostering greater trust among citizens in government.

In South Africa, the Constitution of the Republic of South Africa, 1996, specifically in Section 19, mandates active participation in policy-making processes. It guarantees every citizen the right to freedom of speech and expression, as well as the ability to make political choices and engage in political activities. The effectiveness of public participation across all government sectors is shaped by the *Batho Pele* principles, the Public Administration Management Act (No.11 of 2014), and the Constitution of the Republic of South Africa, 1996.

For the purposes of this study, understanding participation in government activities is best achieved through the lens of participatory governance, which advocates that managing public affairs is not exclusively the responsibility of public servants and political leaders, but rather requires collaboration between government institutions and civil society organisations.

3.2.1.4. Effectiveness and Efficiency

Effectiveness and efficiency in good governance, as stated by Delphus (2020), refer to the organised approach employed in public service, which incorporates aspects of transparency, fairness, justice, and value for money in policy implementation. Effectiveness and efficiency are qualities crucial for governments, to ensure that state resources are managed properly and sustainably while safeguarding the environment.

Effectiveness, according to Keping (2017), traditionally refers to management efficiency and its presence is vital in enhancing good governance. Delphus (2020) construes that effectiveness and efficiency in the public service has the potential of developing programmes that play vital roles in intensifying internal systems of state departments and parastatals to ensure good governance.

Improving good governance in government agencies greatly aids public institutions in adhering to audit findings as well as laws and rules established by oversight organizations and government agencies. Ineffective and inefficient administrative practices are incompatible with good governance, claims Keping (2017), therefore, the administration in all branches and areas of government will improve with the degree of good governance. As noted by Lekubu (2019), the success and efficacy of sound governance within South Africa's public service are reliant on the organisational effectiveness of ethics across all levels and branches of government. The author identifies various factors and challenges, such as communication, that can influence effectiveness and efficiency, positively or negatively. Communication within organizations presents a challenge, especially when conducted by senior officials in public service and political leaders regarding the enhancement of good governance.

The effectiveness and efficiency in government institutions established after the attainment of democracy 1994 brought both negative and positive aspects regarding policy reforms and adjustment of budgets to address socio-economic challenges. Public participation enhances good governance which plays a vital role in ensuring that state institutions produce outcomes that meet the needs of the intended beneficiaries, while making the best use of the resources at their disposal (Keping, 2017). The author notes further that the idea of efficiency and effectiveness in relation to good governance is pivotal in ensuring that state resources are managed correctly by policy prescripts in the public service.

3.3. Regulatory Frameworks and Good Governance

This section presents the constitutional, legislative and policy frameworks underpinning good governance in the South African public service.

3.3.1. The Constitution of the Republic of South Africa, 1996

This sub-section presents the constitutional framework that underpins good governance - mainly the Constitution of the Republic of South Africa, 1996.

The Constitution of the Republic of South Africa, enacted in 1996, serves as the highest law of the nation. Following amendments in 2005, it is no longer seen as an Act of parliament, rather it has established itself as the ultimate legal authority that overrides all other parliamentary laws.

The Constitution of 1996 outlines the rights and responsibilities of citizens while providing a framework for government institutions regarding their constitutional duties to deliver services to communities.

The fundamentals of public administration are outlined in Section 195 of the Constitution, with a focus on the significance of accountability and transparency. It ensures that all state organs uphold policies that enable service delivery to the public, who are the ultimate beneficiaries, by encouraging public personnel to uphold high standards of moral principles and integrity.

Section 195 promotes good governance and describes accountable public administration as one that provides services in a fair, unbiased, and equitable manner. To guarantee that societal demands are taken into consideration, it also requires public involvement in the policymaking process, thereby, emphasizing how crucial openness is in giving citizens access to information meant to raise public awareness. The Section is crucial in fostering a capable and developmental state as it is applicable to all branches and levels of government while motivating it to address and fulfill the needs of the populace. Additionally, it is vital for local governance as it advances a code of ethics, advocating for the delivery of services with timely, cost efficiency, credible and reliable.

Botlhoko (2017) clarifies that the Constitution of the Republic of South Africa, 1996, entails that the populace in South Africa must build a democratic and united country, which will be able to function as a sovereign state among the nations. The Constitution objectives include the six pillars in the National Development Plan (NDP) - to unite all people in South Africa around a common purpose of building an ethical public service that will ensure that service delivery is realized - hence, citizens should be actively involved in the economy and hold leaders accountable for growing of the economy.

Section Two (2) of the Constitution of the Republic of South Africa, 1996, establishes the Bill of Rights, which serves as the fundamental standard for service delivery within the South African Public Service. Chapters 5, 6, and 7 of the Constitution delineate the general responsibilities of government across three tiers, - national, provincial, and local governments.

In addition, Chapters 4, 5, and 8 of the Constitution of the Republic of South Africa, 1996, outline the roles of the three branches of government - the legislative, the executive, and the judicial authorities. Section 41 (1) of the Constitution also provides that all spheres, and arms of government, as well as other organs of the state, have an obligation of promoting ethics to enhance good governance, strengthen, peace, stability, and national unity. Furthermore, the well-being of the populace needs to be taken care of, by enforcing social development in communities, while also promoting effectiveness, transparency, accountability, and coherent government.

3.3.2. Legislative Framework

This sub-section presents the legislations that directly underpin good governance in the public service in the Republic of South Africa.

3.3.2.1. Public Service Act (No. 103 of 1994)

Focusing on job conditions, periods of office, retirement procedures, and the code of conduct addressing discipline in the public service, the Public Service Act (No. 103 of 1994) was enacted by parliament with the goal of improving governance within government institutions and corporations. The duties of premiers and cabinet members are delineated in this statute, and it also lays out the processes for selecting Heads of Departments (HODs), Director-Generals (DGs), and other public employees within government organizations.

The Public Service Act (No. 103 of 1994) advocates high standards in government institutions and further details the processes to follow when addressing ineffective and unethical officials. As noted by Manyaka and Sebola (2013), the Department of Public Service and Administration (DPSA) plays a pivotal role in promoting the Public Service Act (No. 103 of 1994) in government, by supporting internal control systems aimed at improving good governance through the development of programs that ensure sufficient delivery of services in communities. The Act also governs the employment conditions, terms of office, discipline, retirement, and termination of service for members of the public service.

Manyaka and Sebola (2013:78) continue that the Public Service Act (No. 103 of 1994) is a fundamental piece of legislation that underpins the operations and administration of the public sector in South Africa. Its primary aim is to foster high ethical standards and to provide a framework for addressing unethical behavior among political office holders and public servants in the public service. The Public Service Act (No. 103 of 1994) outlines guidelines for public servants who may have interests in engaging in other remunerative activities outside of the public service.

For procurement officials and other parties involved in the acquisition of goods and services, this clause is an essential tool for managing conflicts of interest (Zitha and Mathebula, 2015). According to Auriacombe (2005), the Public Service Act is a major benefactor of governance since it establishes organizations and procedures that streamline transparent and accountable service delivery processes.

The author adds that the Public Protector and the Auditor-General are two organisations with mechanisms in place to hold all government workers accountable for unethical behavior, regardless of their position in the political system or their rank. Of all the laws pertaining to public officials' conduct, the Public Service Act (No. 103 of 1994) ought to be considered the most significant as it is one of the best examples of legislative measures to combat corruption and maladministration with Section 20 of the Act, dealing specifically with misconduct.

3.3.2.2. Public Finance Management Act (PFMA, (No. 1 of 1999))

The Public Finance Management Act, (No. 1 of 1999), serves as essential legislation for governing the financial resources of the state by enforcing applicable laws and policies that enable administrators to function in a transparent, effective, and efficient manner. The PFMA plays a crucial role in creating internal control and audit systems, which are essential for developing a risk assessment strategy capable of identifying financial vulnerabilities in state institutions.

A financial risk management strategy is critical for addressing the issue of corruption within state institutions, as it outlines actions for not only addressing corruption but also for responding to incidents of it (Singo, 2018). The PFMA is fundamental to financial management in government institutions and agencies, outlining processes related to banking and cash management frameworks as well as establishing protocols for provincial treasuries' delegation of authority, unauthorized spending, and accounting officials' fiduciary duties. The National Assembly and provincial legislatures are required by Section 65 of the Act to receive yearly reports and financial statements.

Section Two (2) of the Public Finance Management Act (No. 1 of 1999) states that the goals of the Act are to promote transparency, accountability, and sound management of revenues, expenditures, assets, and liabilities. As noted by Sambo (2019), Section 38 of the same Act mandates that Accounting Officers must prevent unauthorized, irregular, as well as fruitless and wasteful expenditures, and losses stemming from criminal actions. Additionally, this Act encourages appropriate public resource management and accountability, especially with reference to public service procurement officials. Adhering to this Act will therefore allow the government to purchase products and services at market-competitive costs, improving the standard of public service delivery. The PFMA (No. 1 of 1999) deals with moral conduct in public sector accounting and finance operations. According to Section 16(a)(8) of the PFMA (No. 01 of 1999), public employees and other parties involved in the SCM must uphold the highest ethical standards to promote respect and trust amongst themselves and to establish an atmosphere that supports conducting business in an honest, equitable, and reasonable manner.

Sambo (2019) explains that public servants associated with the SCM, Project Management Unit (PMU), as well as budget and expenditure divisions must disclose any conflicts of interest that arise in their professional duties since it prevents public employees from abusing their positions to unlawfully benefit others or for personal gain, hence, preserving the integrity and credibility of public service.

3.3.2.3. Protected Disclosure Act (No. 26 of 2000)

According to Rabkin-Naicker (2002), since the attainment of freedom and democracy in 1994 in South Africa, various policies and legislations that underpin the disclosure of information in the public service have been developed and gazetted in parliament. to protect the dissemination of state and personal information. Amongst other key legislations that were enacted by parliament into law are the Protected Disclosure Act (PDA, No. 26 of 2006) and Promotion of Access to Information Act (PAIA, No. 2 of 2000) as well as the Protection of Personal Information Act (POPIA, No.4 of 2013) as well as the Promotion of Administrative Justice Act (No 3 of 2000).

Resolutions were also taken at the National Anti-Corruption Summit in April 1999, to assist in speeding up the process of developing, encouraging, and implementing whistle-blowing mechanisms; these are measures to protect people from victimisation when they expose corruption and unethical practices.

The Protected Disclosure Act (No. 26 of 2006) is a crucial tool for identifying and discouraging workplace misconduct; it also acts as a warning system to stop corruption and improper behavior in the public sector. Essentially the law sees a common interest between responsible individuals who raise concerns that may have an impact on the workplace with accountable organisations and managers prepared to respond to the concerns of their employees.

Employees in the public and commercial sectors can report information about illegal or improper behaviour of their employers or other employees in those organizations, through the processes established under the Protected Disclosure Act (No. 26 of 2000). Employees who provide information that is considered protected by this law are likewise protected by the Act, hence, this encourages citizens and workers to report fraudulent activity without fear of reprisal or unjust termination by their employers.

Commonly referred to as the “Whistle-blowing Act”, the Protected Disclosure Act (No. 26 of 2000) safeguards whistle-blowers in both public and private sectors who reveal information about unlawful or improper conduct by their coworkers or employers. In Section One (1) of the Act, protected disclosure is described as an act of an employee revealing information about any behaviour of an employer or its employees that is criminal or morally reprehensible; whilst, Section Three (3), stipulates that an employee who has made a protected disclosure may not be subjected to any occupational detriment by the employer because of this.

An occupational detriment would be any form of disciplinary action, harassment, intimidation, or any decision or action by the employer that adversely affects the employee. The truthfulness or accuracy of the disclosure is not a requirement for protection, for the test is whether the employee reasonably believed that the information disclosed in good faith was true.

3.3.2.4. Financial Intelligence Centre Act (No. 38 of 2001)

The Financial Intelligence Centre (FIC) Act, (No. 38 of 2001) was established to create a financial intelligence centre that implements various systems aimed at fighting unethical activities involving public funds, including fraud and money laundering. The Centre plays a crucial role in safeguarding the integrity of the Republic of South Africa by devising measures and internal frameworks to detect crime and address unethical behaviors like money laundering, which undermine good governance.

According to Viljoen, Lallo and Bunge (2018), the Financial Intelligence Centre Act (No. 38 of 2001), has a legislative mandate to combat the scourge of unethical elements such as money laundering, terrorist financing and proliferation financing, rather, facilitate effective supervision and enforcement of the Act. Sithole (2018), classifies the FIC as South Africa's financial intelligence unit, which is mandated to investigate unethical financial transactions in public service.

For Abrahams (2017) and Sithole (2018), the FIC is South Africa's national centre for gathering and examining the diffusion of financial intelligence. The mandate of the FIC is simply to ensure that criminal cases with reference to unethical financial transactions in public service, are investigated and prosecuted. The FIC has a responsibility to supervise and enforce compliance with the FIC Act and share information with law enforcement authorities, supervisory bodies, intelligence services, the South African Revenue Service (SARS), and other local and international agencies that are mandated to guard and manage the coffers of public institutions.

Further, the Center has an obligation to advise the Minister of Finance regarding policy review and development that will strengthen mechanisms to combat corruption. Viljoen, Lallo and Bunge (2018) explicate that the FIC has introduced a regulatory framework that requires certain categories of business to take steps regarding client identification, record-keeping, reporting of information and internal compliance structures. All government institutions, as well as the private sector institutions, should report various suspicious transactions to the FIC and the Minister of Finance; FIC uses financial and available data to develop financial intelligence in its oversight duties.

On the 1st of December 2010, amendments to the FIC were promulgated, which required that all accountable and reporting institutions register with the FIC (Sithole, 2018). Furthermore, the Act gave the entity and its supervisory bodies the authority to inspect and impose administrative penalties on non-compliant businesses and it has introduced an appeals process and Board to deal with any suspicious transactions in the public and private sectors' institutions.

3.3.2.5. Public Administration Management Act (No. 11 of 2014)

To encourage ethics, integrity, and discipline at all levels and branches of government, the National Assembly passed the Public Administration Management Act (No. 11 of 2014), which strengthened the foundation for good governance within the public sector. Together with Section 195 (1) of the Constitution of the Republic of South Africa, 1996, this Act is essential in the development of professionalism in the public service. It has the capacity to successfully address wrongdoing and fight corruption by promoting professionalism in government institutions. The Ministry of Public Service and Administration is empowered under the Public Administration Management Act to establish policies that uphold integrity, ethics, and discipline, as well as laws and regulations governing public administration, at all levels of government. The Ministry is empowered by the Public Administration Management Act to establish policies that uphold integrity, ethics, and discipline at all governmental levels and branches, as well as to establish rules and regulations governing public administration.

The Public Administration Management Act empowers the Ministry to create rules and regulations governing public administration and to develop policies that support ethics, discipline, and integrity, throughout all levels and branches of government. According to Mboweni (2020), Chapter Two (2) of the Public Administration Management Act (No. 11 of 2014) provides provisions for public servants to strengthen professional ethics and emphasises that resources should be used properly and channeled in a manner that will ensure that service delivery is realised, and good governance is enhanced in the public service.

Chapter Six (6) of this same Act prescribes ethics, integrity and discipline and provides instructions on dealing with the discovery of fraud, corruption, and misconduct in the workplace. By stressing that the fundamental values and principles regulating public administration mentioned in Section 195 (1) are realized in the public sector, Nkwinika (2021) contends that the Act plays a crucial role in advancing ethics. The Act also gives the Minister the authority to create rules, establish minimum standards and norms for public administration, and address associated issues.

3.3.2.6. Public Audit Act (No. 25 of 2004)

The purpose of the Public Audit Act (No. 25 of 2004) is to implement the provisions of the Constitution of the Republic of South Africa, 1996, as outlined in Section 181 (1) (e), by providing guidance and designating responsibilities to an Auditor-General for conducting audits of public sector institutions (Ogochukwu, 2014). The author adds that this Act is crucial for ensuring governmental organizations report to oversight authorities, such as Parliament and relevant Chapter Nine Institutions, the Auditor-General and Parliament, as well as the Cabinet itself.

Erasmus and Visser (2002) assert that the Constitution, through Sections 181 and 188, has established the Auditor-General as the external auditor for all national and provincial state departments, municipalities, and any institutions required by national or provincial legislation to undergo audits by the AGSA.

Section 188 (3) of the Constitution requires the Auditor-General to present audit reports to any legislature and relevant oversight bodies. All reports must be publicly accessible and allow for additional powers and responsibilities to be granted to the Auditor-General, as determined by national legislation.

Any audit opinion provided by the AGSA is the most critical element of the auditor's report in the public service, encompassing state departments, public entities, and municipalities (Fourie, 2017). The extent of audit qualifications serves as a reminder of governance issues and sheds light on potential areas for enhancing good governance. In this regard, unfavorable audit results indicate that the essential principles of good governance and professional ethics, along with the management of public resources, are being undermined.

Nkwinika (2021) has identified the most frequently identified weaknesses in audit reports concerning state departments during the auditing process, as - ineffective human resources, unqualified personnel, insufficient accounting skills, deficiencies in operational financial management, and a lack of internal controls and risk management.

3.3.2.7. The Auditor-General Act (No. 12 of 1995)

Public sector auditing, according to Botlhoko (2017), involves the examination and investigation of financial statements from various governmental spheres and branches by the office of the Auditor-General (AG), internal auditors within organizations, and independent auditors appointed for this task.

Ogochukwu (2014) describes auditing as a process centered on gathering and analyzing financial transactions in relation to the representations and claims made in management reports and supporting documentations. Erasmus and Visser (2002) expound auditing as the act of verifying and providing assurance regarding the completeness and reliability of financial and related records that affirm the accuracy of calculations or the occurrence of financial events.

Sambo (2019), report that the AGSA was established under Section (181) (1) (e) and (188) of Chapter 9 of the Constitution, as one of six institutions formed to enhance South Africa's constitutional democracy. It has a constitutional mandate that includes the Supreme Audit Institutions (SAIs) of the country, which exist to enhance democracy in the nation by facilitating oversight, accountability, and governance in the public sector, thereby, fostering public confidence.

The Auditor-General's Office is tasked with the verification and auditing of financial accounts, statements, and supervision of government institutions, which include national and provincial departments as well as municipalities. The AG is also tasked with auditing Parliament and the Judiciary to ensure responsible spending and proper accounting for public funds, through established governmental channels. In Section Three (3) (1) of the Auditor-General Act (No. 12 of 1995), the appointment of the AGSA is mandated, along with a description of its functions, duties, and powers. The AGSA is required to audit and investigate the accounts of public institutions and report its findings back to Parliament, including the public, through processes that encourage participation, necessitating timely reporting on issues of public interest.

Section 32 of the Constitution mandates that government institutions provide necessary information to the public unless such information is classified as confidential or top secret by the state. Sambo (2019) explains that the AGSA possesses the authority to audit and report any irregularities associated with the expenditure of state funds and can specify the nature of the audit opinion an institution may receive, depending on the accuracy of its financial statements. Sambo (2019) adds that there are only four (4) types of audit opinions that an auditor may issue - unqualified, qualified, adverse, and disclaimer.

Sithole, in a study in 2018, concludes that an unqualified opinion cannot be provided but that the impact of any disagreement with management or the audit's scope limitation is not so substantial or fundamental as to call for an adverse opinion or a disclaimer option, a qualified audit opinion is issued.

The author elucidated that when the AGSA concludes that an unqualified opinion cannot be provided but that the impact of any disagreement with management or the audit's scope limitation is not so substantial or fundamental as to call for an adverse report, a disclaimer or qualified audit opinion is issued.

An adverse audit opinion is issued when the extent of a disagreement is so fundamental or significant to the financial statements that the Auditor-General of South Africa (AGSA) decides that simply qualifying the report is not enough to highlight the statements' incompleteness or misleadingness, according to Sithole (2018). A disclaimer opinion, on the other hand, is issued when the AGSA determines that the audit's scope limitation is so significant and basic that it is impossible to gather adequate and relevant audit evidence, thereby, precluding the formation of an opinion on the financial statements.

3.3.3. Policy Framework

This sub-section presents the policies, guidelines, and frameworks inclusive of strategies that underpin good governance in the public service.

3.3.3.1. Public Service Anti-Corruption Strategy

According to Singo (2018), the Public Service Anti-Corruption Strategy was endorsed in January 2002 by the government with the intention of combating unethical elements, such as corruption in government institutions, which remains a thorny issue. The sole purpose of the Strategy, therefore, was to establish a mechanism and approaches in government institutions that seek to combat the scourge of corruption. In accordance with the resolution of the National Anti-corruption Summit held in April 1999 in Cape Town, Western Cape Province, laid a positive foundation regarding methods and strategies that can assist in rooting out unethical practices in the public service.

The Public Service Anti-Corruption Strategy is a distinct sector of the South African public administration, which requires a tailor-made strategy that addresses issues of corruption in an integrated manner. This Anti-Corruption Strategy is, however, sensitive but complimentary to national, regional, and international requirements. Shai (2017) narrates that in 1997, the government initiated a similar national anti-corruption campaign which progressed to a National Anti-corruption Summit in April 1999, wherein both the public and private sector actively participated in the summit and committed themselves to establish sectoral anti-corruption strategies. At the same time, both the public and private sector committed to be co-responsible for fighting corruption, through the coordination of these sectoral strategies.

The public servants in 1997, backed the establishing of the National Anti-corruption Summit to support the implementation of the resolutions while the DPSA was directed to concretize the resolutions endorsed during the summit into a coherent strategy with the support of other departments (Mazibuko, 2019).

A Public Service Task Team (PSTT) consisting of key departments was convened to establish a platform for the roll-out of the strategy to the entire government institutions inclusive of parastatals. The Public Service Anti-Corruption Strategy is crucial for preventing unnecessary and unproductive spending by implementing disciplinary actions that require public servants to account for any costs arising from their mistakes or negligence (Shai, 2017), although employees should not be held accountable for systemic issues that lead to financial losses within government agencies. To effectively address corruption, it is essential to establish a comprehensive strategy against unethical practices in government institutions, incorporating a well-balanced combination of preventive actions, legal prosecution, and community participation in decision-making, which will ultimately strengthen the framework that supports good governance.

According to Sambo (2019), since the establishment of the summit in 1999, and the endorsement of the strategy in 2002, several summits focusing on combatting corruption in the public service have been held and they have advocated for mechanisms and procedures to prohibit unethical employees in private institutions to do business with the state.

Shai (2017) and Mazibuko and Fourie (2019), believe that the National Anti-corruption Summit in April 1999 laid a solid foundation and isolated management policies and practices as an instrument of instilling discipline and ethics in the public service by advocating for best practices in procurement systems, employment arrangements, risk management, and financial management. Their proposals included the extension of the system of disclosure of financial interests, screening of personnel which would assist in regulating post-public service employment and strengthening the capacity to manage discipline. Nkwinika (2021) maintains that professional ethics in government institutions should be strengthened to ensure that good governance is enhanced.

3.3.3.2. National Development Plan-Vision 2030

According to the Office of the Presidency during the budget speech on Vote one (1) in May 2023, the President, His Excellency Cyril Matamela Ramaphosa, reiterated that the National Development Plan (NDP) was developed in May 2010 during the 4th Administration. The NDP was spearheaded by the National Planning Commission, which was appointed by the former head of state, President Jacob Zuma, in May 2010, to draft the vision of South Africa through compiling the NDP vision-2030. The National Commission that was tasked to draft the NDP was chaired by Mr Trevor Manuel who was the Minister in the Presidency responsible for planning, during the 4th Administration and the deputy chairperson was Mr Cyril Ramaphosa.

According to the Office of the Presidency (2013), the plan focuses on the essential skills needed to transform the economy and society. Achieving these capabilities is not guaranteed, if initiatives are not tabled that seek to transform the lives of South Africans.

Rising levels of frustration and impatience from citizens regarding socio-economic challenges clearly indicate that the NDP is a vital weapon to address the unhappiness of South Africans by developing programmes and projects that will create social and economic opportunities to South Africans. Furthermore, the NDP is also a critical tool that can contribute to enhancing good governance in the public service.

Having noted the challenges faced by South Africans and subsequently the progress made by government to address the socio-economic challenges, such as lack of water, electricity connections and road infrastructure, it is necessary that parliamentarians who are law makers accelerate developmental programmes to enable good governance to be enhanced in the public service.

South Africa needs the active support of all citizens and leadership in all sectors that would put the country's collective interests ahead of narrow, short-term goals, thereby, radically improve government performance. In some instances, policy change and review may be necessary, but in most areas, it is about getting the basics right, implementing government programmes, holding people accountable for their actions, and finding innovative solutions to address complex challenges.

In May 2010, Trevor Manuel, the then Chairperson of the Commission, described the NDP as a strategy aimed at addressing socio-economic issues, like poverty, hunger, and unemployment, and striving to lessen inequality by the year 2030. This goal involves unifying South Africans through the development of programs and the initiation of projects designed to accelerate service delivery in communities, thereby fostering an inclusive economy, strengthening capabilities, and enhancing collaboration between the state and its leaders, to tackle complex challenges.

Jarbandhan (2022) argues that democratic systems must find a balance between the necessity for public servants to respond to the current government's priorities and the imperative for the public service to deliver fairness, justice, and equal treatment to community members. If public service protections are insufficient, the standards, however, may deteriorate, leading to the recruitment of some public servants based on political connections instead of expertise and competence, with access to resources and services being dictated by political alignment rather than citizenship.

Klaaren, Belvedere and Brunette (2021) suggest that the public service needs to enhance its internal systems to attract highly skilled individuals and to foster a culture of professionalism and dedication to developmental objectives; by strengthening internal systems in the public service, this will also contribute to enhancing good governance. The authors continue that South Africa needs a developmental approach to build a capable, responsive, and sound professional public service, from the top structure to the bottom, in government institutions. The state needs to increase the pool of skilled people by ensuring that the public service and local government become careers of choice for graduates who wish to contribute to the development of the country and ensure that high level of ethics is displayed.

To professionalise the public service and the local government sphere, the state needs to address flaws in recruitment, training, management, and human resources, therefore, the process requires a more coherent and long-term approach to ensure workplaces provide a conducive environment for skills development. (PSC Roundtable Report, 2018). Mboweni (2022) asserts that South Africans are entitled to demand services from public institutions under their constitutional rights outlined in Chapter Two (2) of the Supreme Law. According to the Constitution, residents have the right to hold public officials and those holding political offices responsible for any misconduct within the government. Political office holders and government workers, in public institutions, should engage the public through public participation sessions, which are essential in ensuring that a variety of viewpoints are heard, and solutions are offered to address them, to balance the authority they possess with their responsibilities.

South Africa's transition from apartheid system to a democratic state has been a success. In the past 30 years of democracy, the government and private entities have created democratic institutions, such as Office of the Auditor-General, Office of the Public Protector, Public Service Commission, Special Investigating Unit, and the National Prosecuting Authority (NPA) which have transformed the public service, however, more still needs to be done in bettering the lives of citizens. Notwithstanding these successes, too many people are trapped in poverty and society remains a highly unequal society. The quality of school education for the majority is of poor quality and the state lacks capacity in critical areas, such as engineering, sciences, financial management and research development. Furthermore, many young people are contributing towards the high rate of unemployment.

3.3.3.3. Limpopo Development Plan, 2020-2025

Rasila (2019) explains that the Limpopo Development Plan (LDP) is a five-year (5) provincial growth and development plan that directs the provincial government in infrastructural projects and economic programs. The Premier stated at the State of the Provincial Address (SOPA) in February 2023, that the 2020–25 FY LDP, currently in effect, is an upgrade over the development plan created during the 5th Administration in 2014. The Premier continued that the Medium-Term Strategic Framework (MTSF), which spans five (5) years, is the source of the LDP and that the NDP's 2030 vision is the source of the MTSF.

The Premier of Limpopo Province, during the SOPA in February 2023 also indicated that the significance of the LDP is simply to realise the priorities detailed in the NDP-vision 2023, which has a potential of creating a structure for the constructive involvement of the private sector businesses, organised labour, and citizens, towards the achievement of the provincial growth and development objectives.

Semenya (2018), notes that the LDP's goal is to address integrated development and economic growth to alleviate the socio-economic difficulties faced by the people of Limpopo Province. Additionally, the LDP is essential in directing state resources, from the public sectors toward Limpopo's integrated development and economic progress. Sections 125 (1) and (2) (a) of the Constitution mandate the Office of the Premier to administer provincial laws, also known as “provincial ordinances”.

Approximately 10% of South Africa's total surface area is made up of the Province of Limpopo and its economy remains dominated by economic sectors, such as, mining, trade, catering, accommodation, and agriculture. Rasila (2019) notes that the LDP serves as a blueprint and framework for strategic plans and the Annual Performance Plans of provincial departments, and integrated development plans for districts and municipalities.

The province is performing well in economic sectors, especially agriculture, despite this, the audit outcomes in some provincial departments remains challenges and to some extent they show bad governance; for instance, from the 2013/14 FY to 2021/22 FY, both the departments of Health and Education in the Limpopo Provincial have been obtaining disclaimers and qualified audit opinions. This is evidence that the internal systems of the two departments, need to be strengthened to enforce best practices, ethical norms, and standards in administration (Office of the AGSA, 2022).

3.3.3.4. Service standards

Mboweni (2022) asserts that service standards are a prerequisite that must be fulfilled, by offering a service that best serves its intended purpose; service standards in the context of public service are about keeping the commitments made by the government to provide services to the communities.

According to Mwanda (2010), a model that describes the kind and caliber of services required should be described while standards are being established. This would require involving communities in the policy-making and service delivery processes, such as the IDP process and parliamentary public participation road shows, service standards; these are essential to improving good governance (Mwanda, 2010). To demonstrate this point, Mboweni (2022), gives an instance of a presidential special project - the Giyani Water Project - in Limpopo Province which had a budget of R90 million which later increased to R2.2 billion, then the tender nicodemusly increased to a tune of R5.2 billion, without following proper SCM processes. It was clear that SCM processes were neglected which painted the governance system in a bad light.

Twala and Lues (2017) alleged that some public institution between the period 2015/16 FY and 2016/17 FY have incurred irregular expenditures due to public servants receiving excessive performance bonuses, totalling to R14.75 billion. According to the AGSA (2017), the audit reports for the period of 2015/16 FY and 2016/17 FY, revealed that public servants received unnecessary performance bonuses, benefitted from government contracts, provided inadequate services to municipal residents or communities and mismanaged public funds.

Former MEC of Co-operative Governance, Human Settlements and Traditional Affairs (CoGHSTA), Hon. M.G. Makhuruptje, emphasised during the 2017 excellence awards that two key policy documents - the White Paper on the Transformation of the Public Service and the White Paper on Service Delivery - are crucial for they put the needs of the people first. In the context of public service, the 2017 keynote speech by the MEC of CoGHSTA remains noteworthy because it encourages and acknowledges the dedication and hard work of conscientious public servants who perform to the best of their abilities by leveraging government resources that support good governance and guarantee service delivery in communities.

3.3.3.5. District Development Model

Mamokhere and Kgobe in 2023, identified the District Development Model (DDM) as a new integrated district model that complements the IDP, to ensure that service delivery is realised in communities. The authors narrate that in 2018 when President Cyril Ramaphosa was appointed as President after the resignation of former President Jacob Zuma, during the 5th administration, the local government sphere required a model that will add value in fast tracking the delivery of basic services in communities. President Cyril Ramaphosa conceptualised the District Development Model, (DDM) as a game-changer in the South Africa's local government policy implementation landscape.

Mboweni (2022:123) explains, "The District Development Model is viewed as a response to the two structural challenges the country has been facing for time immemorial. It should be perceived that the model did away with the inefficient silos and disjointed planning which had duplicated national, provincial, and local government".

Mamokhere and Kgobe (2023) explains that the DDM was introduced in South Africa, in September 2019, to address constant challenges relating to service delivery, economic development, and governance at the district level. This model points out the need for closing gaps between local, provincial, and national levels, sharing expertise, and ensuring policy and budget consistency in its applications to all the forty-four (44) Districts and eight (8) Metropolitan Municipalities.

In my opinion, silo practice in all the spheres of government, continues to contribute towards bad governance by creating functions of services within the spheres of government, which lack integrated governance, such as the construction of low-cost houses, water and sanitation and road infrastructure. These functions are provided by all the spheres of government; however, they are implemented differently which ends up causing irregularities.

The Department of Co-operative Governance and Traditional Affairs (COGTA) is the policy sponsor of the DDM which plays a pivotal role in enhancing good governance. The DDM proposal requires both financial and human resource coordination of local government. Government needs to consider governance capacity within all spheres of government when implementing the envisioned DDM (Ministry of Co-operative Governance, 2019).

Mboweni (2022) reported that in the Auditor's General Report for 2020/21 FY, 257 municipalities were assessed. According to the report, several municipalities are poorly managed due to a high rate of vacancies in many of them, a disregard for legally-mandated governance structures, many corruption charges, and inadequate oversight. Due to this, only 18 of the 257 municipalities that were evaluated were able to produce high-quality financial statements and performance reports, which allowed them to comply with important laws like the Division of Revenue Act (DORA) and the Protection of Personal Information Act (POPIA); as a result, they were given a clean audit. The audit results for the 2020–21 fiscal year make it abundantly evident that municipalities and, by extension, the public sector, exhibit some sort of poor governance.

The poor performance cited in the Auditor's-General Report for 2020/21 FY needs to be addressed otherwise the DDM will fail. Trade Unions representing employees in the public service should play a significant role in resolving these pervasive governance challenges. This can only be accomplished if union representatives are engaged when developing district implementation plans, so that these strategies are drawn from public servants' experience.

The current policy debate on DDM focuses on business and community partnerships, however, it does not factor in the importance of building local stakeholders' relations with public service unions. International evidence shows that governance improves when trade unions form essential decision-making structures in local government (Public Servants Association, 2020).

According to the Public Servants Association (2020), the 6th Administration which came into office in May 2019 endorsed the DDM which intends to resolve persistent governance challenges in most municipalities across the country. It is designed around two fundamental pillars - inter-governmental coordination, and local social compacts. The significance of the DDM is that it enhances good governance in the local government sphere, hence, it assists in addressing service delivery backlogs while pursuing alternative solutions to strengthen local economic development, which will prioritise employment creation and localisation of product markets.

The President of the Republic of South Africa and the cabinet in 2019, set a target of implementing this DDM model in all the 44 districts (Mamokhere and Kgobe, 2023). Implementing the DDM, requires that the cabinet, led by the President and Deputy President and the Minister, should play a vital role in leading the consultation drive with key stakeholders, such as public service trade unions, which are important partners that can assist cabinet in generating views that may improve governance in municipalities.

Policy-makers are also advised to be innovative and adapt local economy strategies to new development models. Mboweni (2022) suggests that the notion of building a low-carbon economy presents an opportunity to shift local development away from traditional sectors, which have produced minimal socio-economic impact, therefore, all these proposals cannot be successfully implemented without creating new methods of mutual accountability through effective monitoring and evaluation.

3.4. THE IMPORTANCE OF A CODE OF ETHICS IN THE PUBLIC SECTOR

The examination of ethics has been a fundamental part of philosophical inquiry since ancient civilizations and its persistent role in enhancing knowledge and science renders it an essential component of management theory. Mafunisa (2008) and Sebola (2014) assert that ethics involves the analysis of moral decisions and human actions.

This research claims that several municipalities are badly run because of a high percentage of vacant positions in most of them, a lack of adherence to legally required governance frameworks, numerous corruption accusations, and insufficient oversight.

Only 18 of the 257 municipalities that were assessed, according to Mboweni (2022), were able to generate excellent financial statements and performance reports, enabling them to adhere to all significant laws, such as the Protection of Personal Information Act (POPIA) and the Division of Revenue Act (DORA); they received a clean audit as a result. It is clear from the audit results for the fiscal year 2020–21, that there is some form of weak governance in municipalities and, consequently, in the public sector overall.

Masiya, Davids, and Mazenda (2019) describe ethics as a collection of principles that pertain to morals, values, and human behavior; it identifies right and wrong tendencies, or human conduct. These authors highlight that ethics provide a framework for appropriate behavior and are subject to review, whenever necessary.

The Constitution with reference to section 195(1)(f) and the Public Administration Management Act (No. 11 of 2014), with reference to Chapter Six (6), plays a pivotal role in championing ethics, transparency, and accountability in the public service (Sibanda, 2017). Furthermore, the PFMA (No. 1 of 1999) with reference to Chapter 6 plays a vital role in championing ethics, through providing guidelines on financial misconduct in public service. It mandates accounting officers, in the public service, to enforce effective, efficient, and transparent systems of financial and risk management as well as internal control. The Treasury Regulation, 2001 and the Public Service Act (No.103 of 1994) also play a pivotal role in ensuring that internal control systems within the public service are strengthened.

Public administration must be guided by democratic principles and uphold a high standard of professional ethics, according to Section 195 (1) (a) of the Republic of South Africa's 1996 Constitution. Soerdi, Ihami, and Achmad (2022) define “professional ethics” in the public sector as a set of values and principles that guide people's behavior in different government institutions. These authors see professional ethics in the public sector as representing abilities, proficiency, efficacy, and efficiency, all of which are critical for providing essential services and strengthening good governance. Public employees, therefore, are required by the Constitution to conduct themselves in the most morally upright manner possible, while performing their jobs.

Section 195 of the Constitution of the Republic of South Africa, 1996, is essential to service delivery, for in addition to it enforcing the government's obligation to address people's needs, it also encourages the public to engage in public participation forums to influence policy. This study assumes that involving the public in policy-making processes and plans for infrastructure and development will greatly enhance the effectiveness and efficiency of service delivery in communities.

Nagiah (2012) classifies ethics as a continuous management process that upholds discipline in public service, rather than only developing a set of regulations. To assist frame pertinent questions regarding what the government should be doing and how public administration goes about accomplishing its goals, ethics should be considered.

Koekane and Mangena (2017) argue that to understand ethics in the public service, it is vital to know who is accountable for the distribution of services in all the arms and spheres of government. In this regard, accountability is not easy because the public service contains many players with various governance and management responsibilities, however, accountability by senior officials and political office bearers in the public service can only be effective when the code of ethics is enforced and centralised by government.

The public servants' code of ethics was created to implement the relevant constitutional provisions concerning public service; it serves as guidance for public employees about the ethical expectations placed upon them, thus promoting professionalism, and fostering trust in the public service, as stated by Masiya, Davids, and Mazenda (2019). Public servants hold a trusted role in society, with the advancement of public interest being their primary focus.

To this end, public employees adhere to a code of conduct and statutory regulations, which are crucial measures against unethical behavior. According to Sebola (2014), in 1997, the White Paper on Transforming Public Service Delivery adopted the principal objective of improving the standard of public service by ensuring that the “*people first*” (*batho pele*) approach was designed. *Batho Pele* is an approach to get public servants committed to serving people and to find ways to fast track the delivery of services.

The importance of *Batho Pele* lies in its concepts improving service delivery in communities and enhancing good governance in government institutions; *batho pele* is underpinned by several guiding principles stipulated in the statutory and regulatory framework guiding government institutions (Mboweni, 2022).

Furthermore, Mboweni (2014) notes that the White Paper on Transforming Public Service Delivery led to the establishment of the *Batho Pele* principles and other pieces of legislation to encourage compliance.

The following is a concise summary and explanation of the *Batho Pele* principles:

- **Advice.** Regarding the caliber of services they receive, citizens ought to be consulted.
- **The standards for services.** It is important to let communities know what to anticipate in terms of service quality and level.
- **Availability.** Every citizen should be able to access the services to which they are legally entitled.
- **Civility.** Everyone in the community deserves to be treated with regard and civility.
- **Data.** Complete and accurate information on the public services to which communities are entitled should be provided.
- **Transparency and openness.** People should be aware of their rights to information and how local government operates.
- **Resolving and managing grievances.** Members of the community should be entitled to a thorough explanation and a prompt remedy if promised services are not provided.
- **Economical value.** To provide citizens, the best value for their money, services should be delivered in an economical and effective manner.

Masiya, Davids and Mazenda (2019), note unethical conduct as an action or conduct which violates the principles of one or more ethical systems or which goes against accepted ethical values such as - honesty, integrity, responsibility, dignity, and respect. Unethical conduct is a chronic disease, an illness that can only be controlled, with no possible solution or cure.

Unethical behavior includes the covering up of incompetence, the manifestation of inefficiency and ineffectiveness, corruption, incompetence, fraud, bribery, nepotism, favouritism, and disclosing of confidential information (Mafunisa, 2000). Pillay (2016) maintains that unethical conduct, in government institutions, occurs because of public official's greed, dishonesty and minimal training and development of public servants.

Ethics and accountability are topical in developing nations, however, this does not indicate that issues of unethical behaviour, such as fraud and nepotism, do not exist in rich nations as well (Sebola, 2014); issues around ethics are constant topics in South African public administration and management, right now. Nkwinika (2021), notes that the Republic of South Africa's 1996 Constitution places a strong focus on the need for both public personnel and politicians to act professionally and ethically.

The Constitution is the ultimate law; hence, it has influenced some legislative frameworks that would operationalize its goals. It is nevertheless maintained that the declared legal frameworks for regulating moral behaviour, which paradoxically combine both values and fact-related issues in their conceptualization, nonetheless reflect an incompatible nature of the public servant and the public to be serviced.

According to Ngcamu (2019), ethics is an integral part of the public officials in delivering services to the communities. Openness, transparent, and accountable government are essential to community-oriented public service delivery and the lack thereof will result in covert unethical behavior. The formulation of the Code of Ethics for the South African public service indicates the government's commitment to enhance service delivery.

According to Nkwinika (2021), enhancing good governance is mainly about improving service delivery by having effective and efficient internal control systems and that ethical behaviour and decisions maintain citizens' trust which is vital to ensure effective and efficient utilisation of resources. This allows government to preserve individual rights, while assisting those who will benefit the most in terms of services such as water, electricity, housing, road infrastructure and transport, as well as quality education and proper health care system. Service delivery failure in South Africa is mostly attributed to unethical conduct.

Mafunisa (2001) asserts that ethics pertains to values associated with human behavior, particularly concerning the morality of actions and the goodness or badness of their intentions and outcomes. Additionally, ethics provides a framework for appropriate conduct. It consists of principles that have been developed over time and embodies the sincere commitment of public officials to serve different communities with dignity, respect, and integrity. The code of ethics plays a guiding role in our behaviour but also takes on a controlling function since these establish and put boundaries of behavior and set standards for public servants (Sebola, 2014); therefore, the formulation of the Code of Ethics or other policies would be counterproductive if such instruments remain as mere slogans or nice, good looking principles. In such an instance, politicians who seek to verify their intentions or proposals as ethical will utilise these.

Sebola (2014) further emphasises that ethical tools can be used to hide unlawful activities, leading to both legal and a more insidious forms of moral decay, therefore, it is essential to create a code of ethics that public officials and politicians can use to evaluate their actions, supported by appropriate training programs. Providing ethical training to all relevant stakeholders is crucial to ensure that unethical practices can be eliminated or, at the very least, reduced. In this light, the South African government has developed a range of laws and policies aimed at promoting ethics within public institutions.

3.5. CONCLUSION

The legal requirements that significantly support the advancement of good governance in the public sector have been covered in this chapter. In this sense, establishing effective and efficient internal control mechanisms is essential in improving service delivery through better corporate governance. Essential constitutional, legislative, and policy frameworks that promote good governance in the public sector are necessary for the existence of successful internal systems. The public service's operational systems were described in this chapter, emphasizing how crucial it is to preserve the ideals and principles set forth in South Africa's supreme legislation. The institutional organisations that are crucial in combating bad governance in the public sector will be the subject of the upcoming chapter.

CHAPTER FOUR

INSTITUTIONAL BODIES STRENGTHENING GOVERNANCE MECHANISM IN THE PUBLIC SERVICE

4.1. INTRODUCTION

The purpose of this study was to develop a framework aimed at improving good governance within the Limpopo provincial government, focusing particularly on the Health and Education departments. The research sought to evaluate whether the existing policy framework that supports good governance is beneficial and adequate for government entities in bolstering the principles of public administration by promoting effective, efficient, accountable, and transparent governance.

This chapter focuses on institutional bodies for combatting bad governance in the public service, particularly focusing on the key functions and responsibilities of both the Departments of Health and Education in South Africa, with reference to them rendering services to the populace. The chapter also presents the institutional bodies that promote best practices in government and reforms of public administration in the public service. The Constitution of the Republic of South Africa, 1996, with reference to Chapter Nine (9), has laid the cornerstone for institutional bodies that seek to champion best practices and ethical government through adherence to democratic processes and policy positions enacted by government institutions and parliament itself. Nkwinika (2021) posits that institutional bodies in South Africa have contributed immensely since the dawn of democracy, in fighting the scourge of corruption and malfeasance in the public service. The emergence of institutional bodies with reference to Chapter Nine institutions has assisted many institutions in the public service to enhance good governance by tightening performance measures of state institutions, for auditing purposes.

4.2. RESPONSIBILITIES OF THE DEPARTMENTS OF HEALTH AND BASIC EDUCATION

This section presents the constitutional and legislative mandate of both the Departments of Health and Basic Education. It provides their key functions, services, and responsibilities that they ought to render to the populace.

4.2.1 Department of Health

Section 27 of the Constitution of Republic of South Africa, 1996, stipulates the obligations of the health system in South Africa. The Department of Health enables the society to have access to healthcare in South Africa and the National Health Act (NHA, No. 61 of 2003), provides a legal framework which creates an avenue for policy formulation for the health fraternity. The key objectives of the NHA are to unite the various elements of the national health system in a common goal to actively promote and improve the national health system in South Africa. The NHA has created a system of co-operative governance and management of health services within national guidelines, norms, and standards, in which each province, municipality and health district must address the relevance of health policy and delivery of quality health care services in response to the community needs. Furthermore, it paves a legal avenue for establishing a health system based on decentralised management, principles of equity, efficiency, sound governance, internationally recognised standards of research and a spirit of enquiry and advocacy which encourage participation. The NHA also promotes inter-governmental relations within the health fraternity.

The Provincial Department of Health is responsible for ensuring that key provincial health issues, including the proper functioning of hospitals, are maintained. The Annual Report for 2018/19 FY, vote 07 for the Limpopo Department of Health (2019) indicates that the Department officially opened several state-of-the-art clinics in the province during the 2018/19 FY; these clinics include, Mothiba, Pinasrivier, Humulani, Nkomo, Vlakplas and Manyoga. These are fundamental interventions to bring about improved services and access to quality healthcare facilities to the communities, while also enhancing good governance.

The Annual Report for 2021/22 FY, vote 07 for the Department of Health, Limpopo Province (2022) notes that the Department derives its revenue mainly from rendering of health services to patients visiting the health facilities, who are classified in terms of the policy as “eligible to pay”. There are also other supplementary funds raised from other sources, such as commission on insurance, disposals, and debts on breach of bursary contracts and parking fees.

The Department renders free health services in its primary health care facilities and free services are also offered at all hospitals for those patients who cannot afford to pay for services and can provide proof for such services. Furthermore, children under the care of social welfare services, pregnant women who are self-funded and not utilising private doctors, children under the age of six and not covered by medical aid schemes and those patients who qualify for exemptions in terms of the Uniform Patient Fee Schedule principles.

The Annual Report for 2021/22 FY, vote 07 for the Department of Health, Limpopo Province (2022) indicates that the Department has received reports from Chapter 9 institutions, such as the Special Investigating Unit (SIU) and others on allegations of procurement maladministration relating to the Personal Protective Equipment (PPE) and the condition of the WF Knobel hospital, Moletjie Ramoshoane in the Polokwane Municipality.

These reports are in the public domain and the Department is implementing the recommendations from the SIU and the office of the AGSA, and although, the Department has improved in addressing the audit findings raised in previous financial years; however, it has remained stagnant on a qualified opinion audit outcome. The annual report for 2021/22 FY also indicated that 163 audit findings that were raised in the 2020/2021 financial year, 105, were resolved.

All efforts were put in addressing these findings, however, there are systemic issues that, unless addressed, the Department will continue to obtain qualified audit findings. These issues, which are transversal in nature, include but are not limited to, - poor ICT infrastructure which also affects the State Information Technology Agency (SITA); poor workforce management, inadequate control over human resources, such as leave management, time and attendance, document management systems, as well as poor control over financial management systems for budget management, asset management, and procurement management.

4.2.2. Department of Basic Education

The Department has, in terms of the Public Service Regulations and in alignment with its 2020-2025 FY, Limpopo Development Plan, MTSF and the strategic plan, developed a Service Delivery Model that spells out the distinct role for each level of its structures - head office, districts, circuits, and schools.

The Annual Report for 2020/21 FY, Vote no. 3 for the Limpopo Department of Education and Section 29 of the Constitution, is instrumental in making basic education a constitutional right for citizens to access all doors of the basic education system despite of age, gender, race, and tribe. The Department of Basic Education is at the core of implementing basic education policy in supporting schools, especially public schools to ensure the provision of quality education.

The Annual Report for 2020/21 FY, indicated that the Department was directed to develop a business plan to solicit COVID-19 funding from the Provincial Treasury in Limpopo Province. In this regard, the Business Plan was developed which covered activities to support schools in mitigating against the impact of COVID-19 on learning and teaching. One of the activities involved was the recruitment of both cleaners and screeners who will be placed in schools to assist schools with cleaning and screening learners.

The Annual Report for 2021/22 FY, vote no. 3 for the Limpopo Department of Education indicated that it is making great strides to achieve its infrastructure projects through the Education Infrastructure Grant (EIG), especially, in the eradication of unsafe and undignified pit latrines. The Annual Report for 2021/22 FY, further notes that the Department has implemented the government policy of ensuring that ethical conduct of all employees is monitored of those employees who serve in management, as well as in areas of strategic importance, such as Supply Chain Management, Infrastructure Management and Budget services, Accounting and Expenditure, Institutional Governance, Examination and Curriculum.

All members of Senior Management Service (SMS) and Middle Management Service (MMS) submitted their Financial Disclosures as required by the Public Service Regulations and other related prescripts; these were submitted online through the DPSA E-Disclosure system and employees who have access to classified information were subjected to security vetting, in compliance with the Public Service Regulations.

In accordance with the Public Service Regulations, the Department has nominated ethics officers and has formed an Ethics Committee, according to the FY report for 2021–2022. The Committee's primary responsibility is to create ethical policies that will help stop and discourage corrupt practices and unethical behaviour. Employees, including citizens, are encouraged, and given the opportunity to expose claims of corruption and other unethical behaviour within the Department due to this strategy. Additionally, the Committee guarantees the privacy of any reported violations and keep track of all accusations of corruption and unethical behaviour, hence, helping to strengthen good governance.

4.3. INSTITUTIONAL BODIES THAT PROMOTE GOOD GOVERNANCE

The Constitution of the Republic of South Africa, 1996, specifically Chapter Nine (9), has established significant institutional bodies that greatly contribute to the country's constitutional democracy by implementing governance mechanisms and control systems through entities, such as the Public Protector and Auditor-General.

Furthermore, there are also other institutions which plays a vital role enforcing mechanisms that seeks to enhance good governance. The institutions are namely Public Service Commission (PSC), South African Police Service (SAPS), and the Special Investigating Unit (SIU).

These organisations are frequently referred to as “watchdogs” for the anti-corruption movement because they are essential in providing oversight that helps law enforcement agencies spot possible unethical activity and play a critical role in fostering good governance within the government. According to the AGSA (2022), Chapter 9 institutions must operate with transparency, accountability, and independence, bearing a constitutional responsibility to uphold the rule of law. The only authority that supersedes these institutions is the Constitution, consequently, no individual or organization should interfere with the authority of these institutions.

4.3.1. The Public Protector

Section 182 (1) of the Constitution of the Republic of South Africa, 1996, provides for the formation of the Office of the Public Protector through the Public Protector Act (No. 23 of 1994). According to Phago (2018), the Public Prorector is a constitutional independent institution which is mandated to support and reinforce constitutional democracy by defending and protecting the constitutional rights of the citizens, through the application of laws.

Phago (2018) goes on to conclude that the Public Protector is tasked under section 182 (1) (a) of the Constitution with looking into, documenting, and correcting unethical behavior in all matters of state, hence, the Office of the Public Protector must be equipped to handle complaints and concerns from all individuals and communities.

The Public Protector Act (No. 112 of 1995) and the Constitution provide the Office of the Public Protector with its authority and duties, for instance, in 2013, the Limpopo Department of Education investigated the textbook saga.

This followed media reports that schools in the province had not received their textbooks at the beginning of the 2012 academic year. Similarly, Section 27, which is a public interest organisation, also investigated the Limpopo textbook saga in 2013; this is a public interest law organisation that seeks to influence, develop, promote, and advance human rights.

The primary duty of the Public Protector is to uphold and strengthen constitutional democracy in South Africa by safeguarding individuals' rights against those who violate the rule of law. As mandated by Section 182 of the Constitution, the Public Protector is required to investigate any misconduct across all levels of government; the Office is established in all nine provinces, with all provincial offices reporting to the national Public Protector. According to Singo (2018), the Limpopo Provincial Government was placed under administration through section 100b of the Constitution, impacting five provincial departments: Roads and Transport, Education, Health, Provincial Treasury, and Public Works.

Singo (2018) notes that in 2012, the Public Protector from a launched investigation, found that senior government employees violated the Public Finance Management Act (No. 1 of 1999) by reallocating funds meant for employee compensation to cover unpaid goods and services, resulting in certain provincial departments being placed under administration. The investigation also uncovered conflicts of interest stemming from the actions of senior officials involved in procurement processes, as the Public Protector, is instrumental in addressing corrupt practices, within the public sector.

4.3.2. Auditor-General of South Africa

The Constitution of the Republic of South Africa, 1996, under Section 188(1), mandates the establishment of the Auditor-General through the Auditor-General Act (No. 12 of 1995). The primary role of the Auditor-General is to oversee the financial administration of public funds across all spheres and arms of government.

According to AGSA (2018), the Auditor-General plays a pivotal role in promoting good governance by ensuring robust financial management and implementing procurement best practices to combat corruption. Chapter 9 of the Constitution establishes six state institutions aimed at promoting and fostering constitutional democracy in South Africa, including the Office of the Auditor-General. As stipulated in Section 188 of the Constitution, the Auditor-General is tasked with the verification and auditing of financial statements, from government institutions, such as provincial departments and municipalities, as well as public and private entities. These audit outcomes are constitutionally required to be made publicly available to promote accountability.

Singo (2018) highlights that the Auditor-General has the responsibility to examine the mechanisms used by senior officials to ensure adherence to financial sustainability requirements, therefore, the office monitors and evaluates the financial operations of state institutions across all spheres and branches of government, in all nine provinces of South Africa.

4.3.3. Public Service Commission

The Public Service Commission (PSC) was established by the Public Service Act (No. 103 of 1994) in accordance with Section 196(1) of the Constitution. By encouraging open and responsible public administration, the Act seeks to create a capable and developing state, which guarantees that communities receive high-quality services; in line with its mandate is to maintain integrity, norms, and standards inside government organizations and entities (Sebola, 2014). By upholding these core tenets, the PSC aims to promote trust between the state and its citizens. This involves promoting good governance by putting “*batho pele*” concepts into practice, which place an emphasis on efficacy, efficiency, and ongoing service delivery improvements to raise service quality.

Manyaka and Sebola (2013) argue that the PSC is a cornerstone of constitutional democracy in South Africa as it ensures that all state organs and institutions promote ethical behavior within their respective jurisdictions. Adherence to principles of good governance relies heavily on the PSC's role in enforcing ethics to regulate the conduct of public officials. In this context, the professionalisation of government institutions and entities across all spheres and branches of government is essential to ensure quality service delivery and strengthening of good governance.

The PSC is a Chapter Ten (10) institution which is founded through Section 196 of the Constitution of the Republic of South Africa, and it gets its mandate from Section 195 which underpins the basic values and principles governing public administration. The Commission is empowered to constantly investigate, monitor, and evaluate the progress of implementing code of ethics, in the public service. Thusi, Matyana and Jili (2023) note that several cases revolving around corruption and fraud have been investigated and prosecuted in the public service since the commencement of the 6th Administration in May 2019. The investigations also include the achievements and failures in the implementation of government programmes.

4.3.4. South African Police Service

Ensuring that criminal activities reported are investigated through fair and just procedures is the main objective of the SAPS Act (1995), which facilitates transparent, accountable, and credible outcomes. Through programmes designed to inform the public and public officials about the repercussions and ramifications of criminal behavior, the Act also plays a critical role in combating corruption. By implementing programmes like GBV programmes and victim support, the Act also prioritises upholding public order, protecting women, ending crime, and effectively enforcing the law.

Section 12 (1) (c) of the Constitution visualises an environment which is safe - at home, at school and at work – thus citizens enjoying life without any fear or harm. This is in-line with Chapter Twelve (12) of the National Development Plan (NDP) which champions for safer communities in South Africa, like Outcome Three (3) of the 2019-2024 Medium Term Strategic Framework (MTSF).

Masiapata (2007), maintains that SAPS ensures safety and order in South Africa, enabling the government to achieve the goals outlined in Section 205 of the Constitution. In this context, it is essential for all governmental bodies to collaborate with SAPS, to enhance good governance by combating corrupt practices and other unethical behaviors. The Constitution is key in enforcing legislation that guarantees community safety and protection against criminal activities, as stated by Mbandlwa, Dorasamu, and Fagbadeba (2023). Sections 205 to 208 of the Constitution are vital in organizing SAPS to operate within the national, provincial, and, if necessary, local levels of government. SAPS is tasked with the duties of preventing, addressing, and investigating crime, maintaining public order, safeguarding the citizens of the Republic and their properties, upholding, and enforcing the law, and creating a secure environment for all residents of South Africa.

4.3.5. Special Investigating Unit

Lekubu (2019), notes that the Special Investigating Unit (SIU) is an independent agency which is mandated with the responsibility of registering complaints and claims and conducting investigations in relation to unethical practices such as corruption, malfeasance, money laundering and fraud, in all government institutions.

The SIU and Special Tribunal Act (No. 74 of 1996) was passed, establishing the SIU, according to Pillay (2016). By establishing formal investigations into significant cases of corruption or poor management within state institutions, the SIU protects public administration from unethical behavior. The SIU is also charged with protecting public assets, making sure that public funds are managed ethically in accordance with the PFMA and other pertinent laws and policies, and dealing with any unethical activity that is against the law.

In 2012, in line with Section 100 (1, b) of the Constitution, the SIU was instructed to investigate non-compliance issues within five (5) departments of the Limpopo provincial government that had been placed under administration (Malunga, 2015). The author also revealed that there were 303 cases requiring investigation; out of these, the SIU acted on 88. Among the 88 cases, 44 involved senior officials, while the remaining 44 pertained to middle management officials and junior employees.

The SIU released a report in October 2022, regarding the freezing of the pension funds of the former Head of Department (HOD) for Health in Limpopo Province (Dr Thokozani Florence Mhlongo) regarding allegations of unethical practices during the procurement of personal protective equipment (PPE) in response to Covid-19 pandemic (<https://www.SIU.org.za>). The report among others, indicated that the provincial Health Department had irregularly awarded PPE tenders worth R125 million, resulting in about 33 criminal cases being referred to law enforcement agencies for further investigations and prosecutions.

The SIU findings uncovered irregularities in the awarding of service providers, by - Clinipro Pty Ltd, Pro Secure Pty Ltd, and Ndia Business Trading (Pty) Ltd - for the supply and delivery of PPE items, which resulted in the Department incurring irregular expenditure and fruitless and wasteful expenditure of approximately R182 million.

The SIU investigation revealed that the former HOD (Dr Mhlongo), was involved in unethical administrative transactions which led the Department into wasteful expenditure when the accounting officer authorised the procurement and payment of 10 000 cell phones to the value of R10 million for Covid-19 household screening. The SIU also noted that the Department could only distribute 388 of the 10 000 cell phones between September 2020 and March 2021, and these were distributed without the required screening application. After the physical counting of cell phones in storage by SIU investigators in March 2021, the Department distributed 9588 cell phones to community health workers for Covid-19 vaccination, without the required application process.

According to Matshabaphala and Ringson (2022), the SIU reported that investigations concerning undisclosed interests by high-level corrupt and unscrupulous government employees in executive positions were turned over to SAPS for additional examination. Sensitive information that implicates certain public employees and other stakeholders who did business with the provincial government had to be gathered by the SIU during the investigation process. According to the Constitution, the Head of State must approve and carry out the recommendations in the SIU's final report of investigations.

4.4. REFORMING THE PUBLIC SERVICE IN SOUTH AFRICA

The democratic government inherited an apartheid system of the public service and to establish a developmental state, while maintaining the constitutional values and principles that guide public administration, the first administration, which took office in 1994, had to work around internal systems, policies, and laws (Jarbandhan (2022). Many people experienced joy, hope, in the 1994 democratic transition, but there were also concerns. The *"better life for all"* slogan, which served as the foundation for freedom, had to be fulfilled by the newly elected government in 1994.

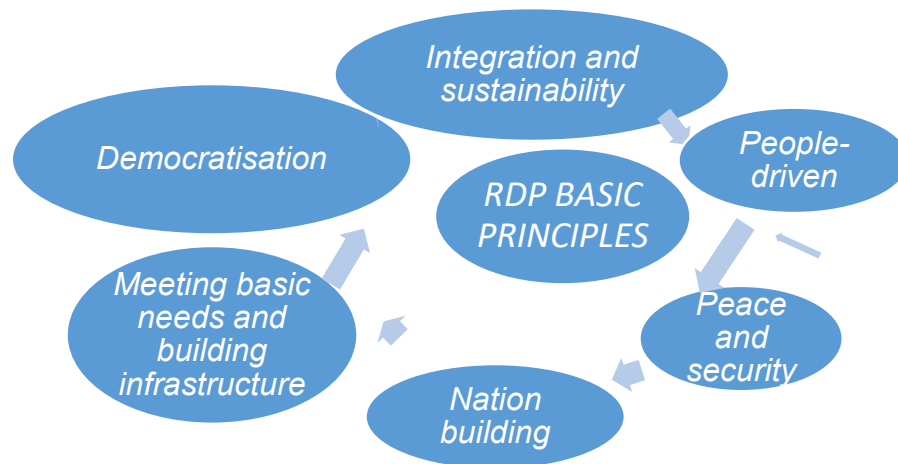
The Constitution, particularly in section 195, emphasises that public administration is crucial in transforming the public service by upholding high standards of professional ethics while efficiently, economically, and effectively utilising resources in a development-focused manner. The Public Service Act (No. 103 of 1994) stipulates that there must be a designated leader, like the Director-General for national departments and the Offices of Premiers in provincial governments. Additionally, the Act mandates that heads of provincial government departments also serve as accounting officers tasked with ensuring the efficient management of their respective organizations.

Section 196 (1) of the Constitution advocates for a single, independent commission that must discharge its duties, and the mandate entrusted to various government institutions to maintain and uphold high standard of professional ethics in the public service, in accordance with legislative requirements. The Commission is essential in fostering the fundamental values and principles that govern public administration, as outlined in Section 95 of the Constitution.

The Reconstruction and Development Programme (RDP) was developed and unveiled in the first administration of the democratic government under the stewardship of President Nelson Mandela in November 1994 (Jarbandhan (2022)). The RDP was characterised as policy instrument that sought to arrest the apartheid inequalities and unjust developmental plans and rather establish government programmes that will revive the economy of South Africa with an intention to alleviate poverty and to eradicate the disparities of the past. One of the doctrines of RDP was to reform the public service by enhancing good governance, by professionalising the public service, which is aimed at supporting and addressing human resource development.

The RDP programme has six (6) principles which were meant to ensure coherency in the programme's implementation. The six principles of the RDP programme are highlighted in Figure 4.1. below.

Figure 4.1. Six basic principles of the RDP



Source: White Paper on Reconstruction and Development, 1994

According to the Office of the Presidency (2021), the only way to fulfil the promise to better the lives of South Africans was through a state that is capable, effective, moral, and development focused. The Head of State's statement makes it abundantly evident that the public service needs individuals who are competent, skilled, and academically qualified to promote the fundamental ideas of the RDP.

The legislation that underpins the appointment and removal of public servants, particularly officials attached to Chapter 9 institutions in South Africa's public administration has caused problems in the public service (Klaaren, 2021). It provides political office bearers and public servants holding senior positions in the public service with considerable powers over appointment decisions. Politicians deployed as office bearers in public institutions are empowered to play a determining role in appointing of senior public servants, in strategic positions, in government institutions.

Klaaren (2021) opines that politicians usually dictate to panel members in various public institutions to consider appointing their close political allies. The interference of politicians in the appointment and removal of officials or administrators in the public service weakens the democratic control, which characterises bad governance.

Jarbandhan (2021) posits that reforming the public service would also require the strengthening of professionalism. Professionalism in the context of this study is providing organisational services in a standardised and approved conduct and is also associated with ethics and *batho pele* principles.

In this context, professionalism in the public sector can only succeed when people or rather, public servants behave in a way that is humane and denotes respect and discipline. Theoretically and traditionally, it is assumed that public employees will possess professionalism due to their education, experience, and relevant skills and it is widely believed that public employees are aware of the public service code of conduct and will demonstrate that they understand the rules in their day-to-day work activities.

The Public Service Commission is a constitutional entity that plays a crucial role in transforming the public service, as outlined in Section 196 of the constitution. The National Development Plan (NDP), which was created in 2010, aims to alleviate poverty and inequality by 2030 through fostering unity among South Africans and harnessing the potential of its citizens (Klaaren, 2021). The author adds that the NDP serves as a strategic framework advocating for the establishment of a new leader for the national public services. Jarbandhan (2022) contends that the NDP is an essential tool in the battle against poverty and unemployment in South Africa.

In this regard, it is crucial for all stakeholders within the public service to actively contribute to promoting professionalism and skills development within both the public service and local government sectors, in-line with policy positions and guidelines outlining the requirements for these roles. According to the Public Service Act (No. 103 of 1994), all applicants for positions in the public service must either be citizens or permanent residents of South Africa and must possess the requisite fitness and propriety. Public servants associated with organizational development and design units are responsible for creating job specifications in their respective organisations that align with the primary objectives and core functions of the position, ensuring no unfair discrimination against employees, rather, adherence to legal requirements.

4.5. CONCLUSION

To combat corruption and other aspects of poor governance in the public sector, the Constitution's Chapter Nine (9) institutions and Chapter ten (10) are essential. These organisations play a vital role in bolstering democracy and improving public service's good governance. This chapter examined the primary duties and roles of the Departments of Health and Basic Education. These two Departments receive the largest allocation from the National Treasury due to their vital function in tackling socio-economic issues such as poverty, access to free education, health services, and the welfare of citizens. The chapter also addressed the organizational entities that foster good governance within the public sector.

These entities mentioned are crucial for the monitoring and evaluation framework that assists law enforcement agencies in identifying any possible unethical behaviors, thus earning the title of “watchdogs” for the anti-corruption initiative; additionally, this chapter explored the reform of the public service in South Africa. By maintaining a high standard of professional ethics, that is efficient, economical, and effective in resource utilization while being development-oriented, public administration plays a crucial role in public service reform, as highlighted by the Constitution, especially Section 195.

CHAPTER FIVE RESEARCH METHODOLOGY

5.1. INTRODUCTION

According to Mouton (2001), research is a scientific investigation aiming to uncover the truth about a particular phenomenon or problem. It is a thought process, but it is also aimed to bring about change in which accumulated facts and data are analysed to determine the truth about a phenomenon.

This chapter presents the research methodology that the study undertook to collect and interpret data, from the research participants, pertinent to the research topic. It is vital in ensuring that credible, concrete, and truthful analysis and findings of the study are generated. The chapter will present the research - design, paradigm research method - of the study. Additionally, the research setting, the population, sampling strategy and size, data collection and analysis, quality controls and ethical considerations, are discussed in this chapter.

5.2. RESEARCH DESIGN

Research is a scientific study that seeks to investigate a problem to establish scientific and concrete findings to address it; the process also details the design or how the study will be conducted. According to Gray (2016), research design is a plan that guides a researcher in the collection and analysis of data and answers various questions such as - how, where, when and how - in the study.

Research design, hence, is a blueprint that guides the procedures that the study should undertake (Mouton 2001). Delphus (2020) construes a research design as a set of procedures and methodology that is employed to scientifically investigate and respond to the problem of the study. According to Alcers (2018), research design also presents the kind of strategies that are required to collect, analyse and interpret data so as to respond to the research objectives and questions. Babbie and Mouton (2006) posit that the design is a plan and structure which provides a schedule in a manner that the validity and reliability of the research findings are maximised and potential errors are eliminated.

As noted by Munzhedzi (2011), validity and reliability should complement one another since relying on a method that lacks validity is not beneficial; conversely, a method that demonstrates high validity is of no use unless its reliability can also be established. Validity and reliability are frequently considered when research employs various data collection techniques; this research has incorporated multiple data collection methods (refer to 5.8). The primary aim of utilising various data collection techniques is to enhance both the validity and reliability of the findings. Throughout the entire research process, including the data gathering phase, the researcher made efforts to reduce errors and bias by ensuring that the research sample was representative and that the presence of the researcher, did not sway the opinions of the participants.

The research design provides the framework and plan for organizing the study in a scientific and analytical manner to guarantee that the suggested framework, for improving public service's good governance with reference to the Departments of Education and Health in the Province of Limpopo, is relevant. To plan and structure the procedures and procedures that were used to collect data, the case study design was exploited.

According to Yazan (2015), a case study design is a detailed study of a person, group of people or an organisation to provide a detailed scientific analysis and investigation of the phenomena. Alcers (2018) notes that a case study is a detailed scientific investigation of a research problem in its real-life context, and it can easily be linked with other data collection techniques, such as questionnaires, interviews, and document analysis. Nkwinika (2021) notes that the case study design is key in making sure that the data collected is authentic, trustworthy, and credible and since it often draws on the experiences of people, it provides an in-depth knowledge of the subject that is researched. Yin (2014) states that the case study method enables researchers to retain the essential characteristics of real-life occurrences such as personal life cycles and organizational processes.

After reviewing insights from various scholars, case study research is valuable and delivers an in-depth exploration of complex phenomena. Additionally, it represents a systematic approach and framework that was deemed appropriate in attempts to improve governance in the Limpopo provincial government; the researcher chose the Departments of Health and Education for the case study.

5.3. RESEARCH PARADIGM

A research paradigm is basically the philosophical framework that supports a study or research project, and its goal is to guide the investigation process in the study, claims Lekubu (2019). According to Kivunja (2017), a research paradigm, represents the viewpoints of researchers regarding their knowledge and convictions about the environment. Additionally, the author suggests that a research paradigm serves as a lens through which the world is viewed, framing a research topic, and shaping researchers' feelings about it. Research paradigm encompasses various components that are utilised in a research study, such as - ontology, epistemology, descriptive, critical, comparative, positivist, and pragmatic paradigms. This study will primarily employ critical and epistemological paradigms.

5.3.1. Critical Paradigm

As noted by Kivunja (2017), the critical paradigm places its research focus on issues of social justice and aims to tackle the political, social, and economic challenges that contribute to social oppression, conflict, struggle, and power dynamics at any level that they may manifest. This paradigm is pertinent to this research as it critically examines the framework intended to promote good governance within the public sector.

5.3.2. Epistemology Paradigm

Alcers (2018), notes that epistemology serves as a research paradigm that outlines the theories and assumptions present in a research study, as well as the philosophical foundations of knowledge. Lekubu (2019) argues that epistemology, also referred to as the “philosophy of science” is concerned with the foundations of knowledge, which encompasses a set of assumptions regarding the methods through which knowledge and experience can be obtained.

The epistemological paradigm is pertinent to this research as it emphasizes the characteristics of human knowledge and understanding that one, as the researcher or reader, can potentially acquire to enhance, expand, and deepen one's comprehension in an area of study.

5.4. RESEARCH APPROACH

According to Burns and Grove (2010), a research approach refers to a systematic approach utilized in research studies for data collection and analysis. Mouton (2001) states that the methodology represents the strategies employed by the researcher to conduct the overall research project. Additionally, the author suggests that research approach primarily concentrates on the techniques and tools used for data collection and analysis; It encompasses various elements such as design, setting, sampling, and methodological constraints for gathering and analyzing data.

Munzhedzi (2011) indicates that research approach also involves steps, procedures, techniques, and specific actions that the researcher must follow to implement the research design. Mboweni (2020) emphasizes the importance of selecting a research design for a study, which should clarify the type of approach needed to ensure the research's success. This study adopted a qualitative research approach. Denzin (2009) explains that a qualitative approach is a positioned activity that situates the researcher within the research environment.

Singo (2018) highlights that qualitative research mainly aims to develop understandings of social subjects and concepts. Through a qualitative approach, researchers can comprehend methods, events, and relationships within shared, cultural contexts (Welman, Kruger, and Mitchell, 2010). Nkwinika (2021) argues that the qualitative research approach is crucial in addressing complexities in understanding human behavior and the processes involved in managing such behavior.

Aspers and Corte (2021) assert that the qualitative research approach is essential for expanding knowledge through an informative and naturalistic exploration of the subject under investigation. This approach enables qualitative researchers to capture the feelings, experiences, and perspectives of each participant (Almeida, Faria, and Queries, 2017). This signifies that qualitative researchers investigate phenomena in their natural environments, striving to comprehend or interpret these based on data gathered from participants. Nkwinika (2021), reiterates that the qualitative research approach mainly provides a thorough understanding of the study participants and the variables affecting their behaviour.

The primary reason for employing the qualitative research approach is its potential to explore topics such as, the public service, including public servants, who are crucial in ensuring the delivery of government services to communities while enhancing good governance. Mboweni (2020) notes that the qualitative research method is adaptable, transparent, fair, and essential in providing the researcher with substantial information through various data collection methods, such as in-person interviews and online surveys.

This approach was deemed crucial in obtaining relevant information to answer the research questions and accomplish the goals mentioned in the thesis's first chapter. The information and content of the suggested framework for enhancing good governance in the provincial government of Limpopo, with an emphasis on the departments of education and health, were examined.

5.5. RESEARCH SETTING

A research setting refers to the geographical location where a study is conducted and where data will be gathered for analysis purposes (Du Plessis and Van Niekerk, 2014). This study aims to present a framework to improve good governance within the Limpopo Province, focusing on the Health and Education Departments as case studies. Limpopo Province has 5 districts: Capricorn, Mopani, Sekhukhune, Vhembe, and Waterberg and the provincial head office for both departments is situated in the Capricorn District, specifically, within the City of Polokwane Municipality.

The working environment in these provincial Departments serves as a study setting, allowing the researcher to investigate concepts such as organizational norms and standards, codes of ethics, best practices, and good governance.

Limpopo Province borders Mozambique, Zimbabwe, and Botswana, as well as Mpumalanga, Gauteng, and North-West Provinces. The province is named after the Limpopo River, which flows along its northern border; the area is traditionally characterised as an agricultural and manufacturing sector.

Limpopo Province occupies 10.3% of South Africa's land space. It shares borders with other countries (externally) and fellow provinces (internally). On the Northern side, the province shares a border with Zimbabwe, across the Limpopo River; on the Eastern side, it shares a border with Mozambique, and on the Western side, it shares a border with Botswana. This strategic location of the province presents both opportunities, as well as challenges for public services rendered in the borderline areas, which require unique set of interventions

Limpopo province is largely a rural province, with most of its communities and citizens residing in rural areas. However, the provision and access to basic services remain a challenge across the board. According to the Census report released by Statistics South Africa in October 2023, South Africa recorded a population of 62 027 503 million people living in the country.

Limpopo province ranks fifth in South Africa in both surface area and population, covering an area of 125 754 km² and being home to a population estimated to be 6.015 million with 1.641 million households as per the Census report of October 2023 from Statistics South Africa. The major towns in Limpopo province include Bela-Bela, Lephalale, Makhado, Musina, Thabazimbi and Tzaneen as reflected in figure 5.1. Limpopo province is rich in minerals as well as agriculture. It is also doing well in the manufacturing sector.

The research involved public servants, working in different job categories, namely, administrative/junior level, middle and senior management. To ensure that the current legislative and policy framework is improved to enable effective and efficient public service and to reinforce ethics and best practices in government, it is imperative that the framework for improving good governance in the provincial government of Limpopo be proposed, hence, the rationale for this study.

Figure 5.1: Limpopo Province reflecting all the districts along with the provincial landscape



Source (Limpopo Development Plan, 2020-2025: 2021)

Figure 5.1., focuses on all the districts in Limpopo Province. The head office of all provincial departments in the province is in the Polokwane Municipality, in the jurisdiction of Capricorn District Municipality.

Figure 5.2: Map of South Africa showing all the nine (9) Provinces



Source: (Map data AfriGIS (Pty) Ltd, 2019)

Figure 5.2 presents all the provinces within the Republic of South Africa. This study puts forward a framework aimed at improving good governance in the Limpopo Provincial Government, focusing on the Departments of Health and Education.

5.6. POPULATION

According to Delphus (2020), the population, in the context of a study, refers to a target group in an area of interest identified by a researcher to conduct the research. Adding to that, De Vos (2014), states the population, in the context of a study, as a group of people who are involved with a phenomenon or research problem to be scientifically investigated and from which a sample is selected.

The population is pivotal because it defines the type of populace that fits the researcher's topic. Lekubu (2019) posits that population is vital as it determines the type of data to be collected, how it is to be collected, analysed and interpreted. The selected participants in research, hence, represents the entire populace of a selected study area.

5.7. SAMPLING STRATEGY

According to Bryman and Bell (2003), sampling is a method that is used to select people, groups of people and institutions, to represent the entire population, to participate in the study. (Gill, Johnson, and Clark, 2010). Mboweni (2020) reiterates that sampling in the context of a research study is a group of people from whom the data is collected. Yin (2003) states that sampling is done because it is not practical to involve every single participant in the target population, hence, sampling aids in categorising and selecting a manageable portion to partake in a study, thereby, the process is key in saving time, money, and effort, when conducting research.

Sampling plays a crucial role in research, as it allows researchers to control the characteristics of individuals by studying only a relevant subset of the entire population. It is essential to conduct sampling because including everyone in the target population for a study is neither feasible nor practical, thus, it is essential to choose participants who can accurately represent the whole population.

In this study, participants were selected using purposive sampling to recruit individuals who would provide the researcher with valuable information for data analysis and interpretation. Haradhan (2018) notes that a purposive sample is selected based on the researcher's focus; selection within the interpretive paradigm is typically deliberate, targeting specific inclusive criteria instead of relying on random selection. Babbie (2010), explains that purposive sampling is an approach in which people, groups and organisations are selected intentionally to furnish pivotal information that cannot be obtained from other choices; in other words, purposive sampling, is a procedure that includes the deliberate selection of world units to create a sample that is representative of the universe.

On-line semi-structured questionnaire

The researcher utilised a semi-structured questionnaire to collect in-depth insights or opinions from the participants. The questionnaire was distributed via email.

Documentary evidence

Documentary analysis is a method used to examine written documents and transcribed communications (Cardno, Rosales-Anderson, and McDonald, 2017). The documents can consist of academic theses and dissertations, newspapers, journal articles, policies, annual performance plans, frameworks, and academic publications. Shai (2017) explains that documentary analysis is a time-efficient and cost-effective alternative to collecting primary data through fieldwork, hence, both published and unpublished documents can aid researchers in obtaining information.

The researcher utilised documentary analysis to gather diverse data to generate trustworthy findings. For this study, it was essential to examine pertinent documents from the Limpopo Provincial Government, specifically related to the Departments of Education and Health, to effectively address the research questions that were formulated for this study.

5.8. SAMPLE SIZE

According to the Annual Performance Plan for 2024/25 financial year, the Limpopo Department of Health has a total number of 64 342 approved posts including both core and support staff. The permanent posts filled are 28 652 full-time employees appointed in terms of the Public Service Act (No. 103 of 1994). Out of the 28 652 employees, 21 217 are females and 7435 are males; when including part times employees, 8282 are males and 31 249 are females which makes it a total of 39 531 of employees, hence, the Department is dominated by females. In 2022, all government institutions were directed by the Department of Public Service and Administration (DPSA) to implement the Persal Clean-up project and one of the outputs of the project was to abolish all unfunded vacant posts from the persal systems; these figures included nurses, paramedics, medical practitioners, and pharmacists, as well as administrators in the head and district offices.

The Annual Performance Plan of the Limpopo Department of Education for 2024-2025 financial year indicates that the employees appointed in terms of the Public Service Act (No. 103 of 1994) is 4286, whilst educators are 50 007, therefore, there is a total of 54 293 employees. Out of these 54 293 employees, 19 691 are males, whilst 33 637 are females, hence, the Department is dominated by females. The Limpopo Department of Education continues to be faced with a high rate of aging staff, especially teachers and the shortage is exacerbated by the low absorption of young, professionally qualified educators and administrators.

Using purposive sampling, the researcher selected participants who can provide relevant information to answer the research questions and the objectives of the study. The researcher selected 100 participants - 50 were from the Department of Health and the other 50 from the Department of Education. The participants were spread out in various job levels, hailing from junior employee to senior management.

5.9. DATA ANALYSIS

This section concentrates on the analysis of data gathered. Creswell (2009) explains that data analysis in a study involves the process of simplifying and organizing data collected from both primary and secondary sources; the data gathered must be clear, concise, and meaningful to effectively address the research questions and objectives of the study. Nkwinika (2021) elucidates that data analysis entails transforming raw data sourced from research participants into summarised and categorised themes that are more beneficial for providing a comprehensive analysis of the research issue. Data analysis helps in mapping and organising the collected data into themes and texts and to bring order to ensure that the study has meaning and relevance hence, the process focuses on describing the research phenomenon and making sense of the research findings (Vancauwenbergh and Poelmans, 2019).

Kiger (2020) posits that data analysis is performed to help researchers identify consistent trends within the data, such as the recurring relationship between two or more variables. Considering the insights from the aforementioned authors, data analysis should focus on condensing information by coding relevant themes, which in this study were - principles of good governance, accountability, transparency, participation, as well as efficiency and effectiveness.

The qualitative nature of this study relied on primary data collection through in-person interviews and semi-structured questionnaires, as well as analysis of various published and unpublished journal articles, academic literature, annual performance plans, and audit reports. Additionally, the research incorporated secondary data from newspapers, editorial content, the Constitution, legislative, and policy frameworks for data sourcing and analysis.

It is critical to recognize the differences between primary and secondary data. According to Munzhedzi (2011), secondary data is information found in published literature, while primary data is information obtained straight from the original sources, including departmental strategic planning documents and reports, research questionnaires, and departmental published annual performance plans (APP).

This study employed thematic data analysis to interpret and code the data themes. As stated by Xu and Zammit (2020), thematic analysis is a widely applied approach for qualitative data analysis. Salleh, Mohamed, Mohd-Yusof, and Jamaluddin (2017) assert that thematic analysis serves as an introductory technique for qualitative analysis, equipping researchers with fundamental skills necessary for various other qualitative data forms. Kiger (2020) mentions that thematic analysis is a practical approach for qualitative researchers, illustrating how it can be utilized in constructivism to demonstrate the evolution of specific social constructs, through an examination of diverse data, as constructivist thematic analyses aim to uncover more profound, latent themes within the data.

Developing a framework to enhance good governance, in the provincial government, of Limpopo will be a good use of the thematic analysis of the case studies of the Departments of Education and Health. Braun and Clarke (2006) provide a useful framework for conducting thematic analysis in the form of a six-phase guide. Below are the six steps of thematic analysis:

- *Step 1: Become familiar with the data,*
- *Step 2: Generate initial codes,*
- *Step 3: Search for themes*
- *Step 4: Review themes,*
- *Step 5: Define themes,*
- *Step 6: Write-up.*

Step 1: Get acquainted with the information

At this point, researchers thoroughly review the collected data until they have a firm grasp on its contents. Making notes for the researchers' own use in creating code is essential. It is crucial that the researcher takes notes or underlines ideas for coding purposes during this process.

Step 2: Create the First Codes

To preserve relevance and successfully respond to the research questions, the researcher organises and logically arranges the data at this phase.

Step 3: Look for themes

By focusing on themes rather than codes, grouping the different codes into potential themes, and compiling all relevant coded data extracts within the designated themes, the researcher broadens the scope of the analysis in this phase. The researcher also provides an explanation of the compiled themes to ensure that they successfully address the goals of the study.

Step 4: Examine the themes

The initial themes found in Step 3, are further developed, and refined in this step by the researcher, while also making sure that the theme is related to and relevant to the objectives.

Step 5: Defining themes

In this phase, the researcher identifies and hones the themes that will be used to present the analysed data gathered. Additionally, this step guarantees that the sub-themes developed in Step 4 are examined and that the established themes offer a clear representation of the study's research questions and objectives.

Step 6: Writing-up

At this stage, the researcher creates a high-quality final research dissertation, thesis, or journal article.

5.10. QUALITY CONTROLS

According to Dahal (2023), quality control in the context of a study is a system used to assess and control the quality of a study. Smith and McGannan (2017) regard quality control as a method that is applied in a research study or any other detailed documentation that assesses the quality and accuracy of data that has been collected using the methodology chosen for a study.

Quality control are strategies applied in a study that ensure correctness, reliability and data integrity that should be maintained in all sections of the study (Cameron, 2011). Ensuring quality when collecting and analysing data plays a pivotal role in determining the reliability and validity of the findings of the study.

Aphiri (2016), notes validity as referring to whether the questions in the questionnaires are relevant in answering the aim and objectives of the study. The author adds that validity is focused on the flow and correctness of the questions asked to the participants as well as the data collected, whether it would link with the objectives of the study. In this study, the validity of the data from the semi-structured interviews was determined by the literature review, the research aim and objectives as well as the research questions. Further, the researchers' own experiences on good governance in public service were also pivotal in ensuring the quality of the outcome of the study.

According to Mphidi (2015), reliability in the context of the research study refers to a mechanism whereby the measuring method produces similar results which are credible and authentic. Alcers (2018) states that the reliability of the study depends on the quality of research questions, and the time allocated for each question. Reliability refers to the credibility and authenticity of the research findings in a manner that the evidence and conclusions stand up to the closest scrutiny (Singo, 2018). In this study, the reliability of the study was determined by semi-structured interviews which were conducted in a consistent manner, without any bias.

Ensuring the validity and reliability of the findings is key in enforcing trustworthiness in a study. Dahal (2023) recaps Lincoln and Guba's (1985) proposed criteria for evaluating the quality of qualitative research which includes - credibility, transferability, dependability, and confirmability, however, the explanations will focus on credibility and confirmability, as these link with the content and context of the study.

5.10.1. Credibility

According to Mphidi (2015), credibility is the truthfulness and correctness of data mainly in qualitative research. Karstjens and Moser (2017:121) note that "credibility is the equivalent of internal validity in qualitative and quantitative research and is concerned with the aspect of truthfulness of the study". Credibility involves the application of ethics and authenticity which are pivotal in determining how consistent the research findings are with reality. This study achieved credibility through precise description of the investigated phenomenon.

5.10.2. Confirmability

Kumar (2011) explicates confirmability as the process whereby results are confirmed by research participants. Confirmability in the context of a study is the assurance that findings represent the experiences of research participants towards the phenomenon rather than the preferences and bias of the researcher (Cameron, 2011).

Shai (2017) adds that confirmability is the process by which the findings of the study are confirmed by the research participants in a consistent manner, hence, throughout the data collection process, the researcher verified and confirmed the study's data with the participants.

5.11. ETHICAL CONSIDERATIONS

Ethical considerations are the ethical standards that guide the research project, during the duration of the study, through a professional, legal, and ethical manner which protect the research participants (Delphus, 2020). According to Flick (2014), ethical considerations are aspects of standards which ensure the study is conducted in a principled manner, particularly where human beings are concerned.

Singo (2018), asserts that it is the researcher's responsibility to make sure the study is carried out and completed ethically. The research ethics outlined below were adhered to throughout the study's execution.

5.11.1. Permission to Conduct Research

The researcher was granted ethical clearance by the University of Venda's Higher Degrees Committee after it was satisfied with the research proposal submitted by the candidate hence it approved the proposal and allowed the candidate to proceed with the study. The Committee provides oversight towards the administration of research, and to enforce ethics, which will ensure that researchers comply with the code of ethics of the University when undertaking the study.

The researcher sought permission to gather data at both the Departments of Health and Education in the Limpopo Provincial Government. The researcher attached the research's ethical clearance, proof of registration for 2024 and the annual progress report. The researcher was granted permission to conduct the research study at both the Departments of Health and Education.

5.11.2. Confidentiality and Anonymity

According to Delphus (2020), confidentiality in the context of a study is the handling of information in an ethical manner by adhering to confidentiality and protecting the privacy of the participants. Mboweni (2020) posits that anonymity, in the context of a study, is ensuring the privacy of the research participants who play a vital role in furnishing the research with primary information.

The researcher was obliged to adhere to the Promotion of Access to Information Act (No. 2 of 2000) and Protection of Personal Information Act (No. 3 of 2013), in ensuring that the names of research participants are kept strictly confidential so that they remain unknown.

5.11.3. No Harm to Participants

Mboweni (2020) notes that the study should not harm the research participants when they are supplying information. Further Mboweni (2020) explains that a study may cause the research participants to experience psychological harm such as embarrassment, irritation, anger, emotional stress, negative labelling, and invasion of privacy when they are requested to provide information on private and sensitive issues. The researcher made sure that participants were not in any situations where their participation could put them in danger.

5.11.4. Voluntary Participation

Voluntary participation, according to Hart (2013), refers to participants' freedom to voluntarily get involved in a study by providing the researcher with the necessary information. To comply with this, the chosen research participants were notified by the researcher that their participation is completely voluntary and that they can revoke their consent at any moment.

5.12. CONCLUSION

This chapter focused on the importance of research design and the approach in data collection. The discussions also focused on the research paradigms relevant to this study, the research population and sampling methods; data collection and analysis; the quality control aligned with the findings and finally the ethical considerations adhered to safeguard both the data subjects and their information.

CHAPTER SIX

DATA PRESENTATION, INTERPRETATION AND ANALYSIS

6.1. INTRODUCTION

The purpose of this study was to develop a framework aimed at enhancing good governance within the Limpopo Provincial Government, focusing particularly on the Health and Education Departments. The research sought to evaluate whether the existing policy framework supports good governance and is beneficial for government entities in bolstering the principles of public administration, by promoting effective, efficient, accountable, and transparent governance.

The previous chapter outlined the research design and methodology employed in the study. It is crucial for any research to present the data in relation to the chosen methodology and design. This chapter will present, analyse, and interpret the data that had been collected. The data was primarily gathered through questionnaires, journal articles, government policies and legislation, as well as direct observations.

Discussions are based on the collected data and the literature review to enhance the credibility and confirmability of the findings. The previous chapter indicated that a case study design was utilized to ensure that the data gathered was genuine, reliable, and credible. The study adopted a qualitative research approach, which is appropriate for expanding knowledge through an informative and naturalistic approach to the subject matter being researched.

In this chapter, we will present, analyse, and interpret the data collected as well as review the various literature encountered during the data collection process. This chapter will initiate the discussion on the analysis and interpretation of the collected data by examining the demographic characteristics of the sampled participants, interrogating their responses, and proposing a framework for improving governance within the Limpopo Provincial Government, specifically referencing the Departments of Health and Education.

The study used purposive sampling in selecting participants to assist in providing relevant information in response to the research questions, aim and objectives of the study as indicated in Chapter One of this study. The study selected 100 participants, who were divided into two groups - 50 each from the Department of Health and the Department of Education.

The participants were spread over various job levels, from junior employees to senior management. In the Department of Health only 37 (74%) participants assisted in furnishing the researcher with data out of the 50 participants who were selected and those who did not participate did not indicate their reasons. In the Department of Education only 41 (82%) participants assisted in furnishing the researcher with the data, out of the 50 participants who were selected.

6.2. ANALYSIS AND INTERPRETATION OF RESULTS

The following section presents data that was collected using a self-administered questionnaire.

6.2.1. SECTION A: DEMOGRAPHIC INFORMATION

This section presents demographic information on the participants. Demographics are vital in analysing the population of the study and their answers.

6.2.1.1. Demography of the participants

According to Hongyan, Jiagang, Cheng, De Vos and Wenxiang (2023), demography is the study of population analysis. It focuses on a variety of characteristics that determine the population of an area, such as the size of the area, density, and the number of people in a particular area and their personal details. Furnham and Cheng (2024) posit that demography is the science of populations, however, in the context of research it also focuses on the actual total number of participants, their gender, age, work position and educational background.

6.2.1.2. Gender of research participants

This subsection presents the number/percentage of males and females that participated in this study emanating from both the Departments of Health and Education in the Limpopo Provincial Government.

Department of Health Participants

Table 6.1.: Gender of participants in the Limpopo Department of Health

Female	Male
22	15

Table 6.1. provides the gender statistics of participants in Limpopo Department of Health who participated in the study. All 37 participants responded to this question and out of the 37 participants who participated, 22 (59%) participants were females, whilst 15 (41%) participants were males.

The above-mentioned in Figure 6.1., clearly indicate that majority of the Participants were females who constituted 59% of the participants in the Limpopo Department of Health. The researcher notes that the Limpopo Department of Health is led by women occupying both the highest offices, with reference to the current MEC (Ms Mashego Dieketseng Masesi) and Acting HOD (Dr Muthwelwana Dombo). The dominance of women in key leadership positions clearly demonstrate that women empowerment is prioritised in government institutions, which is a pillar of good governance.

Department of Education Participants

Table 6.2.: Gender of participants in the Limpopo Department of Education

Female	Male
24	17

Table 6.2., shows that all 41 participants responded to this question. Out of the 41 participants, 24 (59%) were females, whilst 17 (41%) were males. The gender parity discussed above clearly indicate that the Limpopo Department of Education was dominated by females who played a vital role in furnishing the researcher with data to analyse the study. Furthermore, the dominance of females in the Department signifies that females are becoming empowered and being recognised in both senior administrative positions of authority and political office bearers.

Having noted the gender parities in both departments and supported by the Annual Performance Plan for 2024/25 financial year of the Limpopo Department of Health and the Annual Performance Plan of the Limpopo Department of Education 2024-2025 financial year, this clearly indicates that female employees are in dominance.

Both the Departments are adhering to the cabinet resolution of 2019, led by the Department of Public Service and Administration (DPSA) on transformation, women empowerment, and participation in the public service. To this extent, it is vital that government institutions continue to shortlist and appoint women when posts are advertised in various spheres and arms of government to fill the gap as they were previously disadvantaged in the apartheid regime.

6.2.1.3. Educational Background of the participants

This subsection provides the educational background of the research participants in both Health and Education, in the Limpopo Provincial Government.

Department of Health Participants

Figure 6.1. Educational background for the Department of Health participants

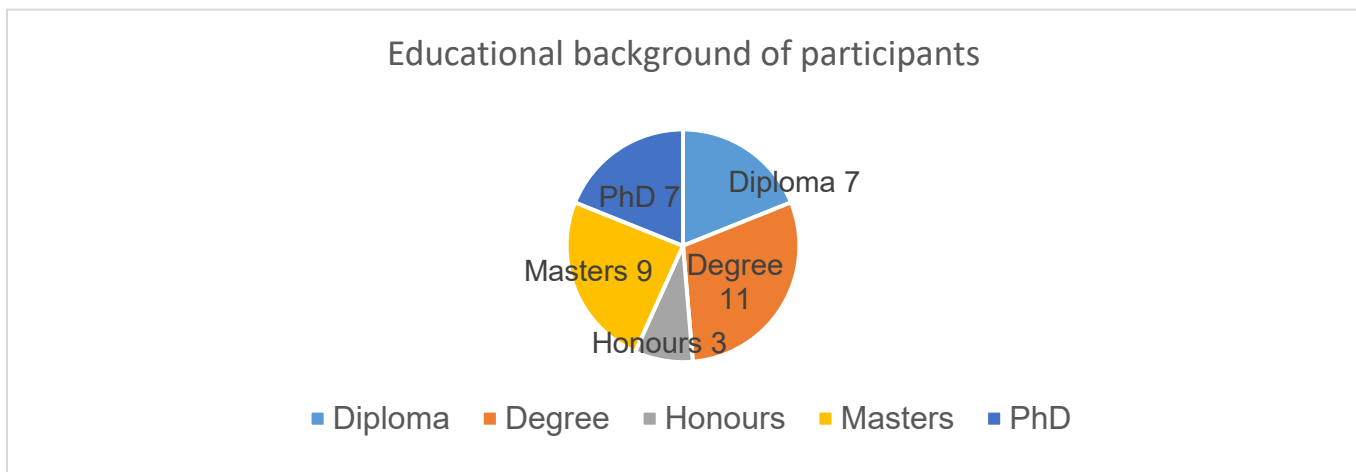


Figure 6.1., provides the educational background of the participants selected from the Limpopo Department of Health. All the 37 of Participants responded to this question and they all have Grade 12 (Matric) and post matric qualifications. Out of the 37 participants, 7 (19%) have diploma; 11 (30%) have first degrees; 3 (8%) are in position of Honours degrees; 9 (24%) have master's degree, whilst 7 (19%) are PhD graduates.

The educational background of the participants in the Limpopo Department of Health clearly states that majority of employees have post-graduate qualifications. Out of 37 participants, 19 (51%) have post-graduate qualifications with reference to Honours, Master and PhD qualification, whilst 18 (49%) only have undergraduate qualification with reference to a degree or diploma. The researcher notes that the health sector requires human capital which has a broad understanding, knowledge and skills in research and policy development to improve health systems and to adhere to good governance principles.

Department of Education Participants

Figure 6.2. Educational background of the Department of Education participants

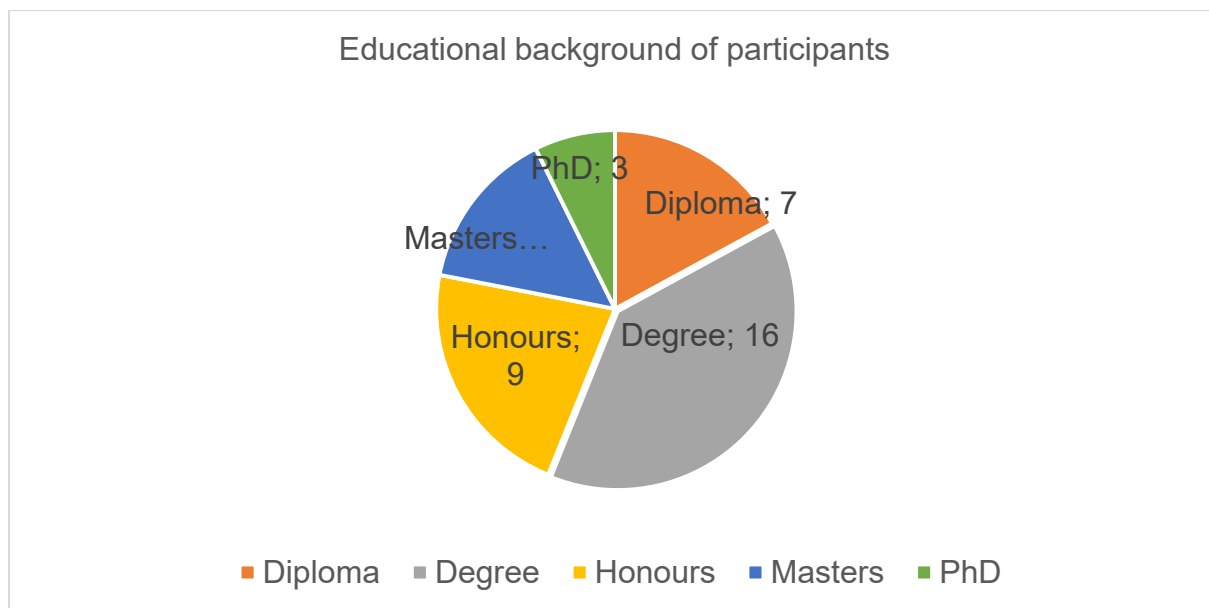


Figure 6.2., provides the educational background of the participants selected in the Limpopo Department of Education. All the 41 participants responded to this question, and they all have Grade 12 (Matric), hence it is not highlighted in the pie chart. Out of the 41 participants, 7 (17%) have a diploma; 16 (39%) have bachelor's degrees; 9 (22%) have Honours degrees and 6 (15%) have master's degree, whilst 3 (7%) are PhD graduates.

The educational background of the participants in the Limpopo Department of Education clearly states that majority of employees are in position of bachelor's degree and B-Tech, whilst only few employees have postgraduate qualifications with reference to master's and PhD studies.

From the educational background of both Departments, the researcher notes that many of the employees in the departments still rely on the traditional system of public administration. The current internal system in the public service requires public servants to apply new public management systems which require research knowledge and skills to analyse and interpret government policies and regulatory framework to enhance good governance in government.

The researcher notes that the skills development units in government institutions and in the National School of Governance need to develop a method that will motivate government employees to enroll for post-graduate studies and contribute to the refinement of the constitutional, policy and regulatory framework, to enhance good governance.

6.2.1.4. Occupational groups of participants

This subsection presents the occupations of the participants in both the Departments of Health and Education in the Limpopo Provincial Government.

Department of Health Participants

Figure 6.3.: Limpopo Department of Health Occupational categories

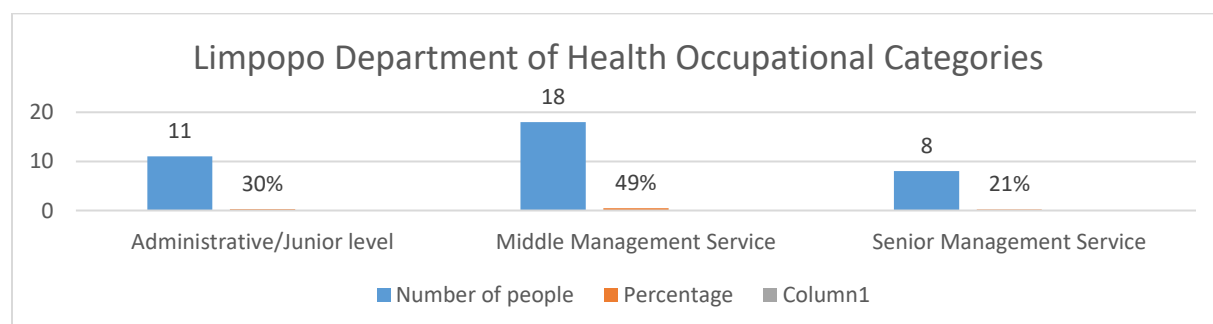


Figure 6.3., provides the occupational categories of the participants in the Limpopo Department of Health. All the 37 Participants responded to this question. Out of the 37 participants, 11 (30%) are occupying the junior level position, 18 (49%) are in the middle management sections, such as Assistant Directors (ASD) and Deputy Directors (DD); whilst 8 (21%) of them are in senior management positions, such as Directors, Chief Directors and Deputy-Directors Generals (DDG) and Head of Department (HOD).

The researcher notes that many of the participants are employees in the middle management sectors. The middle management rank is closely linked with both the junior level positions and the senior management positions, therefore, regarding the implementation and reviewing of policies and programmes, the middle management roles are pivotal in ensuring that government programmes are realised as they are also regarded as programme managers.

Department of Education Participants

Figure 6.4.: Limpopo Department of Education Occupational categories

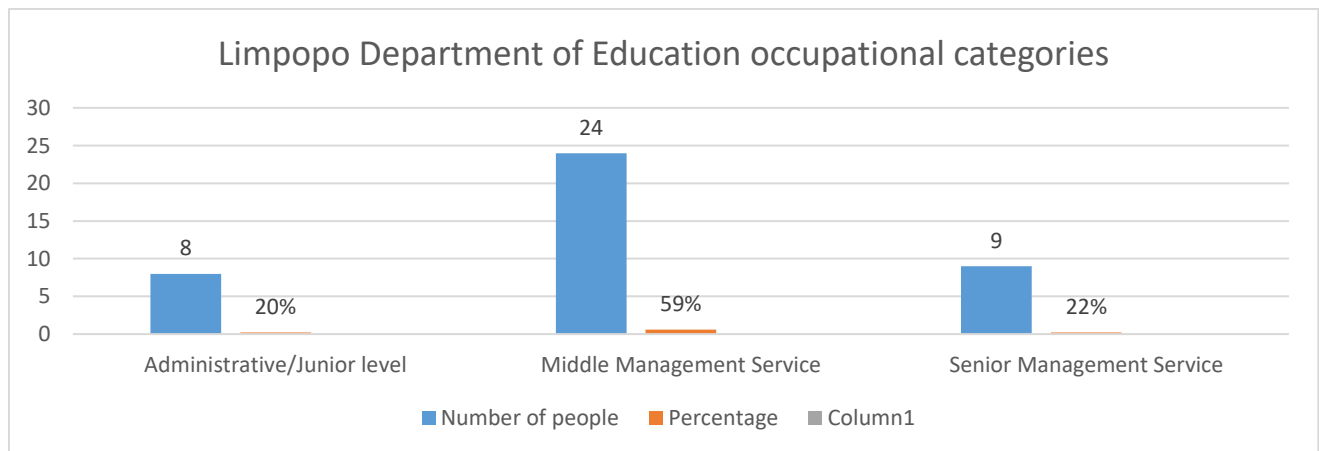


Figure 6.4., provides the occupational groups of the participants in the Limpopo Department of Education. All 41 participants responded to this question. Out of the 41 participants, 8 (20%) are occupying junior level positions and 24 (59%) are in middle management positions, whilst 9 (22%) are in senior management positions.

The researcher notes that 24 out of 41 participants are occupying middle management positions. In this regard, the dominance of employees in the Department who are in middle management positions may play a vital role in enhancing good governance in government institutions.

As indicated in 6.2.1.4., the middle management rank is closely linked with both the junior level positions and the senior management positions, therefore, it is much more convenient, efficient, and effective for an employee in the middle management service to interpret policy prescripts to ensure that good governance is enhanced.

In view of the participants being in various occupational categories in both Health and Education, the public service is dominated by employees in the middle management service. Staff in the middle management positions, as indicated above, are also known as programme managers, therefore, they have the responsibility of ensuring that good governance is enhanced by implementing government projects to the communities in a transparent manner and are accountable to the public.

6.2.1.5. Experience of participants in their current positions

This subsection presents the experience of the participants in their current positions in both the Departments of Health and Education in the Limpopo Provincial Government.

Department of Health Participants

Figure 6.5: Experience of participants in their current positions in the Department of Health

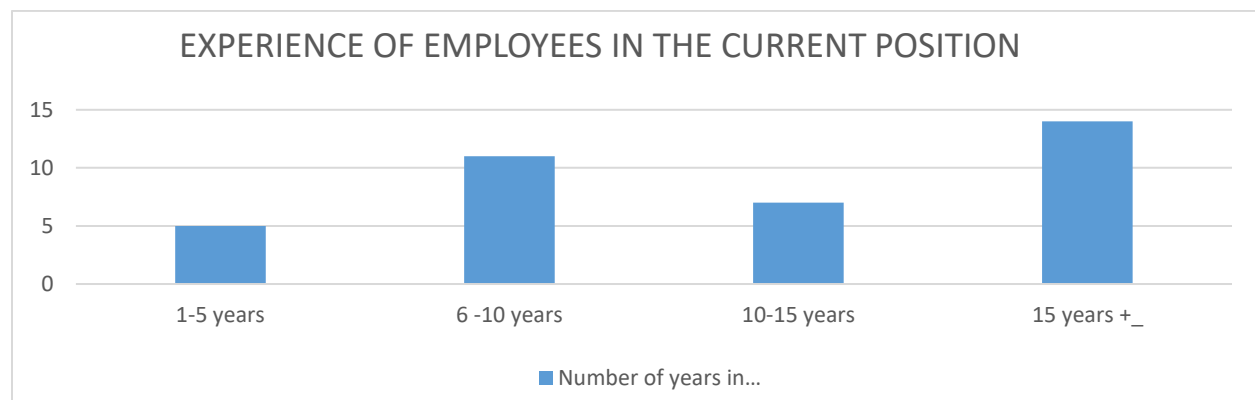


Figure 6.5., presents the responses from the participants about their experience in their current positions in the Limpopo Department of Health. All 37 participants responded to this question. Out of the 37 participants, 5 (13%) have been in their current posts for about 1-5 years; 11(30%) have been occupying their current positions for 6 to 10 years; 7 (19%) have been in their current post for about 10 to 15 years and 14 (38%) have been occupying their current position for more than 15 years.

The researcher is of the view that employees with vast knowledge of the public service are those who have been in the system for more than 10 years. The researcher notes that majority of the employees have been in their current positions for more than 15 years hence, they played a vital role in furnishing the researcher with credible, and useful information.

Department of Education Participants

Figure 6.6. Experience of participants in their current positions in the Department of Education

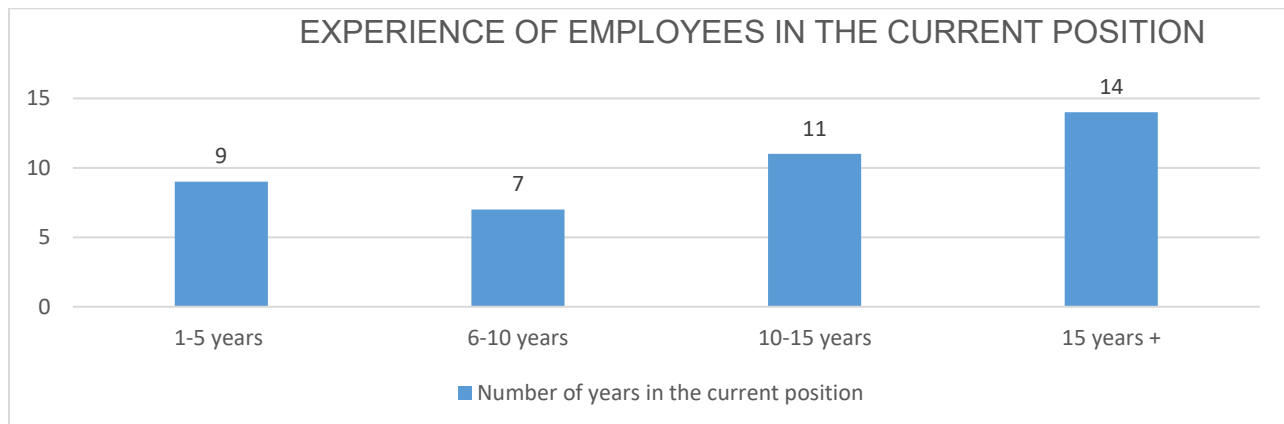


Figure 6.6., presents the responses based on the experience of participants in their current positions in the Limpopo Department of Education. All 41 participants responded to this question. Out of the 41 participants, 9 (22%) of employees have been in the current posts for about 1-5 years; 7 (17%) have been occupying their current positions for 6 to 10 years; 11 (27%) employees have been in their current post for about 10 to 15 years, whilst 14 (34%) have been occupying their current position in the Department for more than 15 years.

The researcher notes that most employees in the Limpopo Department of Education who participated in the study have been in the Department for more than 15 years. The researcher further notes that employees who have been in the public service for more than a decade possess vast experience and knowledge regarding the internal systems and mechanisms that contribute to best practices and that ethical values are enhanced in government institutions. The participants in middle management positions contributed much during the collection of data, furnishing the researcher with truthful and quality data.

6.2.2. SECTION B: CONCEPTUAL KNOWLEDGE

This section outlines the essential terms used in this research, however, the study recognized “good governance” and “ethics” as the primary concepts in this investigation.

6.2.2.1. Conceptualising good governance

As stated by Delphus (2020), good governance involves managing government institutions in a transparent, accountable, effective, efficient, and cost-effective way to guarantee that communities can easily access government services.

Naidoo (2011) asserts that good governance is essential for ensuring that decision-making and policy development are conducted fairly and transparently, allowing for accountability within the public sector. Good governance, in the context of government institutions, is mainly enforcing internal controls systems, legislation and policies underpinning the realisation of service delivery.

Department of Health Participants

This subsection provides the conceptualisation of good governance with reference to the Limpopo Department of Health. This question was responded to by all the 37 Participants. All the Participants are of the view that good governance is an ethical behavior which strengthens internal control systems, hence, advancing effectiveness, efficiency and transparent mechanisms that are key in fostering the delivery of basic services in communities. The Participants reflected the conceptualisation of Nelson (2016) and Mathebula (2018) however, the researcher highlighted the 5 responses below.

Participant A

“Good governance is an institutional internal control tool that advance effectiveness, efficiency and transparent mechanism that seeks to ensure government institutions provide basic services to communities without any budget shortfalls or even to overspend or commit on government priorities”.

Participant B

“Good governance is the ethical and transparent system in the government of the day in all spheres and arms of government”.

Participant C

“Public institutions should adhere to the rule of law and manage public resources, through section 217 of the Constitution of the Republic of South Africa, 1996, which deals with the fairness, transparency, equality, cost effectiveness and efficiency and realizing the human rights, and furthermore good governance include adherence to Public Finance Management Act, 1999 (No. 1 of 1999) and other key policy and regulatory frameworks that underpins good governance in the public service”.

Participant D

“Good governance is the accountable and transparent management of public resources”.

Participant E

“Good governance entails operative internal systems of organisations that are key in addressing socio-economic challenges”.

Department of Education Participants

This next section provides the conceptualisation of good governance with reference to the Limpopo Department of Education. This question was responded to by 40 (98%) out of the 41 people who participated in this study. The participants were of the view that good governance is a type of governance that promotes transparency and enforces ethics to ensure that the rule of law is adhered to in the public service and that service delivery is realised in communities. The responses are in-line with the conceptualisation of Delphus (2020) and Naidoo (2011). Below are the conceptualisations of 7 Participants.

Participant A

“Good governance refers to the processes and structures through which organisations and society are directed and controlled. It involves promoting transparency, accountability, participation and the rule of law to ensure that decisions are taken correctly”.

Participant B

“Good governance is participatory, transparent, and accountable governance. It is effective and centered around people. It is about ensuring political, social, and economic priorities. It also entails ethical conduct”.

Participant C

“Good governance is the system or way in which an organisation is controlled, operates and both the employees and employer are held accountable”.

Participant D

“Good governance refers to the type of governance where governors are accountable to the organisation and to those who they represent. Further, it involves an administration that is free from corruption and maladministration”.

Participant E

“Good governance is the ability of an institution to make and enforce laws/rules and to deliver services to the populace, for example, social services, education, infrastructure and health”.

Participant F

“Good governance is a process of measuring how public institutions conduct public affairs and manage public resources and guarantee the realization of human rights in a manner essentially free of abuse and corruption and with due regard for rule of law”.

Participant G

“Good governance is the adherence to the rule of law in all management processes and promotion of ethical conduct”.

Having noted all the responses from participants from both the Limpopo Departments of Health and Education, it clearly indicates that the employees in both the Departments are familiar with the meaning of “good governance”. The researcher notes that it is pivotal for employees in government institutions to understand the meaning of good governance to ensure that relevant systems and mechanisms are applied in public service to enhance good governance and to ensure that service delivery is realised in communities.

The explanations given by the participants in conceptualising good governance aligns with the governance theory, which is significant in ensuring drafting of clear policies that will address the socio-economic challenges of South Africa. Good policies in public service contribute immensely towards economic growth, which in turn enhances good governance. The main goal of any government is to build a capable state that will be able to create jobs, quality health and education systems and economic opportunities.

6.2.2.2. Conceptualising of ethics

Ethics, as outlined by Sindane and Uys (2014), are guidelines and moral principles that govern human conduct, aimed at fostering positive behavior, transparency, and accountability. Additionally, ethics involves determining whether an action is deemed right or wrong, according to a set of established rules, rather than just focusing on the outcomes of the action.

According to Mafunisa (2008), ethics pertains to the values associated with human behavior, concerning the rightness or wrongness of actions and the moral quality of the intentions and results of those actions. The author (2001) also argues that ethics is a vital component of the public sector in delivering services to communities in a manner that is open, transparent, and accountable.

In the context of public service, ethics is a set of rules that guide the execution of public administration, and they are pivotal in enhancing good governance and enabling government institutions to implement their annual plans to avoid adverse, disclaimer and qualified audit findings as these may contribute to bad governance. After interpreting and analysing the data presented on conceptualising ethics, the researcher notes that public choice theory is relevant in this instance because it aligns with ethical behavior and governmental processes through transparent and accountable systems designed to equitably provide services to recipients, in line with established laws. Public choice theory is fundamental in promoting participatory democracy, which is a key principle of good governance.

Department of Health Participants

This subsection conceptualises ethics in the context of public service. This question was responded to by all the 37 Participants, and they are of the view that ethics in the context of the public service, is a set of rules that seeks to build a mechanism or internal system that intends to strengthen best practices in government. The researcher will highlight the explanations of 5 participants which complement the conceptualisation of Mafunisa (2008) and Masiya, Davids and Mazenda (2019). Below is the conceptualisation of 5 participants.

Participant A

“Ethics is the science of morals and human conduct which distinguishes right from wrong and good from bad”.

Participant B

“Ethics plays a guiding role in enhancing good governance but also takes on a controlling function to ensure that boundaries of behaviour and set standards for public servants is championed in the public service”.

Participant C

“Ethics is best regarded as a general statement of core values which define the professional role of the civil service. Further, ethics is simply the principles which ensures integrity, accountability, responsibility and trustworthiness to all members in an organisation”.

Participant D

“Ethics is about considering what is right, wrong and bad in various setups. Ethics is also about principles and values guiding behavior of humans”

Participant E

“Ethics in public administration in the context of the public service is pivotal to enhance service delivery. The code of ethics should clearly outline how employees are expected to treat the public and colleagues, the powers to take decisions, guide professionals to conduct business honestly and with integrity and sets out broad principles of integrity, accountability, responsibility, and trustworthiness”.

Department of Education Participants

This subsection conceptualises ethics in the context of public service. This question was responded to by all the 41 Participants, and they all had similar understanding of ethics. They indicated that ethics promotes behavioral management that examines best practices in the public service to ensure that good governance is enhanced. The researcher will highlight the responses of 5 participants which complement the conceptualisation of Sindane and Uys (2014) and Mafunisa (2008). Below are the conceptualisations of 5 participants.

Participant A

“Ethics is the branch of philosophy that deals with questions about what is morally right and wrong, good and unfair. It involves the study and evaluation of human conduct, focusing on the principles and values that guide behavior”

Participant B

“Ethics is good morals and values which promote good conduct”.

Participant C

“Ethics examines the rational justification for a person’s moral justifications, and it studies what is morally right or wrong and just or unjust”.

Participant D

“Ethics has to do with honest, transparent and open behavior”.

Participant E

“Ethics refers to the set of systems, principles and process by which the public service organisation is governed”.

Having noted all the above responses from employees in both Limpopo Departments of Health and Education, many public servants understand ethics as well as its importance towards championing service delivery. The researcher notes that it is pivotal for employees in government institutions to understand ethics in a context that will ensure that discipline and good human behavior in the public service is adhered to. Furthermore, ethics play a pivotal role in ensuring that the image of the public service, in society, is transparent and attractive. The researcher notes that when public servants are ethical, they assist internal controls, accounting systems and supply chain management protocols to be maintained which will help in enhancing good governance in state institutions.

6.2.3. SECTION C: MANIFESTATIONS OF BAD GOVERNANCE

This section examines the manifestation of bad governance in the public service with reference to the Departments of Health and Education in the Limpopo provincial government.

6.2.3.1. The common causes of bad governance

This section outlines frequent reasons for poor governance, specifically, examining the Departments of Health and Education. The AGSA (2022) highlights that poor governance is characterised by unethical behavior that undermines the internal control systems within public service, hindering service delivery and weakening performance management. The public service is encountering significant issues, especially related to unethical behavior among many high-ranking public officials and political office bearers (AGSA, 2020).

The common causes of bad governance in the public service include not adhering to the rule of law as well as the poor security system in vetting government employees upon employment. In some instances, government institutions employ people with criminal records or pending disciplinary cases, which leads to bad governance.

Department of Health Participants

This question was responded to by all the 37 Participants, and they all provided the researchers with similar responses regarding the common causes of bad governance in the Departments of Health.

Below is the list of the common causes of bad governance mentioned by participants in the Limpopo Department of Health:

- Political challenges such as interference of the MEC/political head of the Department in administrative functions.
- Resistance to change and to adapting to the New Public Administration discourse which is pivotal in policy analysis and development in the public service.
- Corruption and nepotism;
- Shortage of skilled staff;
- Lack of consequence management and poor accountability;
- Red-tape which delays progress with regard to service delivery.

Department of Education Participants

This question was responded to by all the 41 Participants, and they all furnished the researcher with similar views regarding the common causes of bad governance in their Department. Below is the list of the common causes of bad governance in the Department of Education, mentioned by the participants.

- Corruption;
- Lack of skilled personnel;
- Poor communication;
- Lack of district and management support;
- Poor accountability;
- Political interference;
- Poor planning and coordination;
- Acting in a dishonest manner and bending the rules for self-benefit, using state resources;
- Lack of consequence management;

- Poor leadership which leads to poor decision-making;
- Non-implementation of policies that are intended to intensify service delivery

The above-mentioned responses from employees emanating from both the Departments of Health and Education clearly indicate that the public service is embroiled with unethical elements that weaken the public trust and confidence; this leads to the populace demonstrating their frustration by embarking on a protest mainly because of the bad governance in the public service.

The researcher notes that bad governance in public service has a negative effect on service delivery. Nkwinika (2021) concluded that unethical conduct in the public service has the potential of causing frustrations among the populace to the extent that they demonstrate their anger by embarking on a service delivery protest to seek for accountability and transparency from public servants and political office bearers who hold offices of authority.

The researcher notes that the responses presented by both groups of participants, on common causes of bad governance in the public service aligns with the public choice theory which addresses the promoting of good governance and ensuring accountability and transparency in curbing bad governance in the public service. Mbaku (2020) notes that public choice theory is pertinent because it addresses corrupt government employees and politicians who seek to maximize their benefits through unethical behavior.

6.2.3.2. The level of corruption in the Limpopo provincial government

This section discusses the extent of corruption within the Limpopo Provincial Government. As noted by Manyaka and Nkuna (2014), corruption involves the misuse of entrusted power for personal benefit, which erodes the principles outlined in a nation's Constitution due to the fraudulent handling of state assets by certain officials and politicians in public service.

The Corruption Act of 1992 (No. 94 of 1992) defines “corruption” as the exploitation of administrative authority and political influence for unlawful or illegitimate financial gain. According to Myint (2000) corruption is understood as dishonest actions by individuals in public office aimed at circumventing internal systems designed to enforce government policies and achieve institutional goals, for personal gains.

Aligning with Manyaka and Nkuna (2014) and Myint (2000), corruption is likened to a “chronic disease” for which there is no definitive cure, but it can be managed with treatment. In this instance the treatment is applying the principles of good governance, adhering to the stipulations of Chapter 9 institutions and other key law enforcement agencies which fight corruption.

Department of Health Participants

This question was only answered by 26 participants out of the 37 Participants, which is 70% of the participants, while 11 (30%) did not answer the question. The number of participants who indicated that there is corruption in Limpopo Province is more than those who indicated that corruption is moderate due to the current internal control systems which are effective in curbing corruption.

The researcher will only highlight responses from 5 Participants to this question emanating from both the participants who indicated that the level of corruption in the province is “very high”, and those who responded that it was “average”.

Participant A

“Corruption is average in the Department. However, there are elements of corruption especially in the Supply Chain Management Unit inclusive of Infrastructure management. During COVID-19, there was a corruption allegation around PPE which involved former HOD (Dr F.T Mhlongo) and former MEC (Dr Phophi Ramathuba), who is now the Premier of Limpopo Province`s 7th administration”.

Participant B

“The level of corruption in the Limpopo Provincial Government is average, however the MEC together with the HOD should tighten security measures in hospitals because that is where most criminal activities in the Department take place”.

Participant C

“Corruption in the Limpopo provincial government is average due to effective rules and regulations as well as the Anti-Corruption Strategy in the province which is spearheaded by the Director-General in the Office of the Premier”.

Participant D

“The level of corruption in the Limpopo provincial government is very high. The Limpopo Department of Public Works was also affected by corruption cases in the 2022/2023 FY, whereby 9 officials had to be disciplined while 5 criminal cases were referred to the NPA for further prosecution.

The MEC of CoGHSTA (Basikopo Makamu) was trending in 2021/2022 FY for wasteful expenditure regarding the Talana project of spending R15.3 million for 40 shacks”.

Participant E

“Corruption in the Limpopo provincial government is average. Government institutions are spending a lot of money on facilities and venues because some officials are benefiting from kickbacks from various service providers”.

Department of Education Participants

This question was only answered by 7 participants out of the 41, which is 17%. Out of the 41 Participants, 35 (85%) of them did not answer the question, while some indicated that they do not know. Below are the responses emanating from the 7 participants' answers to this question.

Participant A

“Corruption is very high in the Limpopo provincial government”.

Participant B

“Corruption is fair and reasonable, as we see that some people implicated in the VBS incident have been arrested”.

Participant C

“On a scale of 0 to 100 (0 highly corrupt) (100-very clean), I would rate Limpopo provincial government at 62”.

Participant D

“Out of 100, the rating can be 60”

Participant E

“Corruption is moderate in the Limpopo Department of Education, however the unit that deals with scholar transport, Supply Chain Management Unit and nutrition in schools is embroiled in corruption allegations. The Public protector and SIU will need to investigate”.

Participant F

“Corruption in the Limpopo provincial government is moderate, compared to some provinces such as North-West province, Kwa-Zulu Natal Province and Gauteng Province”. Some departments in the Limpopo provincial government are failing to comply with the supply chain management practice and the project management techniques. Some infrastructure projects in the Limpopo Department of Education are still incomplete from 2014 to date, which contributes to deepening poverty and the lack of employment”.

Participant G

“The level of corruption in the Limpopo Department of Education is very high especially in the Institutional Governance, Co-ordination & Support branch which amongst the tasks it must mainly implement is the school nutrition programme (Feeding Scheme) and the scholar transport. There are many complaints from the public regarding corruption in the awarding of tenders. The Physical Resources sub-branch which is responsible for implementing infrastructure programme and projects of the Department is alleged to be awarding tenders through nepotism and favoritism which is unethical and promotes bad governance”.

Having noted the responses from the 7 people that answered this question, the researcher is of the view that the level of corruption in Limpopo Province is fair as compared to other provinces as mentioned by Participant F, in the Limpopo Department of Education.

Furthermore, there have been intervention by law enforcement agencies around various corruption cases such as the “VBS heist” which forced the bank to be liquidated in 2018 because of corruption and money laundering scandals. The researcher notes that unethical practices in government institutions have an element of collapsing internal control systems and accounting systems to the extent that service delivery is hampered.

The data presented by the participants on the level of corruption in the Limpopo Provincial government is pivotal in providing an overview regarding the level of corruption in Limpopo Province. After having analysed the data presented by the participants, the researcher notes that public choice theory is relevant to the topic because it seeks to offer valuable insights into corruption and to establish a framework for consequence management, leading to the establishment of some anti-corruption laws with penalties for non-compliance.

6.2.3.3. The implications of unethical leadership on good governance towards service delivery

This section explores the effects of ethical leadership on effective governance in relation to service delivery. As noted by Singo, Mafunisa, and Vermaak (2022), unethical leadership involves dishonesty, poor communication as well as insufficient transparency within public administration. Additionally, a significant issue associated with unethical leadership is the decline in public trust and confidence toward the government; since the 2009 Provincial and National general elections, there has been an increase in strikes due to the frustration of society over unsatisfactory service delivery. The increase in service delivery protests is a result of unethical and weak leadership (Nkwinika, 2021).

In line with the views of Singo, Mafunisa, and Vermaak (2022) and Nkwinika (2021), unethical leadership in the public service contributes to bad governance. Unethical leadership is caused by internal systems, in the public service, being neglected as well as government institutions not adhering to legislative and policy frameworks that underpin the public service.

Department of Health Participants

All 37 participants in the Department of Health responded to this question, and they were of the view that unethical leadership in the public service negatively contributes to state institution attaining qualified, adverse and disclaimer audit opinion. Furthermore, unethical leadership in the public service affects internal controls and weakens organisational performance management which hinders the realisation of service delivery to communities.

All the participants responded that unethical leadership in the public service contributes to bad governance. The researcher has highlighted 5 (14%) responses emanating from the 37 research participants and below are the responses.

Participant A

“The implications of unethical leadership on good governance are that it makes the citizens to lose trust in government and the state in particular which causes the community residents to embark on a protest because of frustrations”.

Participant B

“Implications of unethical leadership are that they negatively contribute to state institutions attaining qualified, adverse and disclaimer audit opinion. Furthermore, it also causes bad reputation to the public”.

Participant C

“The implication of unethical leadership is that it affects the implementation of government programmes that seeks to ensure that service delivery projects are done in communities. Unethical leadership constitutes bad governance”.

Participant D

“Unethical leadership in government departments demoralises employees and it weakens performance management, which results in departments suffering significantly”.

Department of Education Participants

All 41 participants responded to this question, and they provided similar and profound responses. All the participants were of the view that unethical leadership in the public service contributes towards bad governance through corruption and maladministration practices as well as nepotism and favoritism. Similarly, Mafunisa (2008) contends that unethical leadership affects public administration in government, by denting the realisation of service delivery in communities.

Unethical leadership contributes towards ineffectiveness and inefficiency of the government, so that it cannot prioritise service delivery which is vital in addressing socio-economic challenges. The researcher highlights, below, 5 (12%) responses emanating from the 41 research participants.

Participant A

“Unethical leadership is an impediment to service delivery due to its negative impact on the moral, conduct and behavior of the public servants”.

Participant B

“Unethical leadership results in poor service delivery. Further, unethical leadership is caused by inadequate educational standards and lack of resources”.

Participant C

“Unethical leadership can have profound and far-reaching negative implications on good governance and service delivery in a department”.

Participant D

“Unethical leadership results in lower morals and motivations amongst the employees. Furthermore, it also weakens the efficiency and effectiveness in service delivery. Unethical leadership also weakens the public trust and confidence in the department”.

Participant E

“Unethical leadership in government departments demoralises employees and it weakens performance management, which results in a department suffering significantly”.

After hearing the discussions from the two Departments - Health and Education - the researcher concludes that unethical leadership undermines effective governance in public services. Additionally, unethical leadership adversely affects the public, as these issues within government institutions slow down service delivery in the community. The researcher asserts that unethical leadership also hampers performance management; when leadership is unethical, it signifies that those internal systems, along with constitutional policy, and regulatory frameworks, are being breached, and there is a lack of accountability.

The data presented by the participants on the implications of unethical leadership on good governance towards service delivery is aligned with governance theory; this theory is ideal because it fosters a transparent, efficient, and effective internal control system in the public service, with the goal of improving service delivery to communities. Furthermore, the governance theory is key in public service through its execution of public administration, as it underscores the significance of public involvement in elections, policy formulation, administration, and oversight to guarantee effective and efficient service delivery.

6.2.4. SECTION D: CONSTITUTIONAL, LEGISLATIVE AND POLICY FRAMEWORKS THAT CONTRIBUTE TO ENHANCING GOOD GOVERNANCE

A legislation is a written law that is endorsed and approved by a legislative body or authorised person (Mboweni, 2022). The legislative and policy frameworks in the context of the public service play a pivotal role in providing policy direction, which is key in ensuring that government plans are implemented to ensure that service delivery is realised in communities (Nkwinika, 2021).

6.2.4.1. The constitutional, legislative and policy frameworks that contribute to enhancing good governance in public service

Department of Health Participants

All the 37 participants responded to this question, and they all furnished the researcher with similar responses with reference to the constitutional, legislative and policy framework that contributes towards strengthening best practices and ethical norms and standards in government institutions. Below is the constitutional, legislative and policy frameworks mentioned by the participants.

- Public Finance Management Act, 1999 (No. 1 of 1999)
- Treasury regulations
- Constitution of the Republic of South Africa, 1996
- Broad-Based Black Economic Empowerment Act, 2003 (No. 53 of 2003)
- Preferential Procurement Policy Framework Act, 2000 (No. 05 of 2000)
- *Batho Pele* Principles
- National Health Act, 2003 (No.61 of 2003)

Department of Education Participants

All the 41 participants responded to this question, and they all gave similar responses about the constitutional, legislative and policy frameworks that contribute towards good governance in the public service. Below is the constitutional, legislative and policy frameworks mentioned by all the 41 research participants in the Limpopo Department of Education.

- Constitution of the Republic of South Africa, 1996;
- Public Service Act, 1994 (No. 103 of 1994);
- Public Finance Management Act, 1999 (No. 1 of 1999);
- Promotion of Administrative Justice Act, 2000 (No. 3 of 2000);
- Protection of Personal Information Act, 2013 (No. 4 of 2013);
- South Africans Schools Act, 1996 (No. 84 of 1996);
- Employment of Educators Act, 1998 (No. 76 of 1998);
- Prevention and Combating of Corrupt Activities Act, 2004 (No. 12 of 2004);
- *Batho Pele* Principles.

Having noted the contributions by the Participants emanating from both Health and Education, the researcher notes that the constitutional, legislative and policy frameworks play pivotal role in enhancing good governance in government. These frameworks in instilling ethical conduct and behaviour in implementing departmental plans and programmes will ensure that service delivery is realised in communities and the broader society. This objective is fundamental and must be executed well to ensure that a concrete and solid foundation is realised to enhance the framework underpinning good governance in the public service.

The data presented by the participants and analysed by the researchers based on constitutional, legislative and policy frameworks that contribute to enhancing good governance in public service, is very clear that the governance theory is ideal because it provides significant advantages to the public sector through efficient planning and development.

It is apparent that the current governmental framework encompasses not just productivity but also accountability and transparency between the government and its citizens. Further, this theory in the context of public service is key in ensuring that oversight bodies, such as the Chapter 9 institutions, SIU and SAPS are strengthened to deal with unethical practices effectively and efficiently.

6.2.4.2. The gaps that need to be filled in the current constitutional, legislative and policy frameworks that underpin good governance in the public service

Department of Health Participants

All 37 participants responded to this question which sought to determine if the existing constitutional, legislative and policy frameworks are effective and efficient towards good governance in the public service, or whether they will need to be enhanced.

All the 37 participants from the Limpopo Department of Health indicated that there is a need to review the current existing constitutional, legislative and policy framework that underpins good governance in government to enable effective, efficient, and timely response to the socio-economic challenges of the day. Furthermore, it is pivotal that the existing frameworks need to be refined to tighten measures in curbing corruption in components, such as Infrastructure Management, Supply Chain Management, and Human Resource Management. The reviewing of the current frameworks will play a pivotal role in enhancing good governance that will ensure that service delivery priorities are achieved, so that there will be transparency, accountability, and service standards.

The public service should be driven by public servants and political office bearers of integrity and ethical so that they can attract the communities and encourage them to partake in public participation and assist government policy matters, which will enable good governance to be enhanced and service delivery to be prioritised.

Department of Education Participants

All 41 participants provided responses to this question. This question aims to determine whether the current constitutional, legislative, and policy framework is effective and efficient in promoting good governance in the public sector or if enhancements are necessary.

Eight (8 participants) (20%) responded that there are no gaps that require review, while 33 (80%) believed that there is a need to revise the existing constitutional, legislative, and policy frameworks that support good governance in the public sector. The participants indicated that enhancing the current frameworks will be crucial in fostering an ethical and transparent public image of the state. It will also help to increase public morale and encourage public participation in the policy-making and key decision-making processes that require community involvement, such as the National Health Insurance (NHI) bill and the Basic Education Laws Amendment (BELA) bill, both of which have now been signed into law by the President of South Africa, His Excellency President Cyril Matamela Ramaphosa.

The researcher will, in this section, highlight responses from the 8 participants who noted that there are no gaps in the existing constitutional, legislative, and policy framework supporting good governance, as well as those who believe there is a need to amend this framework, in the public service.

Participant A

“There is a need for internal control systems that measure accountability to be improved and enforced. Furthermore, the public service needs to be driven by public servants and political office bearers to ensure that confidence, trust, and accountability is brought to society and the state. Furthermore, it will enable the public image of the state to be seen as ethical and transparent in a manner that public participation will be inclusive regardless of gender, race, tribe, disability and the economic class of a person”.

Participant B

“The current legislation and policies that underpin the appointment of Provincial HODs and Director-Generals in national departments need to be amended, more especially the term of office of the above-mentioned positions. They should be amended from 5 years to 7 or 10 years to ensure effectiveness and efficiency in the public service, which will be vital in ensuring that good governance standards are practiced in all spheres and arms of government”.

Participant C

“The Constitutional, legislative and policy framework is in place, however the challenge is the implementation and enforcement of legislative and policies underpinning good government to ensure that service delivery is prioritised”.

Participant D

“There are often gaps in the constitutional, legislative and policy framework that underpins good governance in the public service, which need to be addressed to improve effectiveness, accountability and transparency”.

Participant E

“The transparency and accountability mechanism need to be strengthened to ensure that decision-making processes are improved to enable government institution to provide effective services to the society through a good governance system. Further, policies and legislation that also addresses capacity building need to be enhanced to accelerate in investing in training and development of public servants to improve their skills and knowledge, leading to better service delivery. It is also vital that policies that address citizen engagement or rather public participation should be enhanced for citizen participation and feedback to make public services more responsive to the needs of the populace”.

Participant F

“The level of good governance in the public service is much better than in the local government sector. There are policies and legislation that are in place, which only require government institutions to train the public servants about the current existing constitutional, legislative and policy framework that underpins good governance in the public service. In this regard there is no need to amend them”.

Participant G

“There is no need to amend the current existing constitutional, legislative and policy framework that underpins good governance in the public service because the Constitution of the Republic of South Africa, 1996 and the Batho Pele Principles are very clear with regard to the code ethics that should be practiced in the public service”.

Participant H

“The existing constitutional, legislative and policy framework that underpins good governance in the public service has no problems at all, however, the problem is the public servants who are assigned to enforce these frameworks, who are reluctant in doing their job, therefore, the main problem is the people who are tasked with the responsibility of implementing the framework”.

Many participants in the Limpopo Department of Education feel that the current constitutional, legislative, and policy frameworks that support good governance in public service needs to be improved. Establishing a framework to improve governance within the Limpopo Provincial Government, with an emphasis on the Departments of Education and Health, is therefore crucial.

6.2.4.3. The importance of the code of ethics in the public service

Department of Health Participants

All 37 participants responded to this question, and they were of the view that the code of ethics in government institutions is pivotal in maintaining respect and enhancing communications and trustworthiness.

Ethics plays a vital role in enhancing good governance in the public service by instilling transparency, value for money and moral behavior in government institutions. The Constitution Republic of South Africa (1996) contains several demands for moral conduct from municipalities. Cabinet members and deputy ministers are required by Section 96 (1) to behave in conformity with the code of ethics established by national law, hence, government institutions must enforce a code of ethics to make sure public servants and political office holders are held responsible for any misconduct.

The researcher points out that improving good governance in the public sector requires adherence to Section 195 of the Constitution of the Republic of South Africa, 1996, which promotes fundamental ideals and principles guiding public administration. According to this part of the constitution - the public's needs must be met, a high standard of professional ethics must be upheld, and the public must be encouraged to participate in the formulation of public policy. In this regard maintaining integrity and professionalism remains a primary objective that all the public servants and the populace should be involved in strengthening the best government practices which will enable good governance to be enhanced in the public service.

According to Soerdi et al, (2022), the code of ethics in the public service represents abilities, proficiency, efficacy, and efficiency, all of which are critical for providing essential services and for strengthening good governance. Public employees are required by the Constitution to conduct themselves in the most morally upright manner possible while performing their jobs. Koekane and Mangena (2017) posit that the code of ethics is pivotal in the public service, in ensuring that accountability and transparency are enforced, and internal control systems are strengthened to enhance good governance in the public service.

Participant A

“The code of ethics provides clear understanding of expectations in terms of conduct in the public service. Furthermore, the code of ethics plays a vital role in discouraging unethical behavior and provides framework for decision-making and resolving unethical problems”.

Participant B

“The code of ethics is key in maintaining respect, enhancing communications and trustworthiness”.

Participant C

“The code of ethics is vital in establishing a set of standards, encouraging accountability and fostering a positive work environment. Furthermore, the code of ethics is significant in the public service because it helps to build customer trust as they are valued and used to develop a culture of responsibility and honesty, hence, to continuously strengthen ethical behavior”.

Participant D

“The code of ethics in the public service allows transparency, honesty and credible practices within the public service”.

Participant E

“The code of ethics outlines an organisation’s strategic plan and best practices for maintaining honesty, integrity and professionalisation”.

Participant F

“The importance of ethics in the public service is that it provides guidance to the public servants and the populace on moral behavior to ensure that government programmes are executed in an effective, efficient and transparent manner”.

Participant G

“The importance of ethics is that it ensures that the public receives what it needs in a fair manner. Furthermore, it gives the administration guidelines in strengthening the public image of government by being transparent, and ethical to ensure that good governance is enhanced”.

Participant H

“The code of ethics helps officials to make better decisions in the public interest and help the public to evaluate the decisions taken on their behalf by political office bearers, parliamentarians and the public servants occupying positions with authority”.

Department of Education Participants

All the 41 participants responded to this question, and they are of the view that ethics is effective and efficient in helping officials make better decisions in the public interest and help people evaluate the decisions taken on their behalf by the public servants. The participants also stated that the nation's Constitution, specifically Section 195(1)(f), is crucial in encouraging morals and integrity in government. Ethics is the study of moral judgments and human behavior, claims Mafunisa (2008).

Mafunisa (2008) adds that a high standard of morals must be upheld and that democratic values must guide public administration. Five participants' responses will be highlighted about the significance of the code of ethics in government institutions.

Participant A

“The code of ethics plays a crucial role in maintaining the integrity, professionalism and accountability in public services. Through maintaining integrity and professionalism, there will be principles, trust, confidence and accountability”.

Participant B

“The significance of the code of ethics is that it governs the behaviour of the public servants and provide direction in the enforcement of legislative prescripts. The Constitution of the Republic of South Africa, 1996, with reference to section 195(1)(f) plays a pivotal role in promoting ethics, in the public service”.

Participant C

“The code of ethics in the public service is crucial for several reasons, serving as a foundational document that guides the behavior, decision-making and responsibilities of the public servants”.

Participant D

“The code of ethics is effective and efficient in helping officials to make better decisions in the public interest and help people evaluate the decisions taken on their behalf by public officials”.

Participant E

“The code of ethics is vital because it establish a set of standards, and it encourage public servants to enforce accountability and transparency with a view of fostering a positive work environment. Furthermore, it builds a customer trust as they are values and morals that is key in developing a culture of responsibility, honesty and to provide a continuous improvement in ethical behaviour”.

Having noted these responses from both groups of the research participants it is obvious that the participants are of the view that the code of ethics plays a crucial role in maintaining integrity, professionalism, and accountability in public service. Furthermore, the governance theory is ideal for bringing out the significance of the code of ethics in the public service because it serves as the only feasible method to protect human rights and free political power belonging to citizens. Governance theory plays a vital role in fostering trust and confidence in society and in both the public and the government. The primary objective of this theory is to promote good governance, regarding how the government addresses corruption within the public service.

6.2.5. SECTION E: INSTITUTIONAL BODIES PROMOTING GOOD GOVERNANCE IN THE PUBLIC SERVICE

The Constitution of the Republic of South Africa, 1996, with reference to Chapter Nine (9), institutions, laid a cornerstone of institutional bodies that seek to enhance good governance in the public service through adherence to democratic processes and policy positions. This has assisted many organisations in public service to enhance good governance by tightening performance measures of state institutions, for auditing purpose (Nkwinika, 20210). Institutional bodies in South Africa have contributed immensely to South Africa since the dawn of democracy to fight the scourge of corruption and malfeasance in the public service.

6.2.5.1. Institutional bodies combating bad governance

Department of Health Participants

All 37 participants responded to this question. The aim of this question was to determine whether the employees in the Limpopo Department of Health are aware of the institutional bodies that combat bad governance in public service. Out of the 37 participants, 31 responded to this question, which is 84% of the participants. Institutional bodies mentioned by the participants are Chapter 9 Institutions (SIU, AGSA, Public prorector);

- Provincial Treasury Internal Audit and Compliance Unit;
- Standing Committee on Public Accounts (SCOPA), both the Limpopo Provincial Legislature and the national parliament;
- Portfolio Committee of Health at the Limpopo Provincial Legislature and the national parliament;
- Departmental ethics committee, however, there is no designated person appointed to facilitate the management of ethics in the Department; this has created a problem when coming to oversight in the Department.

Department of Education Participants

All 41 participants responded to this question. The aim of this question was to determine whether the employees in the Limpopo Department of Education are aware of the institutional bodies that combat bad governance in the public service. Institutional bodies mentioned by the Participants are:

- Departmental Risk Management Committee
- Departmental Ethics and Disciplinary Committee
- Internal control management
- Legal service management
- South African Police Service (SAPS)
- Chapter 9 Institutions (SIU, AGSA, Public prorector)
- Provincial Legislature
- National parliament
- Anti-corruption Task Team

All the participants from both Health and Education are aware of the institutional bodies that combat bad governance in the public service. It is vital for public servants and the populace to liaise with the above-mentioned institutions whenever they detect any unethical conduct in the public service to ensure that good governance is enhanced. The researcher notes that the above-mentioned institutional bodies that combat bad governance in the Departments in the Province are vital in enhancing good governance by enforcing ethics and best practices in all the three (3) arms and spheres of government.

6.3. CONCLUSION

The discussions in this Chapter have highlighted the techniques utilized in the performance of duties in the public service. Next, this study suggests a framework to improve governance within the provincial government in Limpopo, specifically regarding the Health and Education Departments. The questionnaire was clearly designed to develop a framework for promoting good governance. Several instruments intended to enhance good governance were incorporated and evaluated.

The researcher employed on-line semi-structured questionnaire to obtain in-depth opinions or insights on the proposed framework for improving good governance from the respondents. The legal, policy, and regulatory structures were established and assessed as to how effective they are in fostering good governance within the Limpopo provincial government, particularly in the Health and Education sectors. The next chapter will present the study's findings, recommendations, and conclusions, along with suggestions for best practices that need to be promoted within the public sector to ensure the enhancement of good governance.

The two theories discussed - public choice theory and good governance theory - in chapter two of this study are relevant, clear, and sound to the data collected, analysed as well as interpreted. The two theories provide a clear perspective of public administration practice as well as the discipline of Public Administration too.

The public choice theory is vital in promoting societal participation in the governmental policy-making process; it offers valuable insights into corruption and establishes a framework for consequence management, leading to the establishment of most anti-corruption laws with penalties for non-compliance. Similarly, the governance theory, is significant in ensuring the drafting of clear policies that will address the socio-economic challenges of South Africa. The good governance theory plays a vital role towards the execution of public administration, as it underscores the significance of public involvement in elections, policy formulation, administration, and oversight to guarantee effective and efficient service delivery.

After reviewing the literature in Chapters 2, 3, and 4, it becomes apparent that fostering ethics, implementing the code of conduct within government entities, and Chapter 9 Institutions reinforce constitutional democracy in South Africa. These initiatives play a crucial role in improving good governance within the public sector through a comprehensive approach that addresses unethical behaviours.

CHAPTER SEVEN

FINDINGS, RECOMMENDATIONS AND CONCLUSIONS

7.1. INTRODUCTION

Scholars, researchers, observers, analysts, and practitioners believe that doctoral or PhD research should contribute to scholarly understanding and offer insights into the practice of public administration. The previous chapter discussed the data that was gathered, analysed and interpreted. The central research question of this study aimed to critique and comprehend the current framework, as well as to suggest an alternative that would improve governance within the Limpopo provincial government, focusing specifically on the Health and Education departments. The principal findings of this study were situated within the context of public choice theory, which is crucial for the practice of public administration as it promotes participatory democracy. The public choice theory is a key principle of good governance that aims to foster community engagement in decision-making and policy formulation processes to enhance accountability in public service. This chapter will outline the findings, recommendations, and conclusions derived from the data. The goal of this thesis was to propose a framework aimed at improving good governance in the Limpopo Province, particularly concerning the Health and Education departments.

7.2. SYNOPSIS OF THE CHAPTERS OF THE THESIS

This research study consisted of seven chapters. The chapters are briefly outlined as follows:

Chapter One of a research project is typically recognised as the foundation of the study. This chapter presented the introduction and context of the study, aiming to suggest a framework for improving good governance within the Limpopo provincial government, specifically relating to the Health and Education departments. The discussions of the problem statement highlighted ineffective governance which is mainly identified by various portfolio committees in the Provincial Legislatures and the National Parliament. Corruption and malfeasance in government institutions are thorny problems which are widely reported to the law enforcement agencies.

The chapter also discussed the aim and objectives of the study, research questions and the significance of the study. The chapter also discussed the limitations and delimitations of the study and, lastly, the chapter conceptualised key operational terms relevant to this study.

Chapter two presented the theoretical framework underpinning good governance. The public service has prioritised programmes which intend to enhance good governance in the public service since the dawn of 1994. The manifestation of bad governance was also discussed in this chapter. The study identified the lack of consequence management, bribery, conflict interest, unfair procurement practices, financial mismanagement, irregular expenditure, and corruption as some of the causes of bad governance.

This chapter also discussed the African charter which focuses on democracy, elections and governance and its significance to good governance. The African Charter plays a pivotal role in strengthening policy framework for the public service of all African countries and it enforces ethical conduct with reference to, transparency, professionalism, and ethical standards. The theories which are relevant to good governance and this study were also presented in this chapter. Chapter two also discussed the implications of unethical leadership on good governance and service delivery. Unethical leadership in government has a negative effect on good governance, because it derails the delivery of rudimentary services in communities.

The constitutional, legislative, and policy frameworks that serve as the study's cornerstone were described in Chapter three of this research. The study's goal was to provide a framework for enhancing good governance in the provincial government of Limpopo, with a particular emphasis on the Departments of Education and Health. To establish an effective, efficient, accountable, and transparent state, the study aimed to investigate whether the current framework and policies promoting good governance, help government institutions to strengthen the spirit of public administration.

Sheng (2010) notes that there are eight (8) principles of good governance, however, the study concentrated on four (4) of them: accountability, transparency, public participation, and effectiveness and efficiency. These principles were discussed due to their direct relevance to the framework aimed at enhancing good governance, although the other principles are also significant. The Chapter also highlighted the significance of a code of ethics, which acts as a guideline for appropriate conduct.

Chapter Four focused on institutional bodies that combat bad governance in public service. The case study of this research project was from the Limpopo departments of Health and Education. Section 27 of the Constitution of the Republic of South Africa, 1996, makes a constitutional obligation for the health system in South Africa, it also plays a pivotal role in making basic education a constitutional right to be accessed by all, despite age, gender, race, and tribe. All the provincial departments of Health and Education in the nine (9) provinces align to both.

The Chapter also described the institutional bodies that champion good governance in government. The Constitution sets the groundwork for various institutional agencies focused on strengthening best practices in the public sphere, through adherence to democratic practices and policy frameworks. Since the establishment of democracy, these institutions in South Africa have been pivotal in fighting corruption and wrongdoing in government.

The emergence of these agencies, as outlined in the Chapter Nine Institutions of the Constitution, has significantly assisted many public service bodies in advancing governance by reinforcing performance measures for auditing. The chapter concluded with a conversation on the reforms within South Africa's public service.

As articulated in Section 195 of the Constitution, public administration is crucial to the reform process by maintaining high levels of professional ethics and ensuring the efficient, economical, and effective utilization of resources aimed at development. The transition to democracy in South Africa in 1994 filled many with elation, hope, and dedication, but it also sparked apprehension, among others.

The newly formed government in 1994 was given the responsibility of executing the service delivery programs and initiatives it had promised to the citizens, including the provision of affordable housing.

Chapter Five outlined the research methodology, which aimed to organize the research and process all inputs from the study participants. In this chapter is explained the research design of the study, which adopted a case study approach, enabling an exploration of universal aspects of real-life occurrences, such as organisational practices. Additionally, this Chapter discussed the research paradigm and methodology utilised in the study. It implemented a qualitative research approach, which offered a rich understanding of the study participants and the reasons for their actions. The Chapter also examined the research context and population as well as the sampling approach, opting for purposive sampling because of its adaptability and the opportunity it provides for the researcher to choose suitable individuals and organizations for data gathering. The study utilized thematic data analysis, which serves as a key method for qualitative assessments. Finally, this chapter addressed issues related to quality control and ethical considerations.

Chapter Six detailed, examined, and interpreted the information gathered through qualitative research methods, utilizing thematic analysis to assess and interpret the data. The goal of this chapter was to provide insight into the information obtained from participants affiliated with both the Limpopo Departments of Health and Education. These discussions initiated the analysis and interpretation of the collected data by first addressing the demographics of the sampled participants and subsequently proposing a framework aimed at improving good governance within the Limpopo Provincial Government, specifically, concerning the Health and Education Departments.

The study adopted purposive sampling to select participants which assisted the researcher in providing relevant information to answer the research questions and the objectives of the study as indicated in Chapter Five of this study. The study selected 100 participants who were divided into two groups, namely 50 from the Department of Health and the other 50 were from the Department of Education.

The participants were spread over various job levels, from junior employees to senior management. In the Department of Health only 37 (74%) participants assisted in furnishing the researcher with data out of the 50 participants who were selected; whilst with the Department of Education only 41 (82%) participants assisted in furnishing the researcher with the data out of the 50 participants who were selected.

Chapter Seven provides the findings, recommendations, and conclusions. This Chapter will also discuss the aim, objectives, and research questions which were linked with the research questionnaires to address the problem statement. The results were derived from analysing the information that was gathered, interpreted, and presented in Chapter Six of this research. The recommendations are based on the study findings in Chapter Six.

Chapter Seven also offers suggestions for future research aimed at further developing frameworks designed to improve governance and, finally, this chapter concludes the study. The primary purpose of this Chapter is to identify strategies that aim to amend the current framework for good governance, using the case study of the Limpopo provincial government, referencing the Departments of Health and Education, which served as the case studies for this thesis.

7.3. GUIDING OBJECTIVES, AIM AND RESEARCH QUESTIONS

This section presents the research aim, objectives and questions that were highlighted throughout the thesis in all the chapters. The researcher intends to introduce a framework to improve governance within the Limpopo provincial government, particularly in the Health and Education Departments.

The study examined the effectiveness of the existing policy framework that supports good governance in government institutions, specifically regarding the enhancement of public administration values to create a state that is effective, efficient, accountable, and transparent.

Research objectives of a study are precise statements that highlight critical issues that will be addressed in the research project. Typically, a research project will consist of multiple specific research objectives (Mboweni, 2020).

The objectives of this study are as follows:

- To analyse the extent of unethical behaviors, such as corruption, within the Limpopo departments of Health and Education.
- To investigate the constitutional, legislative, and policy frameworks that support good governance in the South African public service in general, and specifically in the Limpopo public service.
- To explore the implications of unethical leadership on good governance in service delivery in the Departments of Education and Health.
- To explore the institutional bodies that combat bad governance in the Limpopo Provincial Government.
- To determine if there are any challenges that need to be addressed in the existing constitutional, legislative and policy frameworks that underpin good governance in the public service.

Research questions are utilised to investigate the aims and objectives of the study, where the fundamental issues that the research project seeks to examine, analyse and investigate are in a question format (Thomas and Hodges, 2010).

The research questions for this study are as follows:

- What is the level of corruption in Limpopo departments of Health and Education?
- What is the constitutional, legislative and policy frameworks that underpin good governance in the Limpopo public service?
- What are the implications of unethical leadership on good governance towards service delivery in the Limpopo provincial government?

- What role does the Limpopo provincial government play in combatting unethical conduct in the Limpopo provincial departments?
- Are there any challenges that need to be addressed in the current constitutional, legislative and policy frameworks, that underpin good governance in the public service?

7.4. SUMMARY OF THE RESEARCH FINDINGS

Realizing the primary research aim and the five objectives led to theoretical and relevant findings. This section uses qualitative research approach and thematic data analysis to describe the main findings of this thesis, in line with the research objectives. The study's conclusions have addressed the knowledge gap regarding the current legislative and policy frameworks that support good governance and their implementation.

7.4.1. Objective One: To describe the level of unethical conduct, such as corruption in the Limpopo Departments of Health and of Education

A comprehensive literature review of unethical conduct in the public service with reference to the Limpopo Departments of Health and Education was presented in Chapter Two of this thesis. The public choice theory utilised in this research aims to contribute to the improvement of the existing constitutional, legislative, and policy frameworks, fostering best practices in public service by promoting accountability and transparency across all government sectors to address corrupt practices. Additionally, the theory provided insights into unethical behavior within the public service, focusing on the Limpopo Departments of Health and Education, as the case studies for this thesis.

The AGSA Report (2022) on audit outcomes for the 2021/22 financial year indicated that there is a rising trend of unethical conduct in government departments, and accountability continues to decline. The report also noted that the Limpopo Province has improved its overall audit outcomes over the three years since the previous administration. However, the 2021-22 FY outcomes regressed from the previous year because the provincial Health and Education Departments could not sustain their clean audit status due to findings on poor performance reporting and non-compliance with legislation.

During the collection, analysing and interpreting data on the level of unethical conduct in the Limpopo Departments of Health and education, the researcher noted that there were different views regarding this research objective. Majority of participants from both the Departments of Health and Education indicated that the level of unethical conduct, such as corruption and other unethical elements is moderate in Limpopo Province compared to other provinces, such as North-West, Kwa-Zulu Natal and Gauteng, where corruption is high.

Participant D from the Department of Health noted that the level of corruption in the Limpopo provincial government is very high. The participant further indicated that the Limpopo Department of Public Works was also affected by corruption cases in the 2022/2023 FY, whereby 9 officials had to be disciplined while 5 criminal cases were referred to the NPA for further prosecution. The participants also indicated that the MEC of CoGHSTA, Basikopo Makamu, was trending in 2021/2022 FY for wasteful expenditure regarding the Talana project by spending R15.3 million on 40 shacks.

Participant F from the Department of Education noted that corruption in the Limpopo provincial government is moderate, compared to other provinces. Further some departments fail to comply with the supply chain management practice and the project management techniques. Some infrastructure projects in the Limpopo Department of Education are still incomplete since 2014 which have contributed to deepening poverty and the lack of employment.

7.4.2. Objective Two: To explore the constitutional, legislative and policy frameworks underpinning good governance in the South African public service generally and Limpopo public service specifically

Chapter Four of this thesis presented a comprehensive review of the literature concerning the constitutional, legislative, and policy foundations that support good governance in the South African public service, with a particular focus on Limpopo's public service. The Constitution of the Republic of South Africa, enacted in 1996, was approved by the national assembly.

Following its amendment in 2005, the Constitution is no longer classified as an Act of Parliament, as it takes precedence over all laws enacted by Parliament. Section 195 of the Constitution outlines the fundamental principles of public administration, which are essential for promoting good governance within public service.

It mandates transparency and accountability by promoting high standards of integrity and ethical conduct among public servants to ensure that all state bodies carry out their policies effectively, thereby, facilitating the delivery of services to the public, who are the ultimate beneficiaries. The frameworks of legislation and policy that support effective governance in public service have also been the subject of discussion among various scholars and authors. Manyaka and Sebola (2013) highlighted that the Department of Public Service and Administration (DPSA) plays a crucial role in promoting the Public Service Act (No. 103 of 1994) within the South African public service, by developing internal control systems aimed at improving governance through programs designed to achieve service delivery in communities.

In addition, Sambo (2019) pointed out that Section 38 of the Public Finance Management Act (No. 1 of 1999) grants Accounting Officers the authority needed to prevent unauthorized, irregular, and wasteful expenditure as well as losses due to criminal activities, by implementing ethical best practices to reduce unethical behavior and improve governance. This Act also stresses the accountability and responsibility of public servants regarding the management of public resources, particularly for those involved in Supply Chain Management units.

Mboweni (2020) interpreted Chapter Two of the Public Administration Management Act (No. 11 of 2014) as enhancing the ability of public servants to observe professional ethics. Additionally, the Act underscores the efficient utilization of resources to ensure effective service delivery and ultimately bolster good governance in public service. The Act is also crucial in fostering ethics by making certain that the fundamental values and principles governing public administration outlined in Section 195 (1) of the Constitution, are realized within the public sector.

The Chapter Nine Institutions specified in the Constitution of the Republic of South Africa, 1996, serve a significant function as oversight entities to promote good governance in public service by ensuring that government institutions are accountable to oversight bodies, including parliament and relevant Chapter Nine Institutions. The Public Audit Act (No. 25 of 2004) actualizes the mandates detailed in the Constitution as outlined in Section 181 (1) (e), by providing guidance and assigning responsibilities to an Auditor-General to fulfill the duty of auditing public sector institutions. The Auditor-General Act (No. 12 of 1995) is essential for auditing the accounts, financial statements, and financial operations of public sector bodies, which include national and provincial departments, as well as local government entities.

The Public Service Anti-Corruption Strategy, endorsed by the government in January 2002, was intended to fight corruption within the public service, a goal that remains relevant today. One of the primary objectives of this strategy was to create mechanisms and methods within government institutions to tackle the issue of corruption. The National Development Plan (NDP), formulated in May 2010 during the fourth administration, emerged as a crucial tool to address the challenges faced by South Africans through the development of programs and projects that generate social and economic opportunities. Furthermore, the NDP has been recognized as a vital instrument for promoting good governance in public service.

All participants, from both the Limpopo Departments of Health and Education, are well-informed about the constitutional, legislative, and policy frameworks that support effective governance in public service. Below is the constitutional, legislative and policy framework cited by the participants.

- Constitution of the Republic of South Africa, 1996
- Public Service Act, 1994 (No. 103 of 1994)
- Public Finance Management Act, 1999 (No. 1 of 1999)
- Promotion of Administrative Justice Act, 2000 (No. 3 of 2000)
- Protection of Personal Information Act, 2013 (No. 4 of 2013)

- South Africa's Schools Act, 1996 (No. 84 of 1996)
- Employment of Educators Act, 1998 (No. 76 of 1998)
- Prevention and Combating of Corrupt Activities Act, 2004 (No. 12 of 2004)
- *Batho Pele* Principles
- Broad-Based Black Economic Empowerment Act, 2003 (No. 53 of 2003)
- Preferential Procurement Policy Framework Act, 2000 (No. 05 of 2000)
- National Health Act, 2003 (No.61 of 2003)
- Treasury regulations

All the 37 (100%) participants from the Limpopo Department of Health and 41 (100%) participants from the Department of Education, noted that the constitutional, legislative and policy frameworks play a pivotal role in enhancing good governance in the public service. These frameworks instill ethical conduct and moral behavior in implementing departmental plans and programmes that will ensure that service delivery is realised in communities and the broader society as well as to restore public trust and confidence.

7.4.3. Objective Three: To explore the implications of unethical leadership on good governance towards service delivery in the Departments

The implication of unethical leadership on good governance towards service delivery was thoroughly discussed and analysed in this study. The significance of adopting a case study approach allowed the researcher to choose any institution to conduct the research on. Furthermore, the purposive sampling strategy which was adopted also gave the researcher the freedom to select any size of participants to represent the entire population/employees of both the Limpopo Departments of Health and Education.

A comprehensive literature review on the implication of unethical leadership on good governance towards service delivery was presented in Chapter Two of this thesis. According to Singo, Mafunisa and Vermack (2022), unethical leadership is an act of dishonesty and lack of transparency in the execution of public administration in the public sector. Wrong perceptions such as negative observations about accountability, the lack of transparency and the incompetence of some public servants and political office bearers in the public service, spell failure from leadership to enforce ethics.

Uwizeyimana (2014) noted that the AGSA audit report for provincial and national spheres of government for the 2010/11 FY, indicated that the Limpopo Department of Health obtained a disclaimer due to insufficient audit evidence provided to the Auditor General. The audit report highlighted that the disclaimer was mainly caused by irregular expenditure of goods and services and the contraventions that occurred with regards to supply chain management regulations, *inter alia*, the R138.2 million unpaid accruals and poor asset management as well as unauthorised expenditure of R340 million by March 2011. Uwizeyimana (2014) also noted that the Department of Education in Limpopo Province encountered administrative challenges such as poor management of human resource functions with 2 400 excess teachers, and 200 teachers who could not be accounted for, physically. The challenges encountered by the Department of Education were classified as “bad governance” by journalists and other key stakeholders within the education sector.

In 2022 the Union, NEHAWU, in Limpopo Province raised public concern regarding the underspending of the Limpopo Provincial Government in the 2021/22 FY. NEHAWU indicated that R2.1 billion was returned to National Treasury out of the R68.8 billion that was allocated to Limpopo Provincial Government. Further NEHAWU noted that the inability to spend all the budget allocated to the Provincial Government is tantamount to unethical leadership which contributes to bad governance, which in turn results in frustrating the populace because of non-delivery of services in communities, as the province returned the money that was budgeted for service delivery.

All the participants in both the Limpopo Departments of Health and Education, responded to this research objective. Participant B from the Limpopo Department of Health noted that unethical leadership negatively contributed to state institutions attaining qualified, adverse and disclaimer audit opinion and gave a bad reputation to the public service.

Participant D from the Limpopo Department of Education noted that unethical leadership results in low morals and motivation amongst the employees, while also weakening the efficiency and effectiveness of service delivery. Unethical leadership also weakens public trust and confidence in the Department.

In the 2011/12 FY, the Limpopo Provincial Government was placed under national intervention by invoking Section 100 (b) of the Constitution for having an overdraft of almost R2 billion although, in 2021/22 FY, the Provincial Government was under scrutiny for underspending on the budget it was allocated, which resulted in the province returning almost R2.1 billion to the fiscus.

It is very clear that there is lack of internal control and oversight in the Limpopo Provincial Government which is mainly caused by unethical leaders who are tasked with political responsibility to enforce policies in government as well as those who are assigned with administrative authority to implement government policies and legislations, which are intended to enhance good governance by ensuring that service delivery is realised in communities.

7.4.4. Objective 4: To explore the institutional bodies that combat bad governance in the Departments

The purpose of this research was to understand and analyse the institutional bodies that combat bad governance in the public service. A broad literature review on institutional bodies that combat bad governance in the public service was thoroughly discussed in this study.

The 1996 Constitution of the Republic of South Africa outlines significant institutions in Chapter 9 that greatly contribute to the constitutional democracy of the nation by establishing governance mechanisms and control systems through entities such as the Public Protector, Auditor-General, and Electoral Commission. Additionally, Chapter 10 addresses the Public Service Commission (PSC), which plays a crucial role in ensuring effective and efficient public administration and upholding high standards of professional ethics within the public sector.

Chapter 11 of the 1996 Constitution pertains to the management of the state's security services, highlighting institutions such as the South African Police Service (SAPS) and the Special Investigating Unit (SIU), which enhance good governance by instituting and investigating reported cases. These institutions play a vital role in monitoring and evaluating systems to guide law enforcement agencies in preventing unethical practices, thus, earning the reputation of watchdogs in the anti-corruption movement.

Chapter 9 Institutions are traditionally recognized as transparent, accountable, and independent bodies that have a constitutional duty to uphold the rule of law. The only authority that supersedes these institutions is the Constitution of the Republic of South Africa, 1996, consequently, no individual or organization should interfere with the operations of these entities.

Participants from both the Departments of Health and Education have been informed about the institutional bodies that combat poor governance within the public service. The participants from the Limpopo Department of Health cited the following institutional bodies.

- Provincial Treasury Internal Audit and Compliance Unit
- Standing Committee on Public Accounts (SCOPA), both the Limpopo Provincial Legislature and the National Parliament
- Portfolio Committee of Health at the Limpopo Provincial Legislature and the National Parliament

Whilst the participants from the Limpopo Department of Education cited the following institutional bodies:

- Departmental Risk Management Committee
- Internal Control Management
- Legal Service Management
- South African Police Service (SAPS)
- Chapter 9 Institutions (SIU, AGSA, Public prosecutor)
- Provincial Legislature
- National Parliament
- Anti-corruption Task Team

All these bodies that have been cited by both groups of participants from the Limpopo Department of Health and Education are crucial in combating bad governance in the public service and subsequently the Limpopo Provincial Government with reference to the Departments of Health and Education. The Portfolio Committees of Health and

Education in the Limpopo Province, the National Parliament, and the Standing Committee on Public Accounts (SCOPA), are much focused on enforcing good governance which is also a key driver in enabling basic services to be prioritised in communities. Furthermore, the Portfolio Committee of both the Departments, as well as SCOPA, play a vital oversight role in ensuring that effective and efficient governance is maintained to comply with the AGSA best practices.

The researcher notes that it is vital for public servants and the populace to liaise with the above-mentioned institutions whenever they detect any unethical conduct in the public service to ensure that good governance is enhanced. The above-mentioned institutional bodies that combat bad governance in the Limpopo Departments of Health and Education are vital in enhancing good governance by enforcing ethics and best practices in all the three (3) arms and spheres of government.

7.4.5. Objective 5: To determine if there are any challenges that need to be addressed in the existing constitutional, legislative and policy frameworks that underpin good governance in public service.

The main aim of this objective was to determine if there are any challenges that need to be addressed in the current existing constitutional, legislative and policy framework that underpins good governance in the public service. Achieving this objective will also require the public service to be reformed so that it thoroughly vets' candidates before they are appointed to any government institution. Similarly, political office bearers should also be thoroughly vetted upon assuming political responsibilities as an office bearer in any government institution.

The Constitution of the Republic of South Africa, 1996, specifically in Section 195, states that public administration is crucial for reforming the public service by upholding a high standard of professional ethics while ensuring efficiency, economy, and effectiveness in resource utilization that is focused on development. The Public Service Act (No.103 of 1994) identifies specific roles such as the Director-General for national departments, the offices of premiers in provincial governments, and the Heads of Departments (HODs) in provincial departments.

Additionally, the Act requires the President of the Republic of South Africa, as the Head of State, to appoint competent and qualified heads of departments in the national government. Similarly, all nine provincial premiers are also required to appoint capable and qualified HODs.

The accounting officers of departments in the provincial and national spheres play a fundamental role in ensuring that government programmes and laws tabled in parliament are implemented effectively and efficiently. The competent implementation of government programmes will ensure that service is delivered in communities and will also enhance good governance.

Klaaren (2021) noted that the legislation that underpins the appointment and removal of public servants, particularly officials attached to Chapter 9 Institutions in South Africa's public administration cause problems in the public service. It provides the political office bearers and public servants holding senior positions in the public service with considerable powers over appointment decisions. Politicians deployed as office bearers in public institutions are empowered to play a determining role in the appointing of senior public servants in strategic positions in government institutions.

Politicians usually dictate to panel members in various public institutions in matters dealing with appointments, resulting in their close political allies being given positions even when in some instances they do not meet the basic or minimum requirements.

The interference of politicians in the appointment and removal of officials or administrators in the public service weakens the democratic control, which results in bad governance. With reference to the Departments of Health and Education, the case studies for this thesis, a framework that will improve good governance in the public sector and, eventually, the Limpopo Provincial Government is required.

The public service must be reformed to provide organizational services in a standardized and acceptable manner, thereby strengthening professionalism, hence, it is necessary to suggest a framework to improve good governance; ethics and the *Batho Pele* principles are linked to professionalism in the public sector.

All the 37 (100%) participants attached to the Limpopo Department of Health are of the view that there is a need to review current existing constitutional, legislative and policy frameworks that underpin good governance in government institutions to effectively, efficiently, and timely respond to the socio-economic challenges of the day. Furthermore, it is pivotal that these existing frameworks are refined to tighten measures in curbing corruption in sectors such as, Infrastructure Management, Supply Chain Management, and Human Resource Management.

Out of the 37 participants, 11 (30%) of them noted that reviewing of the current framework will play a pivotal role in enhancing good governance that will ensure that service delivery priorities are achieved in a manner to ensure transparency, accountability, and service standards, and for government institutions to improve on their audit findings. In the Limpopo Department of Education there are dissenting views on whether the current existing constitutional, legislative and policy framework should be reviewed or not.

The researcher noted that there are challenges with the public service that need to be addressed with the current constitutional, legislative and policy frameworks that underpin good governance in the public service. In this regard, there is a need for a modified framework to be introduced to ensure that good governance best practices are adhered to in the public service in general and the Limpopo Provincial government in particular, with reference to the Departments of Health and Education.

In this regard, the findings of the study which were presented in Chapter 6 of this study demonstrate that there is a need for the Public Service Act (No. 103 of 1994) to be amended to review the term of office for accounting officers in both the provincial and national departments from five years to ten years. This extension of the term of the office will ensure that effectiveness and efficiency is adhered to enhanced good governance in public service.

The enhancement of the current existing constitutional, legislative and policy frameworks that underpin good governance in the public service will play a pivotal role in fostering an ethical environment within government institutions. Further, it will assist in boosting the public's morale for public participation to contribute to policy-making and key decision-making processes that may require the public to participate, such as National Health Insurance (NHI) bill and the Basic Education Laws Amendment (BELA) Bill which are now signed into law by the State President of South Africa - His Excellency President, Cyril Matamela Ramaphosa.

The researcher also noted that the findings of the study established that there is a need for internal control systems that measure accountability to be improved and enforced. The public service and the public servants need to be driven officials who will ensure that confidence, trust, and accountability are brought to the society and the state, and that the public image of the state is seen as ethical, transparent and inclusive, regardless of gender, race, tribe, disability, and the economic class of a person.

The study's results will support future researchers in gaining deeper insights into effective governance within public service, particularly regarding the Limpopo Provincial Government. By promoting good governance, it will play a crucial role in ensuring that services are provided in a timely, effective, and efficient manner as well as fostering ethical practices.

The research has undertaken a comprehensive examination of ethics and highlighted the significance of ethical leadership in improving governance. The outcomes of this study, therefore, will aid public servants in recognizing characteristics that reflect unethical behaviors and address these issues through legitimate strategies that support good governance in Limpopo Province for poor governance has led to diminished service delivery in communities.

7.5. RECOMMENDATIONS

The aim of this research was to offer an alternative framework to improve good governance within the Limpopo Provincial Government, specifically focusing on the Departments of Health and Education. This, it is anticipated will be achieved through the following recommendations designed to strengthen the existing constitutional, legislative, and policy frameworks that would support good governance in the public service.

7.5.1. Recommendations for curbing unethical conduct in the Limpopo Departments of Health and of Education

The findings from both the Limpopo Departments of Health and Education indicate that unethical conduct in both these Departments is mainly caused by the interference of the MEC as the political head, as well as the HODs as the administrative heads of departments, in administrative functions which do not require their interference.

Furthermore, the lack of consequence management, and non-implementation of policies to establish programmes that will ensure that service delivery is realised in communities and the good governance require attention, therefore, to curb unethical conduct there is a need for the following:

- The Limpopo Provincial Government should draft a provincial policy that prevents the interference of the Premier, MECs, Director-Generals and HODs on programmes that do not require their personal participation, such as Supply Chain Management processes, Project Management, and Audit Steering Committees.

- The two Departments, Health and Education, need to consult with various stakeholders, such as the Department of Public Service and Administration and the National Treasury on whether the Performance Management Policy can be amended so that any employee who does not achieve his/her Key Performance Targets in the responsibilities assigned to him or her should be made to account to the employer. This will assist in addressing the challenge of non-implementation of the Departmental policies and other key legislations that seek to enhance good governance by intensifying service delivery in communities.
- The Departments in the Limpopo Provincial Government should ensure that the budget allocated by the National Treasury and the Provincial Treasury is used appropriately to avoid overspending and underspending and to improve service delivery backlogs.

7.5.2. Recommendations for the training of public servants and political office bearers in the constitutional, legislative and policy frameworks underpinning good governance in public service

It was established during the collection, analyses, and interpretation of data that there is a need to train public servants and political office bearers in the constitutional, legislative and policy frameworks underpinning good governance in public service. To ensure that the training of public servants and political office bearers is effective and productive there is a need for the following:

- The Limpopo Provincial Government should set aside budgets to be channeled for training and development, for the purpose of educating the public servants and political office bearers on the constitutional, legislative and policy frameworks underpinning good governance in public service.

- The Limpopo Provincial Government needs to strengthen their relations with the National School of Government and Institutions of Higher Learning, especially those within the jurisdiction of Limpopo Province to offer courses, modules, and workshops annually that will enable the public servants and political office bearers to be trained on the constitutional, legislative and policy frameworks underpinning good governance in public service.
- The two Departments, Health and Education, should consider establishing departmental workshops that focus on policies and research.
- The Limpopo Provincial Government should consider establishing a provincial academy, whose key role will be to conduct research and review policy programmes in the provincial government.

7.5.3. Recommendations to strengthen security vetting for public servants and politicians occupying leadership and managerial positions in the public service

It was established during the collection, analyses, and interpretation of data that there is a need to vet public servants and politicians prior to them occupying leadership positions in the public service; therefore, to ensure that proper security vetting is done, there is a need for the following:

- The Independent Electoral Commission (IEC), political parties and SAPS should do a thorough security vetting of candidates who are nominated by various political parties to be in the National Parliament and provincial legislatures. This will assist in bringing in ethical political office bearers as executive members in the public service. Furthermore, the advantage of having executive members in the public service, who are ethical, will play a vital role in enhancing good governance too.

- The Risk and Compliance Units in departments and all other institutions in government and the Department of Public Service and Administration, National Treasury and SAPS, should also intensify their security vetting system prior to appointing officials in senior positions who are tasked with implementing the departmental and government programmes. Further, the upgrading of the security vetting system will also be effective in detecting any irregularities, such as fake qualifications, criminal records, or dismissal records in respect of officials within the public service or any other sectors; there is an urgent need for financial security checks, especially for positions related to accounting, finance, infrastructure, and supply chain management.

7.5.4. Recommendations for enhancing the consequence management policy

The findings noted that ineffectiveness in the implementation of the consequence management policy is amongst other causes of ineffectiveness governance in the public service with reference to the Limpopo departments of Health and Education. Therefore, there is a need to enhance the consequence management policy in the Limpopo provincial government to ensure that good governance in state institutions is adhered to.

The consequence management policy is spearheaded by the National Treasury in South African government. It is a framework derived from various legislation and regulations that aims to ensure accountability and address misconduct government. There is a need for the following:

- The Limpopo provincial government need to review the the consequence management policy in the province, and mandate the Limpopo Office of the Premier to be the champion or custodian of implementing the policy in all provincial departments, legislature and municipalities in the province. By mandating the Limpopo of the Premier in implementing the consequence management, it will strengthen powers and authority to the Office of the Premier in providing oversight in all state institution in the Limpopo provincial government, inclusive of municipalities to ensure that good governance mechanism is adhered to.

7.5.5. Recommendations for strengthening the independence of institutional bodies that strengthen governance mechanisms in the public service

The findings noted that there is political interference in the operation of institutional bodies that strengthen governance mechanisms in the public service, therefore, to strengthen the independence of institutional bodies that combat bad governance in the public service, there is a need for the following:

- The legislative framework that underpins the of institutional bodies that combat bad governance in the public service, particularly Chapter 9 Institutions as detailed in the Constitution, should be amended to prevent the Head of State from having absolute constitutional powers and authority of appointing and dismissing the heads of Chapter 9 Institutions.
- The appointment and dismissal of heads of Chapter 9 Institutions should be determined by the recommendations emanating from the Judicial Service Commission (JSC) in the National Assembly. Furthermore, cabinet members responsible for the Department of Justice and Constitutional Development should not form part in the voting process in the JSC, however, the cabinet member can participate during the shortlisting and interview process, representing the employer. This will play a vital role in limiting political interference in institutional bodies that combat bad governance in the public service. Further, it will also strengthen oversight bodies, especially the Chapter 9 Institution as envisaged in the Constitution of the Republic South Africa, 1996.
- There is a need for the Limpopo Provincial Government to liaise with the Department of Public Service and Administration and the National Treasury to establish a position of ethics practitioner in all government departments that will be responsible for championing the Public Administration Management Act (No. 11 of 2014), code of ethics and *batho pele* Principles.

This function will assist in promoting ethical behaviour in provincial governments, particularly, the Limpopo's Departments of Health and Educations. Further, by having personnel specifically assigned to coordinate ethics, this will be effective in enhancing good governance in the public service.

7.5.6. Recommendations for enhancing the current constitutional, legislative and policy frameworks that underpin good governance in the public service

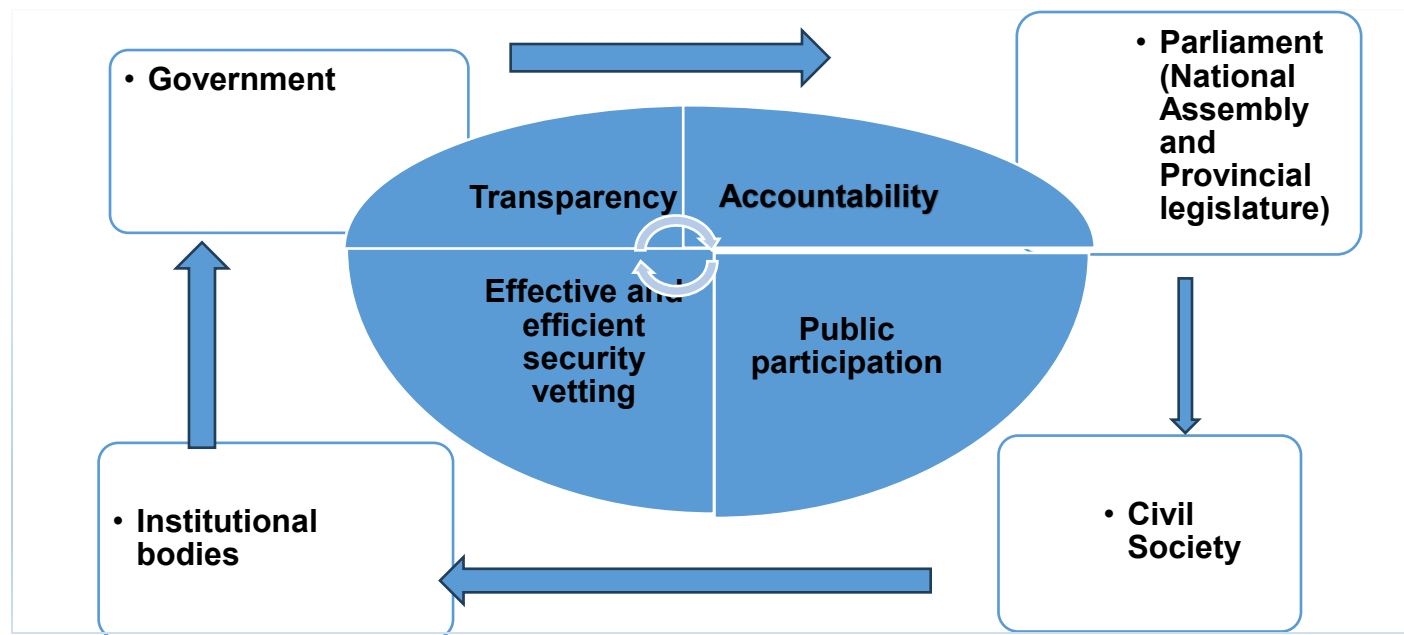
The researcher observed that in the process of collecting, analyzing, and interpreting data, there were different opinions about reviewing the current constitutional, legislative, and policy frameworks that support good governance in the public service. Additionally, the researcher found that both groups of participants believe that the existing frameworks should be revisited to improve good governance in public service. Consequently, when assessing these current frameworks supporting good governance in public service, the following points should be considered:

- The framework should be revised to minimize the influence of executive authorities and accounting officers in departmental committees, which would help reduce corruption and nepotism.
- It is necessary that the revision of the existing frameworks grant legislative powers to employees working in the senior management positions of the public service, enabling them to cultivate ethical awareness in departments, in alignment with the fundamental values and principles outlined in Section 195 of the Constitution of the Republic of South Africa, 1996.
- There is a requirement for the accounting officers in the Limpopo Provincial Government to initiate an awareness campaign aimed at encouraging public servants in the Limpopo Provincial Government to familiarize themselves with the principles of good governance and the code of ethics, to ensure that good governance is promoted effectively.

7.6. FRAMEWORK ON GOOD GOVERNANCE IN THE SOUTH AFRICAN PUBLIC SERVICE

This section builds on the discussion of the results and findings and is focused on proposing a framework that intends to enhance good governance in the public service with specific reference to the Limpopo provincial government focusing on the two provincial departments namely: Health and Education.

Figure 7.1. Framework on good governance



Source: Author's own compilation

Figure 7.1 illustrates the main four components of good governance. These are the government, parliament, civil society and human resources. These components are responsible for enhancing good governance, which in turn will ensure that an ethical state is realised. Further, Figure 7.1., provides four principles of good governance out of eight principles which are highlighted in section 3.2.1, of this study.

The Framework shows how the government, Parliament, civil society and institutional bodies are critical areas towards the application of the principles of good governance which has the potential in enhancing good governance in the public service and the Limpopo provincial government, especially the Limpopo departments of Health and Education.

This framework aims to create an environment conducive to good governance, thereby potentially preventing future unethical practices such as corruption, political interference, poor planning and coordination, lack of provincial and management supports in districts, lack of consequence management and ineffective leadership. By adopting these practices, policymakers, practitioners, and stakeholders can work collaboratively to enhance the integrity and performance of government institutions and parliament, ensuring they serve the public interest effectively. To ensure that good governance is realised in the public service with reference to the Limpopo provincial government, in particular the Limpopo department of Health and Education, the following issues below should be considered.

- To ensure that the framework on enhance good governance is effective and efficieint, the government need to be transparent to the society when implementing government programmes, policies and legislation passed in parliament. Furthermore, parliament should account to the society to any irregularities that transpires in government. Furthermore, parliament should enhance its strategies to enforce consequence management, which will ensure that all state institutions accounts the society.
- The proposed framwork suggests thst civil society should also play a role towards policy formulation through public participation processes. It is fundamental that civil society participates in community programmes to ensure that government and parliament provides good governance through effective and efficient internal systems in the public service. The framework also notes that institutional bodies plays a vital role in ensuring that any irregularities or unethical practices in government and parliament are investigation guided by the nature of the problem.

- To curb corruption in both the Limpopo departments of Health and Education, the Limpopo provincial government needs to intensify its Anti-corruption programmes in all the government departments and entities inclusive of the Limpopo provincial legislature as well as municipalities in Limpopo province. The Anti-corruption strategy should be guided by the Public Service Anti-Corruption Strategy which was endorsed in January 2002 by the government with the intention of strengthening government mechanism. Therefore, this good governance Framework ensures that all political office bearers and employees occupying senior management positions are accountable to Parliament.
- To instil public confidence and trust in both the Limpopo departments of Health and Education, this Framework suggests that Limpopo provincial government through the coordination of the Limpopo Office of the Premier and the Ministry of Public Service and Administration should consider establishing public participation function or units that will be coordinated in the Office of the MEC.
Public involvement is crucial because it ensures that the government addresses the general population's requirements in providing services and not a select few.
- The enforcement of public participation function in the Office of the MEC will enable the departments to engage with civil society on departmental programmes and projects which also promote ethical standards and efficiency, which helps to prevent poor governance and the abuse of political power and administrative authority. It is therefore clear that the government and governance programmes are crucial because they act as watchdogs, promoting public participation and advocating for policies that benefit the public. Civil society also contributes to service delivery and resource mobilization. Civil society can monitor the implementation and impact of policies and programmes adopted by government and parliament.

- To avoid irregularities in the recruitment and selections process in both the Limpopo departments of Health and Education, this Framework suggests that the government departments need to consider intensifying the security vetting system prior to appointing employees, particularly to senior positions. The upgrading of the security vetting system will also be effective in detecting any irregularities, such as fake qualifications, criminal records or dismissal records in respect of officials within the public service.
- To strengthen ethical conduct in the public service, this Framework suggests that state departments and entities inclusive of the Parliament and the Provincial Legislature should enforce transparency in the execution of programmes. Furthermore, transparency is crucial for improving the relationship between public service and citizens, hence, a government that practices transparency can foster confidence, trust, and satisfaction in its operations. Transparency makes it more difficult for corrupt activities to go unnoticed, as stakeholders and institutional bodies can easily monitor the financial health and transactions of the organization. By fostering a culture of openness, liquidity helps to build trust among stakeholders and the public, thereby reducing the risk of corruption, poor planning and coordination, lack of consequence management and political interference.
- To enhance good governance in the Limpopo departments of Health and Education, there is a need for oversight bodies such as the institutions established through chapter nine of the Constitution of the Republic of South Africa, 1996. These include the Public Protector and the Auditor-General. This Framework suggests that the oversight bodies must operate in a transparent, accountable and independent manner.

7.7. FURTHER RESEARCH OPTIONS

- There is a need for further research on the establishment of ethics practitioners in Limpopo Provincial Government and the role they could play in enhancing good government.
- Future researchers on good governance should consider investigating the independency of the Chapter 9 Institutions and other oversight bodies in the public service.
- There is a need for Public Administration and Public Management scholars to consider researching on how government can formalise the training in ethics for all the public servants to ensure that good governance is realised. Furthermore, the research should also consider proposing a framework that would enable the training in ethics to be standardised in the public service whilst new employees are serving probation.
- Future researchers should consider investigating the effectiveness and efficiency of implementing the code of ethics in the public service.
- There is a need to further analyse and examine the effectiveness of governance in service delivery.

7.8. CONTRIBUTION OF THE RESEARCH

The study defined key concepts which are good governance, ethics, and public service. These concepts were the basis of this research, and it was vital for the researcher to be familiar with these concepts when undertaking the study and to understand whether the current frameworks that underpin good governance in the public service, are still relevant to the current public administration practice or requires to be transformed. This study has contributed immensely to both the practice and discipline of public administration.

This research sought to determine if the existing frameworks are beneficial for government institutions in reinforcing the principles of public administration, ensuring that good governance is promoted to create an effective, efficient, accountable, and transparent state.

The study helped to identify the main factors that have led to poor governance in public service. The research also assisted in establishing the level of corruption in the Limpopo Province Government. To conclude, this study was vital in determining whether the current mechanisms and structures that seek to curb corruption elements in the public service are winning the battle or failing. The study also focused on the implications of unethical leadership on governance towards service delivery and it established that unethical leadership contributes to state institutions attaining qualified, adverse and disclaimer audit opinion. Further, it weakens performance management in the public service which hampers the delivery of basic services in communities.

The study also established that having quality internal control systems in the public service would contribute immensely to state institutions obtaining unqualified and clean audit opinion from the AGSA, hence, will improve performance management in the public service and subsequently hasten the pace of service delivery in communities.

7.9. CONCLUSIONS

The primary objective of the study was to establish a framework aimed at improving good governance within the Limpopo Provincial Government, focusing on the Limpopo Departments of Health and Education. The study primarily investigated the existing constitutional, legislative, and policy frameworks that support good governance, assessing whether it can be amended to enhance governance or if it remains applicable to the present discourse on public administration.

This chapter detailed the findings, recommendations, and conclusions derived from the study; these encompassed several aspects: the prevalence of unethical behaviour, including corruption, within the Limpopo Departments of Health and Education.

The constitutional, legislative, and policy frameworks that support good governance in both the South African public service in general and the Limpopo public service in particular; the effects of unethical leadership on good governance and service delivery within the departments; the institutional entities that address poor governance in the departments; and an evaluation of any challenges that require addressing in the current frameworks. Recommendations were also provided for reviewing these existing frameworks.

In the initial chapter of this study, an overview was presented, outlining the introduction and background intended to propose a framework for improving good governance within the Limpopo provincial government, particularly concerning the Departments of Health and Education. The discussions of the problem revealed ineffective governance, as identified by various portfolio committees within the Provincial Legislatures and the National Parliament.

The chapter further explored the aim and objectives of the study, the research questions, and the significance of the research, the theoretical framework endorsing the public choice theory on good governance in the public service. The chapter concluded by defining key operational terms relevant to this study.

Chapter Two of the study addressed the theoretical framework that underpins good governance. The study identified several factors contributing to poor governance, including - a lack of consequence management, bribery, conflicts of interest, unfair procurement practices, financial mismanagement, irregular expenditure, and corruption. The chapter also examined the African Charter, which emphasizes democracy, elections, and governance, and its relevance to promoting good governance.

The discussions detailed the African Charter's role in reinforcing policy frameworks for public services across all African nations, while advocating for ethical conduct, stressing transparency, professionalism, and ethical standards, and presenting theories pertinent to good governance and relevant for this study.

It concluded with a discussion on the repercussions of unethical leadership on good governance and service delivery. Unethical leadership in the public service was noted as negatively impacting good governance, ultimately hindering the provision of essential services in communities.

Chapter Three examined the constitutional, legislative, and policy frameworks, which were the core elements of the study. The research evaluates whether the current frameworks were supporting good governance, hence, beneficial for government institutions in terms of strengthening public administration principles, thereby promoting an effective, efficient, accountable, and transparent state. Additionally, this chapter outlined the principles of good governance and discussed the significance of the code of ethics, which serves as a guideline for appropriate conduct.

In Chapter Four, the focus shifted to institutional bodies that address poor governance within the public service. The establishment of these institutional bodies, specifically the Chapter Nine Institutions referenced in the Constitution of the Republic of South Africa, 1996, have aided numerous public service organisations in improving governance by tightening performance standards for auditing purposes.

This chapter also highlighted the roles played by the Limpopo Departments of Health and Education. Section 27 of the Constitution of the Republic of South Africa, 1996, established a constitutional obligation for the health system in the country, while Section 29 played a crucial role in ensuring that basic education is recognized as a constitutional right accessible to all individuals regardless of age, gender, race, or tribe. The Chapter concluded with a discussion on the reform of the public service in South Africa, emphasizing its significance in upholding a strong standard of professional ethics that is efficient, economical, and effective in resource utilization, aimed at development.

Chapter Five detailed the research methodology, indicating that the researcher had adopted a qualitative research approach and a case study design that facilitate investigations into the universal traits of genuine events, such as individuals' life trajectories and organizational processes.

This chapter also covered the research paradigm and methodology employed in the study, along with discussions on the research setting and population. The sampling strategy chosen was purposive sampling, which was also addressed, lastly, focus was placed on the thematic data analysis, which was utilized to analyse and interpret the collected data.

The primary objective of Chapter Six was to analyse the data gathered from participants from both the Limpopo Departments of Health and Education. This chapter presented, analysed, and interpreted the collected data while referencing various literature relevant to the points contained in the data. Discussions began with a provision on the demographics of the sampled participants and proposing a framework aimed at enhancing good governance in the Limpopo Provincial Government. The study employed purposive sampling to select participants, which aided the researcher in obtaining pertinent information to address the research questions and objectives of the study.

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ANNEXURE A: SEMI-STRUCTURED RESEARCH QUESTIONNAIRE

PROPOSING A FRAMEWORK FOR ENHANCING GOOD GOVERNANCE IN THE LIMPOPO PROVINCIAL GOVERNMENT: THE CASE OF THE DEPARTMENTS OF HEALTH AND EDUCATION

Enquiries: theron22jnr@gmail.com

0715747962/0733450877

SECTION A: DEMOGRAPHIC INFORMATION

1. Gender

Male	Female
------	--------

2. Educational Background

Grade 12	
Diploma	
Degree	
Honours	
Masters	
PhD	

3. Occupational Category

Administrative/ Junior Level	
Middle Management Service	
Senior Management Service	

4. Experience (Number of years in the current position)

1-5 years	6-10 years	10-15 years	15 years +
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5. How many employees does the Limpopo provincial department of Health/Education have?

SECTION B: CONCEPTUAL KNOWLEDGE

6. What do you understand by the concept of “good governance”?

7. What do you understand by the concept of “ethics”?

8. What do you understand by these two concepts - public service and public servant?

SECTION C: MANIFESTATION OF BAD GOVERNANCE

9. What are the common causes of bad governance in your Department?
(Health/Education)

10. How is the level of corruption in the Limpopo Provincial Government?

11. What are the implications of unethical leadership on good governance towards service delivery in your Department?

SECTION D: CONSTITUTIONAL, LEGISLATIVE AND POLICY FRAMEWORK THAT CONTRIBUTE TO ENHANCING GOOD GOVERNANCE

12. What are the constitutional, legislative and policy frameworks that contribute to enhancing good governance in the public service?

13. Are there any challenges that need to be addressed in the current constitutional, legislative and policy frameworks that underpin good governance in the public service?

14. What is the importance of the code of ethics in the public service?

SECTION E: INSTITUTIONAL BODIES PROMOTING GOOD GOVERNANCE IN THE PUBLIC SERVICE

15. What are the institutional bodies that combat bad governance in your department? (Health/Education)

16. What is the role of the public service in building a capable state?

ANNEXURE B: LETTER OF CONSENT

Faculty of Commerce,
Management and Law

Department of Public and Development Administration

Title of the study

PROPOSING A FRAMEWORK FOR ENHANCING GOOD GOVERNANCE IN THE LIMPOPO PROVINCIAL GOVERNMENT: THE CASE OF THE DEPARTMENTS OF HEALTH AND EDUCATION

Research conducted by:

Mr NKWINIKA M.K.K (23002595)
Cell: 0715747962/0733450877

Dear Participant

I would like to request your assistance to participate as a key informant in my research. You are cordially invited to participate in an academic study conducted by **Mr Nkwinika M.K.K**, a PhD candidate from the **Department of Public and Development Administration** at the University of Venda. The purpose of this study is to propose a framework for enhancing good governance in the Limpopo Provincial Government. The researcher has selected the Departments of Health and Education as case studies.

Please note the following specific data collection method used in the study:

➤ **Research design: Case study design**

According to Mouton (2001), research design is a blueprint that guides procedures on how the study should be undertaken. Research design, therefore, is a set of procedures and methodology that is employed to scientifically investigate and respond to the problem of the study. Case study methods allow investigations to maintain the universal features of authentic events such as individuals' life cycles and organisational processes.

➤ **Research approach: qualitative study**

Nkwinika (2021) notes that a qualitative research approach mainly provides an in-depth understanding of the participants in a study and the reasons that governs their behaviour.

➤ **Population and sampling**

This researcher has selected employees in the Limpopo provincial government, with reference to Health and Education, to gather, analyse and interpret the data collected. The researcher has selected 50 participants from each Department, which will then amount to 100 participants in total. The study adopted a purposive sampling strategy, which provides leverage to the researcher in selecting or recruiting any number of participants that he or she is comfortable with.

➤ **Data collection instruments: Semi-structured questionnaire**

According to Gillham (2000), an interview is a dialogue between two people. The interviewer seeks responses for a particular purpose from the interviewee. An in-depth interview questionnaire approach will be utilised to collect data from both the departments of Health and Education.

➤ **Data analysis: Thematic data**

A thematic analysis approach will be used to analyse the data. Boeije (2010:16) notes, “data analysis is the process that a researcher uses to reduce data to a story and its interpretation”, however, certain scholars state that data analysis is the process of moving from raw data acquired from research participants which is summarised and categorised into key themes, which is more useful in terms of providing a detailed analysis of the research problem.

- This is an anonymous survey as your name will not appear on the questionnaire. The answers you give will be treated as strictly confidential as you cannot be identified in person based on the answers you give.
- Your participation is very important to the researcher. You may, however, choose not to participate and you may also stop participating at any time without any negative consequences.
- Please answer the questions in the attached questionnaire as completely and honestly as possible. This should not take more than 45 minutes of your time.
- The results of the study will be used for academic purposes only and may be published in an academic journal. We will provide you with a summary of our findings on request.

- Please contact my study leader: Prof M.J. Mafunisa, 0827674503, John.mafunisa@univen.ac.za / Jmafunisa@yahoo.com or you can also contact me, (Mr Nkwinika M.K.K as the researcher, 0715747962/ 0733450877 theron22jnr@gmail.com if you have any questions or comments regarding the study.

In research of this nature the study leader may wish to contact participants to verify the authenticity of data gathered by the researcher. It is understood that any personal contact details that you may provide will be used only for this purpose and will not compromise your anonymity or the confidentiality of your participation.

Please sign the form to indicate that:

- You have read and understand the information provided above.
- You give your consent to participate in the study on a voluntary basis.

Thank you for your participation

Participant's signature:

Date:

Name and Surname: _____

ANNEXURE C: Limpopo Office of the Premier: Application Form, Limpopo Research Ethics Committee

ETHICS APPROVAL CERTIFICATE

RESEARCH AND INNOVATION
OFFICE OF THE DIRECTOR

NAME OF RESEARCHER/INVESTIGATOR:
Mr MKK Nkwinika

STUDENT NO:
23002595

PROJECT TITLE: **Proposing a framework for enhancing good governance in the Limpopo provincial government: the case of the departments of health and education.**

ETHICAL CLEARANCE NO: **FMCL/23/PDN/26/3110**

SUPERVISORS/ CO-RESEARCHERS/ CO-INVESTIGATORS

NAME	INSTITUTION & DEPARTMENT	ROLE
Prof MJ Mafunisa	UNIVEN, Public and Development Administration	Supervisor
Dr NN Nekhavhambe	UNIVEN, Public and Development Administration	Co-Supervisor
Mr MKK Nkwinika	UNIVEN, Public and Development Administration	Investigator – Student

Type: **Doctoral research**

Risk: **Straightforward research without ethical problems (Category 1)**

Approval Period: **October 2023 – October 2024**

The Research Ethics Social Sciences Committee (RESSC) hereby approves your project as indicated above.

General Conditions

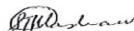
While this ethics approval is subject to all declarations, undertakings and agreements incorporated and signed in the application form, please note the following.

- The project leader (principal investigator) must report in the prescribed format to the REC:
 - Annually (or as otherwise requested) on the progress of the project, and upon completion of the project.
 - Within 48hrs in case of any adverse event (or any matter that interrupts sound ethical principles) during the course of the project.
 - Annually a number of projects may be randomly selected for an external audit.
- The approval applies strictly to the protocol as stipulated in the application form. Would any changes to the protocol be deemed necessary during the course of the project, the project leader must apply for approval of these changes at the REC. Would there be deviated from the project protocol without the necessary approval of such changes, the ethics approval is immediately and automatically forfeited.
- The date of approval indicates the first date that the project may be started. Would the project have to continue after the expiry date; a new application must be made to the REC and new approval received before or on the expiry date.
- In the interest of ethical responsibility, the REC retains the right to:
 - Request access to any information or data at any time during the course or after completion of the project.
 - To ask further questions; Seek additional information; Require further modification or monitor the conduct of your research or the informed consent process.
 - withdraw or postpone approval if:
 - Any unethical principles or practices of the project are revealed or suspected.
 - It becomes apparent that any relevant information was withheld from the REC or that information has been false or misrepresented.
 - The required annual report and reporting of adverse events was not done timely and accurately.
 - New Institutional rules, national legislation or international conventions A it necessary

ISSUED BY:
UNIVERSITY OF VENDA, RESEARCH ETHICS COMMITTEE
Date Considered: October 2023

Name of the RESSC Chairperson of the Committee: **Prof TS Mashau**

Signature




ANNEXURE D: Limpopo Office of the Premier: Application Form, Limpopo Research Ethics Committee



LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE PREMIER

Application Form

Limpopo Research Ethics Committee

Instructions

1. This form must be completed by all researchers who require ethics clearance.
Note that staff departments, must also complete the form.
2. Completed applications must be emailed to
lprecsecretariat@premier.limpopo.gov.za
3. Applications may be submitted as soft (electronic) copies, but the first page of the application must contain the signatures of the researcher and supervisor. Final revised versions must be in soft (electronic) copy as all documentation will be archived.
4. Incomplete applications will **NOT** be considered, including where signatures are missing.
5. Necessary supporting documents (e.g. *research proposal*, *Information Sheet*, *Consent form*, child assent form, copies of instruments, permission letters, university ethical clearance certificate etc), must be provided.

SECTION A

Complete this checklist to show what documents you have submitted and that you agree with the conditions of application.

- | | |
|---|---|
| ✓ | Completed <i>Ethics Application Form</i> . |
| ✓ | Copy of the <i>Research proposal</i> . |

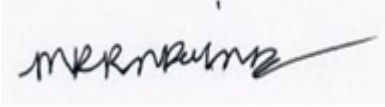
✓	Copy of proposed Research instruments (e.g. questionnaires/interview schedules).
	Participant Information Sheets (for each different sample group and/or instrument used).
✓	Consent forms (for each different sample group and/or instrument used).
✓	Relevant permission letters if required (from, e.g. provincial department, ethical clearance certificate etc.) -

SIGNATURES (REQUIRED)

Declaration: We, the signatories, declare that all information on this form is correct and that we will strive to maintain the highest ethical standards in this research at all times, according to disciplinary and government expectations, recognising that ethical practice in research is always a continuing process.

I recognise that it is my responsibility to conduct my research in an ethical manner according to Guidelines of the Limpopo Provincial Government, according to any laws and/or legal frameworks that may apply, and according to the norms and expectations of my discipline. In preparing this Application for Ethics Clearance form, I have consulted the National Department of Health Ethics in Health Structures: Principles, Processes and Structures (available on this website: (https://www.health.gov.za/nhrec-home/). In receiving ethics clearance, I agree to abide by the conditions of data collection as outlined in the <i>Guidelines</i> document.	☒ Yes ☐ No
---	--

By signing this form, the researcher and supervisor of this project undertake to ensure that any amendments to this project that are required by the Human Research Ethics Committee are made before the project commences.

	Date	Name	Signature*
Applicant	19 April 2024	Mr Miyelani Kulani Kelvin Nkwinika	
Supervisor	19 April 2024	Prof John M Mafunisa	

*electronic signatures are permitted but there are requirements governing this – please see *Guidelines for Applicants* document

SECTION B

1. Summary of risk categories of this research project	
1.1 Does this project involve human participants?	☒ Yes ☐ No
1.2 I have read and understood the risk categories table <i>Applicants must have read the table of risk level category definitions on the final page of this document.</i>	☒ Yes ☐ No

1.3 The applicant must tick the box for the category that best applies to this project:

Risk category	Tick the appropriate box
No risk	✓
Minimal risk	
Low risk	
Medium risk	
High risk	

1.4 Will human participant research involve **vulnerable categories**?

☐ Yes ☒ No

If **YES** state which ones:

If **YES**, how will **existing vulnerabilities** among research participants be addressed

1.5 Does this research expose either the participant(s) or the researcher(s) to any **potential risks or harm** to which they would not otherwise be exposed?

☐ Yes ☒ No

If **YES**, how will **potential risks or harm** be addressed?

See the Guidelines for Applicants document for guidance on a distress protocol, if needed

NB: Vulnerability is context specific. The term 'vulnerable categories' includes, among others, children under 18, orphans, prisoners, persons with cognitive or communication disorders, people who are traumatised or currently in traumatic situations. Vulnerable categories do not necessarily include poor or marginalised communities, older people, women, people with disabilities (unless it results in diminished capacity to give informed consent). Not all research involving 'vulnerable categories' is Medium or High Risk research: here vulnerability must be considered in terms of the nature of the research and the context in which the research is carried out. Where necessary, include details of steps to be taken to facilitate data collection across language barriers (e.g. interpretation or translation).

2. Researcher's personal data	
Your family name: MIYELANI	Your first name: MIYELANI KULANI KELVIN NKWINIKA
Title: ☒ Mr ☐ Ms ☐ Other : _____	
Institution:	UNIVERSITY OF VENDA
Your student number:	23002595
Your email:	theron22jnr@gmail.com
Your tel number:	0715747962
Name of supervisor(s):	Prof M.J Mafunisa
Your supervisor's email:	John.Mafunisa@univen.ac.za
Your supervisor's tel number:	0827674503
2.1 Is this application for a multi-researcher project (i.e. several researcher working on exactly the same topic under the same supervisor/institution)? ☐ Yes ☒ No If YES: List the names and their contact details of co-researchers working on this project:	

3. Research project	
3.1 Title of research project: PROPOSING A FRAMEWORK FOR ENHANCING GOOD GOVERNANCE IN THE LIMPOPO PROVINCIAL GOVERNMENT: THE CASE OF THE DEPARTMENTS OF HEALTH AND EDUCATION	
3.2 Is this research for degree purposes? ☒ Yes ☐ No	

To explore the institutional bodies that combat bad governance in your department

To determine if there are any gaps that need to be enhanced on the current existing Constitutional, Legislative and Policy framework that underpins good governance in the public service.

3.6 Summary or abstract of the research (100 words maximum)

Give a brief outline of the research plan such that reviewers can understand what the study is about, who the participants are, and how you will collect the data

This study presents a framework designed to enhance good governance within the Limpopo Provincial Government. The aim of the research was to propose a framework for improving good governance, specifically, in the Health and Education Departments. The investigation aimed to assess whether the existing policy framework supports good governance and is advantageous for government institutions, by strengthening the public administration ethos and advocating for best practices, to create a state that is effective, efficient, accountable, and transparent.

The research utilised a case study research design as its chosen methodology, hence, in the case study framework organised and structured the processes involved in data collection. This research employed a qualitative research approach, this approach proved effective as it enhanced understanding through an informative and naturalistic exploration of the topic under investigation. Participants were selected using purposive sampling to recruit individuals who can provide valuable insights necessary for the analysis and interpretation of data in this study. Purposive sampling intentionally selects individuals, groups, and organizations to provide critical information that might not be available from participants selected from other sampling methods.

The study noted the non-adherence of the law, non-effective security systems in vetting of government employees, poor planning and coordination as well as lack of district and management support to be key factors that affects the state of governance in both the departments. The above-mentioned challenges lead towards bad governance. Further, the study also noted political and administrative challenges such as corruption and nepotism, political interference and the lack of consequence management and accountability as factors that hinders good governance.

This research is unique as it aims not only to articulate challenges to good governance but to also suggest a framework that would enhance good governance in the public service with reference to the Limpopo provincial government.

3.7 Do you have any **financial or material interests or a relationship** associated with your research participants or with the organisations that you will be involved with in your research? (such as a familial relationship; lecturer/student relationship; collegial relationship; employer/employee relationship)

☐	Yes	☒	No
--------------------------	-----	-------------------------------------	----

If yes, please explain how you will **manage any existing or**

potential conflicts of interest and potential coercion during recruitment and data collection, if applicable:

4. Formal permission

4.1 Where will the research be carried out? (Please give a specific location and /or the names of specific organisations or institutions) Limpopo provincial government
Departments of Health and Education

4.2 Has appropriate **formal permission been obtained**, if required (e.g. employer, government department, landowner, etc.)?

☐	Yes (attached)	☐	Not require e	☒	Pending (must be supplied before ethics clearance can be given)
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NB: Obtaining permission is often necessary when conducting research *within the premises* of a particular site such as an ethnographic study of the functioning of a supermarket or a school, or the way staff interact with clients in a clinic or how members of a closed social media group interact/post on a specific topic. Permission is also required to use data from personal communication with participants or experts. Please note that any research done on Provincial Government Departments and Municipalities employees requires formal permission (Gatekeeping permission) from the Departmental Heads of Department and Municipal Managers obtainable through their institutions. .

5. How will data on human research participants be collected (instruments, methods, procedures)? (tick all applicable boxes) (**NB:** All applicable instruments must be attached to the application)

☐	Hard copy questionnaires or diagnostic tests, etc.
☒	Online instruments (e.g. questionnaires, surveys)
☒	Individual interviews (e.g. structured, semi-structured, etc.)
☐	Personal communication (e.g. email or informal conversation with experts)
☐	Group interviews (e.g. seminar/discussion groups, focus groups, etc.)
☐	Ethnographic observation, participant observation, other informal descriptive, and/or interactive methods (you <u>must explain</u> the ethnographic methods in the box below)
☐	Autoethnography
☐	Community-based methods or techniques such as drama workshops, community theatre, training workshops, participant rural appraisal, rapid rural appraisal, etc. (you <u>must explain</u> in the box below)
☐	Research on/in therapeutic or counselling contexts
☐	Putting on your own exhibition / public performance
☐	Observation of public performances, and/or public behaviour observation
☐	Photography
☐	Video recording
☐	Audio recording (e.g. of interviews)
☐	Use of data from social media
☐	Other research methods or techniques (you <u>must explain</u> in the box below)

Explanation of **research methods** specified above, and / or explanation of any other **research methods that are not listed** above: Qualitative research method

6. Who will the research participants be?

6.1 List the **different** participant groups (e.g. experts, community members, key informants) that you will be working with in your project:

Departmental employees in both the Department of Health and Education

6.2 Description of these participant groups, including **age range** and **sample size**, for **each group**:

50 employees: Health

50 employees: Education

All levels will partake in this study

7. How will informed consent be obtained?

7.1 How will **potential participants** be **identified / selected / recruited**?

Purposive sampling will be employed to recruit research participants to assist in furnishing the researcher with information that will enable the researcher to analyse and interpret data in this research study

7.2 How will informed consent be obtained?

☒	Formal (Signed form)	☐	Informal (e.g. verbal)	☐	Other (e.g. online survey)
--	----------------------	--------------------------	------------------------	--------------------------	----------------------------

If you cannot obtain **formal written consent**, explain why:

NB: Attach *Participant Information Sheets* and *Consent Forms* for each sample group (please label these carefully), and/or other related materials. It is essential that participants in research be fully informed (irrespective of the method used) and then be able to agree on this basis to participate in the research.

8. Protecting participant identities	
8.1 Can confidentiality of participants' responses be guaranteed throughout the data collection process?	☒ Yes ☐ No
8.2 Can anonymity be guaranteed throughout the data collection process?	☒ Yes ☐ No
8.3 Can anonymity be guaranteed in resulting research reports or publications?	☒ Yes ☐ No
8.4 Explain how you will manage issues of anonymity and confidentiality in your project (What will participants be told in this regard?): The researcher will adhere to the Promotion of Access to Information Act (No. 2 of 2000) and Protection of Personal Information Act (No. 3 of 2013), in ensuring that the names of research participants are kept strictly so that they remain unknown except the researcher. The researcher will ensure that participants are not in a situation where they might be at risk of harm because of their involvement. Further, the researcher will inform the selected research participants and indicate that participation is entirely voluntary and that participants have the right to withdraw their consent at any time.	
Definitions: Confidentiality: that any information considered confidential by the participant or researcher will not be disclosed to others. Anonymity throughout the data collection process: that you as the researcher will not be able to identify the participant. Anonymity in the resulting reports: that the participant's name/identifying data will not be disclosed and that anyone reading your results will not be able to identify the participant. NB: While confidentiality may be desirable, it cannot be guaranteed in, for example, focus groups, or ethnographic observations. Similarly, anonymity should be preserved in questionnaires, but cannot be offered in workshop methodologies, focus group research, etc. Participants should have the right to remain anonymous in the final report and this must be respected in handling of all data relating to them. Participants need to be informed about these issues through the <i>Participant Information Sheet</i>.	

9. Protection of data during and after the research

9.1 How will the data be protected while the research is **in progress**? (This includes how the identities of participants will be protected).

The data will be kept by researcher and the selected research participants, inclusive of the research supervisor. No one will be access data.

9.2 What is to be done with the research data **after completion** of the project? Please note that usage of data should be consistent with what is indicated to participants in the *Participant Information Sheet* and *Consent Form*.

☐	Stored in archives (specify below)	☐	Stored in online database (specify below)
☒	Stored in password protected computer	☐	Stored in digital form with all identifying features removed
☐	Stored for future secondary analysis	☒	Destroyed after 5 years (insert numbers of years, if applicable)

Please specify which archives **or online databases** will be used (if applicable):

NB: 'Raw' or unprocessed data, especially **where the identity or personal data of research participants is included, must be safeguarded** and preserved from unauthorised access. Data may be destroyed after use, but **preservation in an archive or personal collection** may also be appropriate, desirable or even essential. For instance, datasets that contain **historically important information** or information that relates to **national heritage** must be preserved and should be placed in a public archive where possible and appropriate. An **online database** could include secure databases such as REDCAP, or open access databases (see loadb.org for examples). All data should be preserved in a way that **respects the nature of the original participants' consent**. If you are unsure about the procedure of data management and storage, please contact the Data Services Librarian.

MR N.S NCHABELENG

DIRECTOR-GENERAL

DATE

ANNEXURE E: Outcome of the Limpopo Research Ethics Committee



LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE PREMIER

TO: DR MC MAKOLA

FROM: DR NE MALINDI

ACTING CHAIRPERSON: LIMPOPO PROVINCIAL RESEARCH ETHICS COMMITTEE (LPREC)

REVIEW DATE: 08 MAY 2024

SUBJECT: PROPOSING A FRAMEWORK FOR ENHANCING GOOD GOVERNANCE IN THE LIMPOPO PROVINCIAL GOVERNMENT: THE CASE OF THE DEPARTMENT OF HEALTH AND EDUCATION

RESEARCHER: NKWINIKA MKK

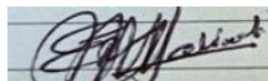
Dear Colleague

The above researcher's research proposal served at the Limpopo Provincial Research Ethics Committee (LPREC). The committee is satisfied with the methodological and ethical soundness of the proposed study.

Decision: The proposal is granted full approval.

Regards

Chairperson: Prof I Swarts



Secretariat: Ms J Mokobi



Date: 10/05/2024

ANNEXURE F: Limpopo Provincial Research Ethics Committee clearance certificate

CONFIDENTIAL



LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE PREMIER

Office of the Premier

Research and Development Directorate

Private Bag X9483, Polokwane, 0700, South Africa

Tel: (015) 230 9910, Email: mokobij@premier.limpopo.gov.za

LIMPOPO PROVINCIAL RESEARCH ETHICS COMMITTEE CLEARANCE CERTIFICATE

Review Date: 08 May 2024

Project Number: LPREC/08/2024: PG

Subject: Proposing a framework for enhancing Good Governance in the Limpopo Provincial Government: The case of the Department of Health and Education

Researcher: Nkwinika MKK

Acting Chairperson: Dr NE Malindi



Chairperson: Limpopo Provincial Research Ethics Committee

The Limpopo Provincial Research Ethics Committee (LPREC) is registered with National Health Research Council (NHREC) Registration Number REC-111513-038.

Note:

- i. This study is categorized as a Low Risk Level in accordance with risk level descriptors as enshrined in LPREC Standard Operating Procedures (SOPs)
- ii. Should there be any amendment to the approved research proposal; the researcher(s) must re-submit the proposal to the ethics committee for review prior data collection.
- iii. **The researcher(s) must provide annual reporting to the committee as well as the relevant department and also provide the department with the final report/thesis.**
- iv. The ethical clearance certificate is valid for 12 months. Should the need to extend the period for data collection arise then the researcher should renew the certificate through LPREC secretariat. PLEASE QUOTE THE PROJECT NUMBER IN ALL ENQUIRIES.

ANNEXURE G: Permission to conduct research in the Limpopo department of Health

Enquiries: Nkwinika M.K. K

P.o Box 500

Cellphone No. 0715747962/0733450877

Letaba

Reference No. 23002595

0870

E-mail Address: theron22jnr@gmail.com

Limpopo Department of Health

Private Bag X 9302

0700

Fidel Castro House, 18 College Street

Dear Acting Head of Department: Dr Ndwamato, N.N

SUBJECT: PERMISSION TO CONDUCT RESEARCH IN THE LIMPOPO DEPARTMENT OF HEALTH

1. PURPOSE

To seek permission to conduct a research study in the Limpopo Department of Health for the purpose of a Doctoral degree in Public Administration.

2. BACKGROUND

I, Miyelani Kulani Kelvin Nkwinika, student no, 23002595, registered for PhD in Public Administration at the University of Venda in the academic year 2023, to date.

3. DISCUSSIONS

The academic demands for this degree require the candidate to conduct a study that seeks to propose a framework for enhancing good governance in the Limpopo provincial government. The researcher has selected the Departments of Health and Education as case studies. To ensure that the candidate complete the degree, the following ethical guidelines will be considered in this research - informed consent, confidentiality and anonymity, no harm to participants and privacy.

4. FINANCIAL AND PERSONNEL IMPLICATIONS

The Department or any stakeholder linked to the department will not incur any financial costs for the execution of this exercise. I assure the department that the information I will obtain from the selected participants will be confidential and will be used for academic purposes only. To ensure that the information is kept safe, the candidate adheres to the Promotion of Access to Information Act (No. 2 of 2000) and Protection of Personal Information Act (No. 3 of 2013). These legislative prescripts play a vital role in ensuring that information is kept safe.

Attached are the following documents.

1. Ethics clearance certificate
2. Proof of registration (2024)
3. Postgraduate research annual progress report

Your approval in this regard is very much appreciated

Mr Nkwinika M.K. K

Student No. 23002595

Date:

ANNEXURE H: Limpopo Department of Health: permission to conduct research



LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
HEALTH

Ref : LP_2024-05-018
Enquires : Legodi P
Tel : 015-293 6028/6410
Email : Malesela.Legodi@dhsd.limpopo.gov.za

MIYELANI NKWINIKA

CC: UNIVERSITY TO ENSURE COMPLIANCE WITH CLAUSE 2d OF THIS APPROVAL LETTER

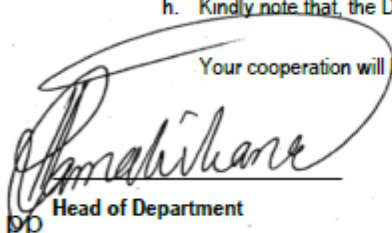
PERMISSION TO CONDUCT RESEARCH IN DEPARTMENTAL FACILITIES

Your Study Topic as indicated below;

PROPOSING A FRAMEWORK FOR ENHANCING GOOD GOVERNANCE IN LIMPOPO PROVINCIAL GOVERNMENT: THE CASE OF THE DEPARTMENT HEALTH AND EDUCATION

1. Permission to conduct research study as per your research proposal is hereby Granted.
2. Kindly note the following:
 - a. Present this letter of permission to the office of Head of Department a week before the study is conducted.
 - b. This permission is **ONLY** for Limpopo Provincial Offices
 - c. In the course of your study, there should be no action that disrupts the routine services or incur any cost on the Department.
 - d. After completion of study, it is mandatory that the findings should be submitted to the Department to serve as a resource.
 - e. The researcher should be prepared to assist in the interpretation and implementation of the study recommendation where possible.
 - f. **The approval is only valid for a 1-year period.**
 - g. If the proposal has been amended, a new approval should be sought from the Department of Health
 - h. Kindly note that, the Department can withdraw the approval at any time.

Your cooperation will be highly appreciated.



Head of Department

9/7/2024

Date

Private Bag X9302, Polokwane 0700
Fidel Castro Ruz House, 18 College Street, Polokwane 0700
Tel: 015 293 6000. Fax: 015 293 6211. Website: www.doh.limpopo.gov.za

The heartland of Southern Africa - *development is about people!*

ANNEXURE I: Permission to conduct research in the Limpopo Department of Education

Enquiries: Nkwinika M.K. K

Cellphone No. 0715747962/0733450877

Reference No. 23002595

E-mail Address: theron22jnr@gmail.com

P.o Box 500

Letaba

0870

Limpopo Department of Education

Private Bag X 9489

0700

113 Biccard Street

Dear Acting Head of Department: Mr Mashaba, K.M

SUBJECT: PERMISSION TO CONDUCT RESEARCH IN THE LIMPOPO DEPARTMENT OF HEALTH

5. PURPOSE

To seek permission to conduct the research study in the Limpopo Department of Education for the purpose of Doctoral degree in Public Administration.

6. BACKGROUND

I, Miyelani Kulani Kelvin Nkwinika, student no, 23002595, registered for PhD in Public Administration at the University of Venda in the academic year 2023 to date.

7. DISCUSSIONS

The academic requirements and demands for this degree require the candidate to conduct a research study that seeks to propose the framework for enhancing good governance in the Limpopo provincial government. The researcher selected the Departments of Health and Education as a case study. To ensure that the candidate complete the degree, the following ethical guidelines will be considered in this research, informed consent, confidentiality and anonymity, harm to Participants and privacy.

8. FINANCIAL AND PERSONNEL IMPLICATIONS

The Department or any stakeholder linked to the department will not incur any financial costs for the execution of this exercise. I assure the department that the information I will obtain from the selected participants will be confidential and will be used for academic purposes only. To ensure that the information is kept safe, the candidate adheres to the Promotion of Access to Information Act (No. 2 of 2000) and Protection of Personal Information Act (No. 3 of 2013). These legislative prescripts play a vital role in ensuring that information is kept safe.

Attached are the following documents.

4. Ethics clearance certificate
5. Proof of registration (2024)
6. Postgraduate research annual progress report

Your approval in this regard is very much appreciated

Mr Nkwinika M.K.K

Student No. 23002595

Date:

ANNEXURE J: Request for permission to conduct research



LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
EDUCATION

CONFIDENTIAL

Ref: 2/2/2 Enq: Makola MC Tel No: 015 290 9448 E-mail: MakolaMC@edu.limpopo.gov.za
Nkwinika MKK
P.O. BOX 500
LETBA,
0870
theron22jnr@gmail.com

RE: REQUEST FOR PERMISSION TO CONDUCT RESEARCH

1. The above bears reference.
2. The Department wishes to inform you that your request to conduct research has been approved. Topic of the research proposal: **"PROPOSING A FRAMEWORK FOR ENHANCING GOOD GOVERNANCE IN THE LIMPOPO PROVINCIAL GOVERNMENT: THE CASE OF THE DEPARTMENTS OF HEALTH AND EDUCATION."**
3. The following conditions should be considered:
 - 3.1 The research should not have any financial implications for Limpopo Department of Education.
 - 3.2 Arrangements should be made with the District or Circuit Office and the School concerned.
 - 3.3 The conduct of research should not in anyhow disrupt the academic programs at the schools.
 - 3.4 The research should not be conducted during the time of Examinations especially the fourth term.
 - 3.5 During the study, applicable research ethics should be adhered to; in particular the principle of voluntary participation (the people involved should be respected).
 - 3.6 Upon completion of research study, the researcher shall share the final product of the research with the Department.

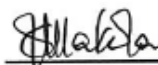
REQUEST FOR PERMISSION TO CONDUCT RESEARCH : NKWINIKA MKK Page 1

Cnr 113 Biccard & 24 Excelsior Street, POLOKWANE, 0700, Private Bag X 9489, Polokwane, 0700
Tel: 015 290 7600/ 7702 Fax 086 218 0560

The heartland of Southern Africa-development is about people

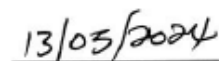
- 4 Furthermore, you are expected to produce this letter at Schools/ Offices where you intend conducting your research as an evidence that you are permitted to conduct the research.
- 5 The department appreciates the contribution that you wish to make and wishes you success in your investigation.

Best wishes.



Dr. Makola MC

Director: IPR & R

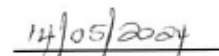


Date



Mr. Molope NM

ACTING DDG: CORPORATE SERVICES



Date

REQUEST FOR PERMISSION TO CONDUCT RESEARCH : NKWINIKA MKK Page 2

Cnr 113 Biccard & 24 Excelsior Street, POLOKWANE, 0700, Private Bag X 9489, Polokwane, 0700
Tel:015 290 7600/ 7702 Fax 086 218 0560

The heartland of Southern Africa-development is about people

ANNEXURE K: TURNIT-IN REPORT

Proposing a framework for enhancing good governance in the Limpopo Provincial Government: the case of the Departments of health and Education

ORIGINALITY REPORT

15%	6%	14%	3%
SIMILARITY INDEX	INTERNET SOURCES	PUBLICATIONS	STUDENT PAPERS

PRIMARY SOURCES

1	Monyepao, T T. "Implementation of Section 100 of the Constitution of 1996 Intervention in Limpopo Province", University of Johannesburg (South Africa), 2021 Publication	1%
2	uir.unisa.ac.za Internet Source	1%
3	Submitted to University of Venda Student Paper	1%
4	Nkwinika, Miyelani Kulani Kelvin. "Analysing Drivers of Low Incidences of Service Delivery Protests in the Greater Tzaneen Municipality", University of Pretoria (South Africa), 2023 Publication	1%
5	Submitted to Mancosa Student Paper	<1%
6	repository.nwu.ac.za Internet Source	<1%

ANNEXURE L: LANGUAGE EDITOR CERTIFICATE

PROOF OF EDITING

03 February, 2025

This is to certify that I, Dr P Kaburise, have proofread the thesis titled - **PROPOSING A FRAMEWORK FOR ENHANCING GOOD GOVERNANCE IN THE LIMPOPO PROVINCIAL GOVERNMENT: THE CASE OF THE DEPARTMENTS OF HEALTH AND EDUCATION** - by MIYELANI KULANI KELVIN NKWINIKA (student number: 23002595). I have indicated some amendments which the student has undertaken to effect before the final thesis is submitted.



Dr P Kaburise (0794927451/ 0637348805; email: phyllis.kaburise@gmail.com)

Dr P Kaburise: BA (Hons) University of Ghana (Legon, Ghana); MEd University of East Anglia (Cambridge/East Anglia, United Kingdom); Cert. Teaching English as a Foreign Language (Cambridge University, United Kingdom); Cert. English Second Language Teaching, (Wellington, New Zealand); PhD University of Pretoria (South Africa).