

# PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

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## ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

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TUESDAY, 11 SEPTEMBER 2018

### TABLINGS

The Speaker:

1. **Annual report of the provincial entity for the financial year ended 31 March 2018 tabled in terms of section 65(1)(a) of the Public Finance Management Act, 1999 (Act 1 of 1999), as amended:**

#### **Minister of Transport and Public Works**

Annual Report of Government Motor Transport for 2017/18 (Vote 10: Transport and Public Works).

Referred to the Standing Committee on Transport and Public Works and also referred to the Public Accounts Committee.

2. **REPORT ON NATIONAL CONFERENCE OF STATE LEGISLATURES LEGISLATIVE SUMMIT 2018.**

#### **INTRODUCTION**

The 44th annual NCSL Legislative Summit took place in Los Angeles, California, USA, from 30 July to 2 August 2018. The summit was attended by a total of 5 310 participants, which included international delegates from American Samoa, Australia, Austria, Azerbaijan, Belgium, Brazil, Canada, China, the European Parliament, Germany, Ghana, Indonesia, Japan, Kenya, Nigeria, Portugal, Sudan and Uganda. The South African delegation was the largest with 52 participants representing eight provinces.

The Western Cape Provincial Parliament (WCPP) was represented by the Speaker, Hon Sharna Fernandez; Chief Whip of the Majority Party, Hon Mark Wiley; Chief Whip of the Official Opposition, Hon Pierre Uys; Secretary to Parliament, Dr Gilbert Lawrence; and Manager: Office of the Speaker, Ms Genevieve Accom.

## **BACKGROUND**

The National Conference of State Legislatures (NCSL) is an organisation in the United States of America that resulted from the merger of three legislative groups: the National Legislative Conference, the National Conference of State Legislative Leaders and the National Society of State Legislators. The NCSL is a nonpartisan organisation that represents and supports state legislators from all political parties and does not participate or intervene in any political campaign, which is expressly prohibited by its bylaws. The NCSL brings together political and civic leaders across the states of America to advance issues of importance for these states and it serves as an invaluable resource that provides research and policy support, facilitates communication and innovation between states and represents legislatures at the federal level. The NCSL organises two events annually for its general membership, namely a Legislative Summit (Annual Meeting) in July or August and a Capitol Forum held in Washington, D.C., in December. In addition to the two events, the NCSL also conducts in-depth training programmes and seminars for legislators and staff on particular issues of importance for state legislatures.

South African provincial legislatures have been involved in a relationship with the NCSL since 2004 and have based this relationship with the NCSL on benchmarking good practice and learning from and sharing with each other towards developing capacity within legislatures through jointly organising workshops that cover the exchange of ideas and policies on Members' affairs, ethics and oversight practices. In preparation for the 2018 NCSL, the heads of delegation and representatives from the provincial legislatures met on 17 July 2018 to discuss the benefits and lessons learnt from participating in the NCSL, as well as proposed ways to improve the coordination among Legislatures to facilitate and ensure reporting, feedback and sharing of learning within the Legislative Sector. According to the resolution of the meeting, each legislature was assigned a session on the NCSL's international programme agenda for which they were responsible for taking notes on key issues and recommendations. Upon their return to South Africa, they are required to forward their input to the Legislative Sector Support Programme at the national Parliament for consolidation into one report to be tabled at the Speaker's Forum of South Africa for consideration.

## **PROGRAMME**

The NCSL Summit included sessions on topics such as world-class teachings, sexual harassment policy, big data and the rural–urban divide. There were also speakers on topics such as cryptocurrency, artificial intelligence and energy innovation. The NCSL annually devotes a special segment of programming for international delegates which allows opportunity for international participants to hear presentations and participate in lively and interactive discussions with fellow internal participants, US state legislators and US legislative staff. Information relating to the links for presentations, handouts, speaker biography, footage of live streaming and photo galleries of sessions can be found at <http://www.ncsl.org>.

## OVERVIEW OF THE INTERNATIONAL PROGRAMME

The international programme commenced with the registration for the summit on Sunday 29 July 2018, followed by a reception for international delegates and the NCSL Executive Committee members and, thereafter, a reception hosted by the NCSL President-Elect.

The international programme continued on Monday 30 July 2018 with a welcome and the introduction of legislators and staff from the different countries represented at the conference with the view to meet and interact with colleagues and counterparts around the globe. Thereafter the international programme continued until 2 August 2018 and included the following sessions:

### **1. Panel on workforce development in the 21st century**

During this session panellists discussed the approaches to workforce development, including collaboration among local, state, national and business partners to address current and future skills gaps. Citing examples from Europe, Africa and the Americas, the panellists also highlighted how public–private partnerships and educational initiatives can help workers obtain skills and credentials to match workplace needs.

### **2. Roundtable discussions: Workforce development**

During this session participants discussed, exchanged and learnt about workforce development in their countries alongside their international colleagues.

### **3. International trade panel and discussion**

Participants were updated and discussed the ongoing renegotiation of the North America Free Trade Agreement (NAFTA) between the United States, Canada and Mexico. As NAFTA continues to be formally negotiated by the three countries, the participants participated in further dialogue about the challenges and opportunities that international trade offers to states, along with the possible implications for moving forward.

### **4. Ethics in the legislature: How to avoid the danger spots**

Protecting the legislative institution requires ethical decision-making by those who work in the legislature and, therefore, legislative staff need to be objective, credible and immune to political pressure. In this session the danger spots and the deception of rationalisation and the tools for navigating ethical challenges in the legislative environment were looked at.

### **5. “International Investment and State Economic Development Opportunities” panel**

The American states continue to face a competitive environment for creating jobs and investment. This session provided information about the American states’ competition for investments and economic expansion. The session also addressed what fosters investments and how American state policymakers can better understand the drivers of investment decisions.

### **6. Play-by-play leadership lessons**

At this session the first female CEO in the National Football League (NFL) and chairperson of Ice Cube’s BIG3 basketball league offered a play-by-play of some of her most memorable leadership lesson in life and in business. She shared how she learnt to

thrive under pressure, advocate on behalf of herself, make decisions under a microscope, deal with strong personalities and “negotiate like a girl”.

### **7. It’s all about country: Politics, polling and pop culture**

At this session two renowned pollsters explored and shared the American public’s mindset on news, politics and pop culture. This session also provided a peek at what is in store at the NCSL Summit in Nashville in 2019.

### **8. General sessions**

- ***CEO forum: The next generation of innovation***

During this session leading technology chief executive officers provided information about the next generation of innovation and how technology will play an active role in identifying the United States of America’s most promising opportunities and in solving its biggest challenges. The conversation also addressed key policy issues facing the technological industry and legislative bodies and discussed ways to spur innovation and job creation across America.

- ***Healthy workplaces: Culture trumps compliance***

Organisations across the USA grapple with charges of harassment and other challenges, which has led to the conversation in America turning to the culture within their workplace. In this session the importance of culture, especially in environments that inherently have complicated power dynamics, such as state legislatures, were discussed. This session provided information on why the underlying culture in an organisation is more essential than rules and enforcement, and how to create a safer and more respectful workplace.

- ***Pollsters***

At this session two political pollsters, one an analyst and the other an author, had a general panel discussion on the American public’s views on news, politics and pop culture.

### **9. Optional sessions:**

- ***Ethics in the world of social media***

The use of social media is prolific, with many users getting into trouble for irresponsible or improper posts. This session provided information on how to use social media platforms properly, wisely and in an ethical way.

- ***Responding to cybersecurity threats in legislatures***

The cybersecurity arena is changing rapidly and creates new challenges for legislatures. This session allowed participants to explore answers for the following: how to know whether your legislative operations are safe from cyberattacks; what steps to take to protect legislative operations and IT systems; and what kinds of tools and policies should be in place to respond to threats and attacks.

- ***Healthy start: Tools for early childhood success***

Children in the USA spend their first five years in a variety of settings with parents and other caretakers, and in child care, preschool and other programmes. During this session experts looked at what building blocks are needed for a healthy start and the successful development of children. They also provided information on early brain development and the implications for American state policy as it relates to children’s mental and physical health and social and emotional development.

- ***Closing opportunity gaps in early life***

In America research demonstrated that, on average, minority and low-income children enter kindergarten trailing their white and higher-income peers in mathematics and reading. They indicate that this is mostly due to opportunity gaps or fewer opportunities to learn and develop before entering school. This leads to achievement gaps, which can later create social and economic consequences for families and states. This session explored strategies to close these gaps and discussed preschool to third-grade policy options under America's Every Student Succeeds Act (ESSA).

- ***Broadband, smart communities and beyond***

Communities across America are integrating technologies and becoming "smart communities" in an effort to improve the lives of their residents. This session explored what the next 10 to 50 years will look like as devices become increasingly interconnected and how American broadband service providers are prepared to support the increased demand on their networks.

- ***Promoting the people's branch of government***

Legislatures tackle the most pressing problems in the American states but how much do citizens know about the people's branch of government and the American democratic system? This session provided an update on the current state of civic information in America and provided an opportunity for participants to learn from their counterparts in other states about strategies to educate their public (from students to seniors) about representative democracy and their role in it.

- ***Big data: How information can help create good policy***

This session provided an inside look into how American states can harness big data, as well as what the challenges are in doing so. The session was broken into three distinct sections that defined big data and its challenges; provided examples of data-driven programmes that solved specific problems; and discussed challenges and solutions.

- ***Strengthening rural communities***

The divide between rural and urban cultures and priorities is being felt across America, including in its state legislatures. As urban areas grow, rural legislators increasingly find themselves having to explain the needs of rural constituents to their urban counterparts. This interactive session included polling and facilitated discussion about rural demographics and other data. It also looked at how legislatures have addressed the needs of rural communities.

## **OTHER SESSIONS**

- ***Understanding and optimising workforce diversity***

America's workforce is becoming more diverse and many organisations, including state legislatures, are deploying strategies to retain, engage and support skilled and talented staff. This session looked at why workforce diversity matters and how appreciating and understanding diversity can create optimal work environments or workplaces where everyone gets to apply their skills and feel recognised, appreciated and valued.

- ***How to measure and shape your organisation's culture***

In America, new developments surrounding workplace and sexual harassment seem to prove that no amount of cutting-edge policy or state-of-the-art training can prevent bad behaviour when an organisation's culture is flawed. This session enabled participants to examine how culture has an impact on organisational success and it also provided a framework for assessing organisational culture, ideas and strategies for accomplishing culture change.

- ***Sexual harassment: Getting it right on policy, training and investigation***

Public and private organisations in America alike are working hard to strengthen their policies and training on workplace and sexual harassment and improving their procedures for investigating complaints. This session provided participants with a practical guide to the most critical elements of effective policy, training and investigation. It also provided information on how these improvements can complement and support changes in an organisation's culture and behaviour. Participants were taught the components of effective and thorough sexual harassment policy, keys to delivering training that works and effective techniques for investigating complaints.

## **NETWORKING AND RELATIONSHIP BUILDING**

The summit also provided informal opportunities for participants to interact and network with each other. These opportunities included receptions, luncheons, social events and exhibitions.

As a result of the Western Cape's long standing good relationship with the NCSL, Senator Toi Hutchinson, the new President of the NCSL, expressed her interest in leading a study tour to the WCPP in August/September 2019.

## **2019 NCSL LEGISLATIVE SUMMIT**

In 2019 the NCSL will take place at the Music City Centre in Nashville, Tennessee, from 5 to 8 August.

## **CONCLUSION**

Attending the NCSL Summit was an enriching experience as the various sessions and speakers afforded the opportunity to learn from inspirational individuals about current issues facing the states in America and how, through innovative ways, they could respond to these complex issues and challenges. The choice of topics presented at the Summit catered not only for professional development, but also provided a chance for personal growth and awareness, especially in the areas of diversity and sexual harassment within the workplace. The networking experience and interaction with the delegates were invaluable as it provided an excellent opportunity for getting to know the delegates' different cultures and best practice strategies that they use in their countries to address similar experiences and challenges.

The Summit was very well organised and all the sessions went strictly according to the allocated timeslots. The Exhibit Hall, which comprised 212 exhibiting organisations, provided a welcoming and enlightening place to meet with the vendors to view their products and services.

The WCPP delegation was very pleased with the Summit and felt that it was well worth attending and that the information received was relevant and could be considered to be implemented in the South African context.

## COMMITTEE REPORT

Annual Committee Report of the Standing Committee on Premier and Constitutional Matters for the 2017/18 financial year, dated 29 August 2018, as follows:

The Committee comprises of the following members:

### **Democratic Alliance**

Kivedo, B D

Max, L H

Mitchell, D G (Chairperson)

### **African National Congress**

Dugmore, C M

Magaxa, K E

### **Alternate members**

Botha, L J (DA)

Gopie, D (ANC)

Pretorius, P J C (DA)

Wenger, M M (DA)

## **1. Introduction**

The mandate of the Committee is to:

- 1.1 Maintain oversight over the executive member and the Department concerning the way in which they perform their responsibilities, including the implementation of legislation, and to hold them accountable.
- 1.2 Consider and report on legislation, other matters and the annual reports referred to it by the Speaker.

In fulfillment of its mandate the Committee must:

- 1.2.1 Facilitate public participation and involvement in the legislative and other processes of the Committee.
- 1.2.2 Conduct its business in a fair, open and transparent manner.
- 1.2.3 Promote cooperative governance.
- 1.2.4 Report regularly to the House.

## **2. Reporting department and entities**

- 2.1 Department of the Premier

## **3. Overview of Committee's activities**

Number of Committee Meetings	8 (excludes public hearings)
Number of Public Hearings	3
Number of International Study Tours	0
Number of Oversight Visits	2

Number of Provincial Bills considered	0
Number of NCOP Bills considered	0
Workshops/conferences attended	0

#### **4. Oversight activities**

During the 2017/18 financial year, the Committee was briefed by:

- The Department of the Premier on its quarterly reports for the 2017/18 reporting year, the People Management Strategy and their 2017/18 Annual Performance Plan; and
- The Public Service Commissioner on the 2017/18 Public Service Commission Strategic Plan.

As part of the oversight role, the Committee undertook oversight visits to the Hornlee Cape Access Centre, the People Management Practices Directorate of the Department of the Premier.

The Department of Justice and Correctional Services briefed the Committee in January 2018 on the Submission of particulars of a Constitutional Amendment in terms of section 74(5)(b) of the Constitution and requested the Committee to make input by 31 March 2018. The Committee submitted no input on this matter.

#### **5. Legislation**

In the 2017/18 financial year, the Committee dealt with the following legislation:

##### **5.1 Provincial Bills**

5.1.1 Vote 1: Premier in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2017]

5.1.2 Vote 1: Premier in the Schedule to the Western Cape Appropriation Bill [B 3–2018]

##### **5.2 NCOP Bills (Section 76)**

None.

#### **6. Facilitation of public involvement and participation**

In line with its mandate to facilitate public participation as part of the legislative process, the Committee held three public hearings. To give effect to this, the Committee advertised the discussion of the 2016/17 Annual Report for the Department of the Premier, the Schedule to the Adjustments Appropriation Bill [B 6–2017] and the Western Cape Appropriation Bill [B 3–2018] informing and inviting stakeholders to participate in the public hearings.

#### **7. Financial particulars**

The Standing Committee was allocated an adjusted budget of R54 869 at the close of the 2017/18 financial year, expenditure attributed to the activities of the Standing Committee on Premier and Constitutional Matters accumulated to an amount of R141 406. There was an overspending of R86 537.