



# **ANNUAL PERFORMANCE PLAN FOR THE 2020/21 FINANCIAL YEAR**

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## **Foreword by the Chairperson**

The Information Regulator (Regulator) is established in terms of Section 39 of the Protection of Personal Information Act 4 of 2013 (POPIA), which enjoins the Regulator to be independent and impartial, and to perform its functions and exercise its powers without fear, favour or prejudice. It is accountable to the National Assembly.

The Regulator is responsible for the promotion and protection of the right to privacy as it relates to the protection of personal information and the right of access to information. In this regard, it exercises its powers and performs its functions in accordance with POPIA and the Promotion of Access to Information Act 2 of 2000 (PAIA).

The Regulator consists of five (5) members (Members) namely, the Chairperson and four (4) ordinary Members who were appointed by the President of the Republic of South Africa for a five (5) year term effective from 1 December 2016. The Chairperson and two (2) ordinary Members are full-time and the other two (2) Members are part-time. One full-time Member is responsible for POPIA and the other full-time Member is responsible for PAIA.

The three (3) years that the Members of the Regulator have been in office have been both challenging and exciting. When the Members took office on 1 December 2016, all that they had were copies of POPIA which were to guide them in the daunting task of establishing the Regulator. The honour and privilege of being given the responsibility to establish the first data protection authority for the country spurred the Members on to ensure that they establish an organisation which will be counted amongst the best data protection authorities globally. This commitment is reflected in the vision which they adopted, namely, “A world class institution in the protection of personal information and the promotion of access to information”.

The budgetary constraints which the organisation is faced with have not deterred the Members from making progress in establishing the Regulator. The organisation now has its own offices. In consultation with the Minister of Finance, the Members decided on a phased in approach to the recruitment of staff. The first phase has been concluded. The Chief Executive Officer (CEO) and five (5) Executives have been appointed. The second phase is at an advanced stage. It entails the recruitment of one (1) more Executive, managers and administrative officers in the Human Resources and Finance Divisions.

The Regulator still uses the policies and systems of the Department of Justice and Constitutional Development (DoJ& CD), which has supported and continues to support the

Regulator during its formative stage. However, it is important for the Regulator to separate from the DoJ& CD. The separation is urgent and will ensure that the Regulator functions independently, impartially and without fear, favour and prejudice as POPIA obliges it to do. The recruitment of staff in the Human Resources and Finance Divisions will enable the Regulator to adopt policies and system of internal control.

The Members have spent a lot of time and effort on the establishment of the administration of the Regulator. However, they have not neglected the execution of some aspects of the core mandate of the Regulator, namely the protection of personal information and the promotion of access to information. In addition to making Regulations which were tabled in Parliament in December 2018, the Regulator is in the process of finalising the Draft Guidelines on the drafting of Codes of Conduct (Guidelines). These Guidelines will assist public and private bodies to draft their Codes of Conduct on the protection of personal information. It is envisaged that the Guidelines will be published in the Government Gazette during the 2020/21 financial year.

The urgent need to bring POPIA into full effect cannot be over emphasised. The absence of a fully functional and effective personal information regulatory authority is beginning to have an adverse effect on the country. The number of data breaches in the public and private sectors, the unlawful and unauthorised use of personal information of individuals, cyber crime and identity theft are increasing at an alarming rate. Until the remaining sections of POPIA are brought into effect, the Regulator is unable to enforce compliance and victims are deprived of an appropriate remedy. It is for this reason that the Regulator has written to the Minister of Justice and Correctional Services and the President to request them to bring the remaining sections of POPIA into effect during the 2020/21 financial year. The coming into effect of the remaining section of POPIA will also trigger the transfer of the PAIA functions from the South African Human Rights Commission (SAHRC) to the Regulator.

The protection of personal information lies at the heart of the much talked about Fourth Industrial Revolution (4IR) and the digital economy. In the digital age, our country can only compete globally if it has a fully functional, effective and efficient protection of personal information regulatory authority. Whilst the Regulator is committed to implementing POPIA in its entirety, the unavailability of adequate budget remains a huge challenge.

The Regulator is not oblivious to the financial constraints facing the country. The meagre budget which we have been allocated will not deter us from executing the mandate of the Regulator, which we believe is a critical organisation in the digital age. We will therefore continue to

engage with the Minister of Finance and Parliament through the Portfolio Committee on Justice and Correctional Services for a reasonable budget.

A handwritten signature in black ink, reading "H. Tlakula". The signature is fluid and cursive, with a long horizontal stroke at the end.

**Adv. Pansy Tlakula**

**Chairperson**

## **Statement by the Accounting Officer**

This Annual Performance Plan (APP) for the 2020/21 financial years serves as the implementation plan for the Strategic Plan that covers the 2020/21 to 2024/25 Medium Term Strategic Framework (MTSF) period. The Regulator will during the 2020/21 financial year continue with the fulfillment of its dual mandate which is encapsulated in sections 14 (right to privacy) and 32 (right to access to information) in the Constitution of the Republic of South Africa Act No.108 of 1996 (Constitution).

The APP sets out a detailed plan which will guide the Regulator in its pursuit of the two (2) outcomes that have been identified for the MTSF period, namely: personal information is promoted and protected and access to information is promoted. In order to achieve these outcomes, the focus of the Regulator during this MTSF period will be on the implementation of the priority areas that are listed below:

- The implementation of education and awareness programmes nationwide aimed at informing and empowering the data subjects to protect their right to privacy as it relates to the protection of personal information and the mechanisms that they can use to prevent any violation; and
- A data subject will be able to approach the Regulator to lodge a complaint about any possible unlawful processing of his or her personal information.

In respect of Legal, Policy, Research and Information Technology Analysis, the Regulator will:

- Embark on litigation on its own initiative or when it is cited as a party in matters relating to the protection of personal information;
- Conduct research relating to proposed legislation or proposed policy of government that may affect the protection of personal information of data subjects;
- Undertake research and monitor the developments in information processing and computer technology;
- Issue, develop, publish and monitor the implementation of the Guidelines for Codes of Conduct; and
- Develop and implement the Complaints Management System.

The above-mentioned directly address the implementation of the mandate of the Regulator provided for in POPIA.

In order for Regulator to execute its mandate it has to build its own administrative capacity. In this regard the Regulator has developed the Organisational Structure which is being implemented in a phased in approach. To date all except one (1) Executive position and administrative positions have been filled. The implementation of the entire Organisational Structure is dependent on the availability of funds.

Finally, as the Chief Executive Officer and the Head of Administration of the Regulator, I am looking forward to ensuring that the efficient and effective systems of internal control are in place to promote good governance and to ensure that the Regulator fulfills its legislative mandate



**Mr. Marks Thibela**

**Accounting Officer**

## Official Sign-Off

It is hereby certified that this Annual Performance Plan (APP):

- Was developed by the Management of the Information Regulator (Regulator) under the guidance of the Chairperson and Members;
- Takes into account all relevant policies, legislation and other mandates which the Regulator is responsible for; and
- Accurately reflects the Impact, Outcomes and Outputs which the Regulator will endeavour to achieve during the period 2020/21 financial year.

**Mr. Prakash Narismulu**

**Signature**



**Chief Financial Officer**

**Mr. Marks Thibela**

**Signature**



**Accounting Officer**

**Adv. Pansy Tlakula**  
**Chairperson**

**Signature**





## **PART A: MANDATE**

### **1. Constitutional Mandate**

- 1.1. The Regulator was established to ensure respect for and to protect, enforce and fulfill the right to privacy and the right of access to information.

### **2. Legislative Mandate**

#### **2.1 Core functions in terms of POPIA**

##### **2.1.1. To provide education by:**

- a) promoting an understanding and acceptance of the lawful processing of personal information;
- b) undertaking educational programmes;
- c) making public statements; and
- d) providing advice.

##### **2.1.2. To monitor and enforce compliance by:**

- a) public and private bodies;
- b) undertaking research and monitoring developments in information processing and computer technology
- c) examining proposed legislation, subordinate legislation, and policies, and provide a report on the result of the examination to the Minister of Justice and Correctional Services (Minister) and to Parliament.
- d) reporting to Parliament on policy matters affecting the protection of personal information including the need for legislative, administrative or other measures to enhance the protection of personal information;
- e) conducting assessments in respect of the processing of personal information;
- f) monitoring the use of unique identifiers and report to Parliament;
- g) maintaining and publishing copies of the registers prescribed in POPIA; and

- h) examining proposed legislation that makes provision for the collection and disclosure of personal information and provide the report of the results of the examination to the Minister.

2.1.3. To consult with interested parties by:

- a) receiving and inviting representations;
- b) co-operating on a national and international basis with other bodies concerned with the protection of personal information; and
- c) acting as a mediator between opposing parties.

2.1.4. To handle complaints by:

- a) receiving and investigating complaints;
- b) gathering information;
- c) attempting to resolve complaints through dispute resolution mechanisms; and
- d) serving notices.

2.1.5. To conduct research on:

- a) the desirability of acceptance of international instruments relating to the protection of personal information; and
- b) any other matter that should be drawn to Parliament's attention.

2.1.6. In respect of codes of conduct to:

- a) issue, amend or revokes codes of conduct;
- b) make guidelines to assist bodies to develop or apply codes of conduct; and
- c) consider determinations by adjudicators under approved codes of conduct.

2.1.7. To facilitate cross-border cooperation in the enforcement of the privacy laws.

2.2. Core functions in terms of PAIA

2.2.1. In respect of complaints to:

- a) consider a complaint after the internal appeal procedures have been exhausted;
- and

- b) receive written complaints or to provide assistance to a person who wishes to make a complaint in writing.

2.2.2. In respect of investigations to:

- a) investigate complaints and in the course of an investigation serve an information notice on the Information Officer (IO) or head of a private body;
- b) refer a complaint to the Enforcement Committee;
- c) decide to take no action on the complaint;
- d) attempt to settle a complaint through conciliation; and
- e) issue enforcement notices after considering the recommendation of the Enforcement Committee.

2.2.3. To issue notices.

2.2.4. To issue enforcement notices after considering the recommendations of the Enforcement Committee

2.2.5. To make assessments whether public and private bodies comply with the provision of PAIA

2.2.6. In respect of additional functions to:

- a) compile and make available a guide on the usage of PAIA;
- b) where possible, develop and conduct educational programmes in particular for disadvantaged communities;
- c) identify gaps in PAIA or any other laws and makes recommendation to reform or amend PAIA or any other laws;
- d) make recommendations for procedures on how private and public bodies make information electronically available;
- e) monitor implementation of PAIA;
- f) if possible, assist any person requesting information;
- g) train Information Officers (IO) and Deputy Information Officers (DIO);
- h) recommend to a public or private body to make changes in the manner in which it administers PAIA;

- i) consult with and receive reports from public and private bodies on problems encountered in complying with PAIA;
- j) obtain advice from, consult with, and consider proposals or recommendations from parties in connection with the Regulator's functions;
- k) request the Public Protector (PP) to submit to the Regulator a report on the number of complaints processed relating to PAIA and the nature and outcome of those complaints; and
- l) enquire into any matter including legislation, common law, practice and procedure related to PAIA.

2.2.7. A private body should submit information about requests for access to its records and include this information in its Annual Report, upon request by the Regulator.

### **3. Update to the Institutional Policies and Strategies over the five-year planning period**

Only certain sections of POPIA have come into effect. The Regulator has requested the Minister and the President to bring the remaining sections of POPIA into effect at the beginning of the 2020/21 financial year.

The Regulator is empowered in terms of POPIA to conduct research and to report to Parliament:

*“from time to time on the desirability of the acceptance, by South Africa, of any international instrument relating to the protection of the personal information of a data subject”.*

POPIA also empowers the Regulator to make Regulations and to:

*“issue, from time to time, codes of conduct, amend codes and to revoke codes of conduct and “make guidelines to assist bodies to develop codes of conduct or to apply codes of conduct”.*

#### **4. Relevant Court Cases**

- My Vote Counts NPC v President of the Republic of South Africa and Others.
- The President of the Republic of South Africa v The Public Protector and Others.
- Arena Holdings (Pty) Ltd. T/A Financial Mail and Another v South African Revenue Services and Others.

## **PART B: STRATEGIC FOCUS**

### **5.1. Vision**

A world-class institution in the protection of personal information and the promotion of access to information.

### **5.2. Mission**

An independent institution which regulates the processing of personal information and the promotion of access to information in accordance with the Constitution and the law so as to protect the rights of everyone.

### **5.3. Values**

- Transparency
- Accountability
- Integrity
- Excellence
- Impartiality
- Responsiveness

## **6. Updated Situational Analysis**

The Regulator conducted a strategic planning review session with specific focus on the internal and external environments as follows:

### **6.1. External Environment**

#### **6.1.1 Opportunities**

The Regulator was established at a critical time when there is an unprecedented retention of personal information in the digital space. This has resulted in a dire need to ensure the protection of personal information. Artificial Intelligence (AI) is intrinsically linked to the day to day living. Whilst the Regulator welcomes technological innovations, such innovations should comply with POPIA.

The Regulator is a member of Regional and International bodies on the protection of personal information and access to information.

The involvement of the Regulator in these bodies provides it with the opportunity to share best practices with similar institutions globally. The Regulator is one of the three (3) authorities in Africa which have a dual mandate, namely the protection of personal information and the promotion of access to information. The full establishment of the Regulator will enable it to take the lead on the African Continent and will also serve as a benchmark for other countries that are still in the process of establishing regulatory bodies.

#### **6.1.2 Threats**

The delay in the full establishment of the administration and operationalisation of the Regulator poses a risk of it losing its credibility. The data subjects who are victims of unlawful processing of their personal information are without recourse. Moreover, South Africa is becoming a hotbed for cybercrime. It is therefore important for the Minister and the President to bring the remaining sections of POPIA into operation urgently.

The coming into effect of the remaining sections of POPIA will contribute towards building trust. Without a fully functional Regulator, foreign and local investors will be hesitant to invest in the economy of the country.

## **6.2. Internal Environment**

### **6.2.1 Strengths**

The Regulator is an independent institution that is subject only to the Constitution and the law. It performs its functions and exercises its powers without fear, favour or prejudice. The Regulator is accountable to the National Assembly. It is the sole regulatory body that is mandated to protect personal information and to promote access to information in South Africa. The decisions of the Regulator can only be reviewed by a court of law.

### **6.2.2 Weaknesses**

The Regulator is the custodian of both POPIA and PAIA. Section 40(1) of POPIA provides for duties, powers and functions of the Regulator which inter alia include: to provide education, to monitor compliance, perform consultations, handle complaints, conduct

research, issue Codes of Conduct, facilitate cross-border cooperation and in general perform duties incidental or conducive to the performance of any of the preceding functions. The execution of these duties and functions requires adequate resources such as skilled and experienced human capital, substantial funding and specialised Information and Communication Technology (ICT) infrastructure.



## **PART C: PERFORMANCE INFORMATION**

### **7. Institutional Performance**

#### **7.1. Names of Programmes, Purpose, Sub Programmes, Outcomes, Outputs, Performance Indicators and Targets**

##### **7.1.1. Programme 1: Protection of Personal Information**

###### **7.1.1.1. Purpose**

To ensure the promotion and protection of personal information processed by public and private bodies.

###### **7.1.1.2. List of Sub-Programmes**

The following are sub-programmes within this Programme:

- (a) Complaints and Investigations sub-programme is responsible for the handling of complaints and conducting of investigations in accordance with the provisions of POPIA.
- (b) Compliance and Monitoring sub-programme conducts monitoring and enforcement of compliance by public and private bodies in accordance with the provisions of POPIA.

### 7.1.1.3. Performance matrix with outcomes, outputs, indicators and targets

Outcome	Output	Output indicators	Actual Performance			Estimated Performance (Baseline)	Medium Term period Targets		
			2016/ 2017	2017/ 2018	2018/ 2019		2019/20	2020/21	2021/22
Personal information promoted, protected and respected	Draft Guidelines for Codes of Conduct for POPIA	Approved Guidelines for Codes of Conduct	-	-	-	Draft Guidelines for Codes of Conduct developed	Approved Guidelines for Codes of Conduct published and implemented	Implementation of the published Guidelines for Codes of Conduct	Implementation of the published Guidelines for Codes of Conduct
	Draft a Readiness Plan for the implementation of POPIA	Approved Readiness Plan for POPIA	-	-	-	-	Readiness Plan for POPIA developed, approved and implemented	Continue with the implementation of the Readiness Plan for POPIA	Continue with the implementation of the Readiness Plan for POPIA
	Draft Guidelines for the registration of Information Officers	Approved Guidelines for the registration of Information Officers	-	-	-	Draft Guidelines for the registration of Information Officers developed	Guidelines for the registration of Information Officers approved and published	Approved Guidelines for the registration of Information Officers implemented	Approved Guidelines for the registration of Information Officers implemented
	Update the PAIA Guide to incorporate POPIA	Approved and updated Guide for POPIA and PAIA	-	-	-	-	Drafting of the Guide for POPIA and PAIA	Approval of Guide for POPIA and PAIA	Implementation of the Approved Guide for POPIA and PAIA
Personal information promoted, protected and respected	Handling of complaints related to the alleged violations of the protection of personal information	Approved POPIA Complaints Management Processes, Standard Operating Procedures (SOP) and Manual	-	-	-	Approved Complaints Management Processes, SOP and Manual	Testing and piloting of the Complaints Management Processes, SOP and Manual	Design and implement the electronic Complaint Management System	Implement the electronic Complaint Management System

#### 7.1.1.4. Quarterly Targets for 2020/21 Financial Year

Output	Output Indicator	Annual Target for 2020/21	Quarterly Targets			
			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Draft Guidelines for Codes of Conduct	Approved Guidelines for Codes of Conduct	Approved Guidelines for Codes of Conduct	Consideration of the comments received	Consideration of the comments received	Draft Guidelines for Codes of Conduct tabled for adoption	Guidelines for Codes of Conduct published
Draft Readiness Plan for the implementation of POPIA	Approved Readiness Plan for the implementation of POPIA	Readiness Plan for the implementation of POPIA developed, approved and implemented	Drafting of the Readiness Plan for the implementation of POPIA	Drafting of the Readiness Plan for the implementation of POPIA	Tabling of the Draft Readiness Plan for the implementation of POPIA	Approval and piloting of the Readiness Plan for the implementation of POPIA
Draft Guidelines for the registration of Information Officers	Approved Guidelines for the registration of Information Officers	Guidelines for the registration of Information Officers approved	Develop the Guidelines for the registration of Information Officers	Develop the Guidelines for the registration of Information Officers	Guidelines for the registration of Information Officers tabled for discussion	Guidelines for the registration of Information Officers approved
Update Guide for PAIA and incorporate POPIA	Approved and updated Guide for POPIA and PAIA	Approval of the Guide for POPIA and PAIA	Draft PAIA Guide to incorporate POPIA	Draft PAIA Guide to incorporate POPIA	Tabling and discussion of the Draft Guide for POPIA and PAIA	Approval of the Draft Guide for POPIA and PAIA
Handling of complaints related to the alleged violations of the protection of personal information	Approved POPIA Complaints Management Processes, Standard Operating Procedures (SOPs) and Manual implemented	Piloting of the Complaints Management Processes, SOP and Manual for POPIA	Pilot the Complaints Management Processes, SOPs and Manual for POPIA	Pilot the Complaints Management Processes, SOP and Manual for POPIA	Pilot the Complaints Management Processes, SOP and Manual for POPIA	Pilot the Complaints Management Processes, SOP and Manual for POPIA
	Automated Complaints Management System acquired	Acquisition and automation of the Complaints Management System	Drafting of the specifications for the Automated Complaint Management System	Approval of the specifications for the Automated Complaint Management System	Continuation of the procurement process	Acquisition and testing of the system

## 7.1.2. Programme 2: Promotion of Access to Information

### 7.1.2.1. Purpose

To ensure the effective implementation of the promotion of the constitutional right of access to any information held by the state and by any other person and that is required for the exercise of any rights

### 7.1.2.2. List of Sub-Programme

The following are sub-programmes within this Programme:

- a) Complaints and Investigations sub-programme is responsible for the handling of complaints and conducting of investigations in accordance with the provisions of PAIA.
- (b) Compliance and Monitoring sub-programme conducts monitoring and enforcement of compliance by public and private bodies in accordance with the provisions of PAIA.

### 7.1.2.3. Performance matrix with outcomes, outputs, indicators and targets

Outcome	Output	Output indicator	Actual Performance			Estimated Performance (Baseline)	Medium Term period Targets		
			2016/2017	2017/2018	2018/2019		2020/21	2021/22	2022/23
Access to information promoted	Develop process for PAIA functions handover from the South African Human Rights Commission (SAHRC)	Memorandum of Cooperation (MOC) Implemented	-	-	-	Memorandum of Cooperation (MOC) signed	Memorandum of Cooperation (MOC) Implemented	Memorandum of Cooperation (MOC) Implemented	Full implementation of PAIA
	Draft a Readiness Plan for the implementation of PAIA	Approved Readiness Plan for PAIA		-	-	-	Readiness Plan developed, approved and implemented	Continue with the implementation Plan for PAIA	Full implementation of PAIA

#### 7.1.2.4. Quarterly Targets for 2020/21 Financial Year

Output	Output Indicator	Annual Target for 2020/21	Quarterly Targets			
			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Develop process for PAIA functions handover from the South African Human Rights Commission (SAHRC)	Signed Memorandum of Cooperation (MOC) Implemented	Memorandum of Cooperation (MOC) implemented	Memorandum of Cooperation (MOC) implemented	Memorandum of Cooperation (MOC) implemented	Memorandum of Cooperation (MOC) implemented	Full implementation of PAIA
Draft a Readiness Plan for the implementation of PAIA	Approved Readiness Plan for the implementation of PAIA	Readiness Plan for the implementation of PAIA developed, approved and implemented	Drafting of the Readiness Plan for the implementation of PAIA	Drafting of the Readiness Plan for the implementation of PAIA	Tabling of the Draft Readiness Plan for the implementation of PAIA	Approval and piloting of the Readiness Plan for the implementation of PAIA

### 7.1.3. Programme 3: Education and Communication

#### 7.1.3.1. Purpose

To provide strategic direction for the provision of Education and Communication

#### 7.1.3.2. List of Sub-Programme

The following are sub-programmes within this Programme:

- (a) Education and Public Awareness sub-programme is responsible for the provision of public education, awareness and stakeholder management.
- (b) Communication and Media Relations sub-programme is responsible to provide communication, media relations, public liaison and branding services.

#### 7.1.3.3. Performance matrix with outcomes, outputs, indicators and targets

Outcome	Output	Output indicators	Actual Performance			Estimated Performance (Baseline)	Medium Term period Targets		
			2016/2017	2017/2018	2018/2019	2019/20	2020/21	2021/22	2022/23
Personal information promoted, protected and respected	Develop and implement educational, awareness and stakeholder management programmes aimed at promoting the protection of personal information	Number of public awareness sessions conducted in line with the approved Public Awareness Strategy and Plan for POPIA	-	-	-	-	9 Public awareness workshops in all Provinces	18 Public awareness workshops in all Provinces	27 Public awareness workshops in all Provinces
		Approved Communication and Branding Strategy and Plan	-	-	-	-	Develop the Communication and Branding Strategy and Plan	Phased-in implementation of the Communication and Branding Strategy and Plan	Phased-in implementation of the Communication and Branding Strategy and Plan

Outcome	Output	Output indicators	Actual Performance			Estimated Performance (Baseline)	Medium Term period Targets		
			2016/2017	2017/2018	2018/2019	2019/20	2020/21	2021/22	2022/23
		Number of stakeholders engagements held in accordance with the Approved Stakeholder Engagement Strategy and Plan	-	57	75	75	80 Stakeholder Engagements held	90 Stakeholder Engagements held	100 Stakeholder Engagements held

#### 7.1.3.4. Quarterly Targets for 2020/21 Financial Year

Output	Output Indicator	Annual Target for 2020/21	Quarterly Targets			
			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Develop and implement educational, awareness and stakeholder management programmes aimed at promoting the protection of personal information.	Approved and Implemented Public Awareness Strategy and Plan for POPIA	Conduct 9 Public Awareness sessions	3	2	2	2
	Approved Communication and Branding Strategy and Plan	Approved Communication and Branding Strategy and Plan	Develop the Communications and Branding Strategy and Plan	Develop and approve the Strategy and Plan	Implement Phase One (1) of the Approved Strategy and Plan	Implement Phase One (1) of the Approved Strategy and Plan
	Number of Stakeholders Engagement held as part of the implementation of the Stakeholder Engagement Strategy and Plan	80 Stakeholder Engagements held	20	20	20	20

#### 7.1.4. Programme 4: Legal, Policy, Research and Information Technology Analysis

##### 7.1.4.1. Purpose

To ensure the rendering of legal, policy, research and information technology analysis services.

##### 7.1.4.2. List of Sub-Programme

The following are sub-programmes within this Programme:

- a) Legal Services and Litigation sub-programme is responsible to provide legal advice and represents the Regulator in Litigation before courts and similar *fora*.
- b) Policy and Research sub-programme is responsible for the development of policy and the conducting of research.
- c) Information Technology Analysis sub-programme is responsible for managing the provision of research into information processing and computer technology on issues relating to the processing of personal information.

##### 7.1.4.3. Performance matrix with outcomes, outputs, indicators and targets

Outcome	Output	Output indicators	Actual Performance			Estimated Performance (Baseline)	Medium Term period Targets		
			2016/2017	2017/2018	2018/2019	2019/20	2020/21	2021/22	2022/23
Personal information promoted, protected and respected	Develop and approve research strategy and plan aimed at ensuring the protection of personal information	Approved and implemented Research Strategy and Plan	-	-	-	-	Research Strategy and Plan developed, approved and implemented	Approved Research Strategy and Plan implemented	Approved Research Strategy and Plan implemented
		Number of research studies conducted in accordance with the Approved Research Strategy and Plan	-	-	-	-	One (1) Research study conducted in accordance with the Approved Research Strategy and Plan	One (1) Research study conducted in accordance with the Approved Research Strategy and Plan	One (1) Research study conducted in accordance with the Approved Research Strategy and Plan



#### 7.1.4.4. Quarterly Targets for 2020/21 Financial Year

Output	Output Indicator	Annual Target for 2020/21	Quarterly Targets			
			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Develop and approve research strategy and plan aimed at ensuring the protection of personal information	Approved Research Strategy and Plan	Develop and approve Research Strategy and Plan	Research Strategy and Plan drafted	Research Strategy and Plan drafted	Draft Research Strategy and Plan tabled for discussion	Draft Research Strategy and Plan approved
	Number of research studies conducted in accordance with the Approved Research Strategy and Plan	One (1) Research study conducted in accordance with the Approved Research Strategy and Plan	Nil	Nil	Nil	One (1) Research study conducted in accordance with the Approved Research Strategy and Plan

## 7.1.5. Programme 5: Administration

### 7.1.5.1. Purpose

To provide effective and efficient leadership and corporate support services in the day-to-day management of the Information Regulator

### 7.1.5.2. List of Sub-Programme

The following are sub-programmes within this Programme:

- (a) Office of the Chairperson sub-programme is responsible for providing Leadership, Policy direction, Strategic direction and the promotion of Corporate Governance within the Regulator;
- (b) Office of the Chief Executive Officer sub-programme is responsible for providing Strategic Leadership in the effective and efficient day-to-day Operational Management of the Regulator;
- (c) Corporate Services sub-programme is responsible for providing support services in relation to Human Resources, Administrative Services and Information and Communication Technology (ICT); and
- (d) Finance sub-programme is responsible for providing efficient and effective Financial and Management Accounting as well and Supply Chain Management.

### 7.1.5.3. Performance matrix with outcomes, outputs, indicators and targets

Outcome	Output	Performance Indicator	Actual Performance			Estimated Performance (Baseline)	Medium Term period Targets		
			2016/2017	2017/2018	2018/2019	2019/20	2020/21	2021/22	2022/23
Personal information promoted, protected and respected	Fully established Administration to enable delivery on the mandate	Approved Phase Two (2) of the Organisational Structure implemented	-	-	Approved and implemented Phase One (1) of the Organisational Structure	Approved Phase Two (2) positions of the Organisational Structure	Approved and implemented Phase Two (2) of the Organisational Structure	Approved and implemented Phase Three (3) of the Organisational Structure	Approved and implemented Phase Four (4) of the Organisational Structure
		Approved prioritised Corporate Services Policies and Guidelines	-	-	-	List of prioritised Corporate Services Policies in place	Prioritised Corporate Services Policies and Guidelines developed and approved	All Corporate Service Policies developed and approved	All Corporate Services implemented

Outcome	Output	Performance Indicator	Actual Performance			Estimated Performance (Baseline)	Medium Term period Targets		
			2016/2017	2017/2018	2018/2019	2019/20	2020/21	2021/22	2022/23
		Approved Delegation of Authority (DOA) Framework	-	-	-	DOA Framework drafted	DOA Framework approved	DOA Framework implemented	DOA Framework implemented
		Approved prioritised Finance Policies and Guidelines	-	-	-	List of all the prioritised Finance Policies and Guidelines developed	Prioritised Finance Policies and Guidelines developed and approved	All Finance Policies and Guidelines implemented	All Finance Policies and Guidelines implemented
		Separation Plan (Finance and Human Resources) finalised and implemented	-	-	-	Draft Separation Plan (Finance and Human Resources) from the DoJ & CD developed	Separation Plan (Finance and Human Resources) from the DoJ & CD developed and approved	Separation Plan (Finance and Human Resources) from the DoJ & CD implemented	Approved Separation Plan (Finance and Human Resources) implemented

#### 7.1.5.4. Quarterly Targets for 2020/21 Financial Year

Output	Output Indicator	Annual Target for 2020/21	Quarterly Targets			
			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Fully established administration to enable delivery on the mandate	Approved Phase Two (2) of the Organisational Structure implemented	Approved and implemented Phase Two (2) of the Organisational Structure	Recruitment of staff for the vacant and funded Phase Two (2) Posts	Recruitment of staff for the vacant and funded Phase Two (2) Posts	Recruitment of staff for the vacant and funded Phase Two (2) Posts	Phase Three (3) positions identified and approved
	Approved prioritised Corporate Services Policies and Guidelines	Developed and approved prioritised Corporate Services Policies and Guidelines	Identification and development of prioritised Corporate Services Policies and Guidelines	Development of the prioritised Corporate Services Policies and Guidelines	Tabling of the prioritised Corporate Services Policies and Guidelines	Approval of the prioritised Corporate Services Policies and Guidelines
	Approved Delegation of Authority (DOA) Framework	Developed and approved Delegation of Authority (DOA) Framework	DOA Framework developed	DOA Framework approved	DOA Framework implemented	DOA Framework implemented

Output	Output Indicator	Annual Target for 2020/21	Quarterly Targets			
			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
	Approved prioritised Finance Policies and Guidelines	Development of prioritised Finance Policies and Guidelines	Development of prioritised Finance Policies and Guidelines	Development of all prioritised Finance Policies and Guidelines	Tabling of the prioritised Finance Policies and Guidelines	Approval of all the prioritised Finance Policies and Guidelines
	Separation Plan (Finance and Human Resources) finalised and implemented	Finalisation and implementation of the Separation Plan (Finance and Human Resources) from the DoJ & CD	Development of the Separation Plan (Finance and Human Resources) from the DoJ & CD	Development of the Separation Plan (Finance and Human Resources) from the DoJ & CD	Implementation of the Separation Plan (Finance and Human Resources) from the DoJ & CD	Implementation of the Separation Plan (Finance and Human Resources) from the DoJ & CD

## **8. Explanation of Planned Performance over the Five Year Period**

### **a) Contribution towards the National Development Plan (NDP)**

The Regulator does not contribute directly towards any of the outcomes in the National Development Plan. However, it supports constitutional democracy through the protection and promotion of two (2) rights which are enshrined in sections 14 and 32 of the Constitution.

### **b) Rationale for the choice of the Outcome Indicators**

The selected Outcome Indicators focus on the mandate of the Regulator which is derived from sections 14 (right to privacy) and 32 (right of access to information) of the Constitution. The Regulator intends to measure the volume of complaints received as a determinant that people are aware of their constitutional rights to privacy as it relates to the protection of personal information and of the existence of the Regulator.

With regard to the PAIA, the intention is to determine the level of improvement in compliance with the Act by both the public and private bodies. Compliance relates to the development and implementation of the Guide on how to use PAIA and POPIA.

### c) Explanation of enablers to achieve the targets

The followings targets will be set over the medium-term period in each of the outcomes

Outcome	Explanation of enablers to achieve targets
1. Personal information is promoted, protected and respected	<ul style="list-style-type: none"> <li>• The implementation of education and awareness programmes nationwide aimed at informing and empowering the data subjects to protect their right to privacy as it relates to the protection of personal information and the mechanisms that they can use to prevent any violation; and</li> <li>• Data subjects will be able to approach the Regulator to lodge complaints about any possible unlawful processing of their personal information.</li> </ul> <p>In respect of Legal, Policy, Research and Information Technology Analysis, the Regulator will:</p> <ul style="list-style-type: none"> <li>• Embark on litigation on its own initiative or when it is cited as a party in matters relating to the protection of personal information;</li> <li>• Conduct research relating to proposed legislation or proposed policy of government that may affect the protection of personal information of data subjects;</li> <li>• Undertake research and monitor the developments in information processing and computer technology;</li> <li>• Issue, develop, publish and monitor the implementation of the Guidelines for Codes of Conduct; and</li> <li>• Develop and implement the Complaints Management System; and</li> <li>• Develop human capital, systems, structures and business process for efficient and effective organisational performance management.</li> </ul>
2. Access to information promoted	<ul style="list-style-type: none"> <li>• The implementation of education and awareness programmes aimed at empowering the public on how to exercise their right of access to information and</li> <li>• The development and implementation of a Complaints Management System.</li> </ul>

## 9. Key Risks

Outcome	Key risk	Mitigation Action
1. Personal information promoted, protected and respected	<ul style="list-style-type: none"> <li>• Delay in the operationalisation of POPIA</li> </ul>	<ul style="list-style-type: none"> <li>• The Regulator has submitted a request to the Minister and the President to issue a Proclamation that will bring into effect the remaining sections of POPIA.</li> </ul>
	<ul style="list-style-type: none"> <li>• Delay in the full- establishment of the administration of the Regulator</li> </ul>	<ul style="list-style-type: none"> <li>• Develop and implement a Separation Plan from the DoJ&amp;CD covering Financial and Human Resource areas of the Regulator.</li> <li>• Finalisation of the Complete Organisational Structure and Operating Model.</li> </ul>
	<ul style="list-style-type: none"> <li>• Inadequate funding to effectively and efficiently fulfill mandate</li> </ul>	<ul style="list-style-type: none"> <li>• Secure funding from the National Treasury to fill prioritised positions on a phased-in approach over MTSF period.</li> </ul>
2. Access to information promoted	<ul style="list-style-type: none"> <li>• Delay in the operationalisation of POPIA</li> <li>• Delay in the full-establishment of the Administration of the Regulator</li> </ul>	<ul style="list-style-type: none"> <li>• Develop and implement a Separation Plan from the DOJ&amp;CD covering the Financial and Human Resource areas of the Regulator.</li> <li>• Finalisation of the complete Organisational Structure Model.</li> </ul>
	<ul style="list-style-type: none"> <li>• Inadequate funding to effectively and efficiently fulfill mandate</li> </ul>	<ul style="list-style-type: none"> <li>• Secure funding from the National Treasury to fill prioritised positions on a phased-in approach over the MTSF period.</li> </ul>

## 10. Resource Considerations

### 10.1. Budget Allocation

Economic classification	MEDIUM TERM BUDGET ALLOCATION			
	2019/20	2020/21	2021/22	2022/23
	R'000	R'000	R'000	R'000
<b>Current payments</b>	<b>26 095</b>	<b>41 781</b>	<b>52 675</b>	<b>58 985</b>
Compensation of Employees	19 517	30 356	40 474	45 484
Goods and services	6 578	11 425	12 201	13 501
<b>Payments for capital assets</b>	<b>2 812</b>	<b>3 716</b>	<b>4 332</b>	<b>4 730</b>
Machinery and equipment	2 812	3 716	4 332	4 730
<b>Total</b>	<b>28 907</b>	<b>45 497</b>	<b>57 007</b>	<b>63 715</b>

### 10.2 Narrative: Explain the contribution of the resources towards achievement of outputs

The Regulator's mandate is to ensure respect for and to promote, enforce and fulfill the right to privacy as it relates to the protection of personal information and the right of access to information. Section 47 of POPIA empowers the Regulator to establish its own administration to assist it in the performance of its functions. To this end the largest portion of the 2019/20 financial year budget was allocated for the Compensation of Employees (CoE) which includes the Members, Executive Officers and support staff. The Regulator received an additional allocation for the 2020/21 Medium Term Expenditure Framework (MTEF) period as follows: R15 million (2020/21); R25 million (2021/22); and R30 million (2022/23), respectively.

## 11. Public Entities

None

## 12. Infrastructure projects

None

## 13. Public Private Partnerships

None



## PART D: TECHNICAL INDICATOR DESCRIPTIONS

### Programme 1: Protection of Personal Information

<b>Indicator Title</b>	<b>Approved Guidelines for Codes of Conduct</b>
<b>Definition</b>	The Guidelines for Codes of Conduct are provided for in POPIA (Guidelines)
<b>Source of data</b>	Approved Guidelines
<b>Method of Calculation / Assessment</b>	Verify the final version against the comments received from the stakeholders
<b>Means of verification</b>	Check the actual Approved Guidelines
<b>Assumptions/ Data Limitations</b>	All inputs received have been considered when the final version is approved
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Annually
<b>Desired performance</b>	Approved Guidelines
<b>Indicator Responsibility</b>	Executive : Legal, Policy, Research and Information Technology Analysis

<b>Indicator Title</b>	<b>Approved Readiness Plan for the implementation of POPIA and PAIA</b>
<b>Definition</b>	Readiness Plan that will guide the Regulator to prepare for the implementation of POPIA and PAIA once the proclamation is issued by the President
<b>Source of data</b>	Existing POPIA and PAIA
<b>Method of Calculation / Assessment</b>	Approved Readiness Plan
<b>Assumptions</b>	Extension will not be granted by the Minister to delay the full implementation of POPIA.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Full implementation of the Readiness Plan.
<b>Indicator Responsibility</b>	Executives: POPIA and PAIA

<b>Indicator Title</b>	<b>Approved Guidelines for the registration of Information Officers</b>
<b>Definition</b>	The Guidelines are provided for in POPIA to outline the process for registering Information Officers
<b>Source of data</b>	Documents used in compiling the Guidelines
<b>Method of Calculation / Assessment</b>	Check if the Guidelines are in compliance with the provisions of POPIA
<b>Means of verification</b>	Check if the approved document is in place
<b>Assumptions</b>	The remaining sections of POPIA will have been brought into operation during the financial year
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	N/A
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	The Guidelines have been published and implemented
<b>Indicator Responsibility</b>	Executive: POPIA

<b>Indicator Title</b>	<b>Approved and updated Guide for POPIA and PAIA</b>
<b>Definition</b>	The Guide is provided for both in POPIA and PAIA which will assist persons to use PAIA and POPIA.
<b>Source of data</b>	Existing PAIA Guide
<b>Method of Calculation / Assessment</b>	Updated Guide for PAIA to incorporate POPIA
<b>Assumptions</b>	Executive for PAIA will have assumed duty
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Annually
<b>Desired performance</b>	Approved and Updated Guide for POPIA and PAIA
<b>Indicator Responsibility</b>	Executive: POPIA and PAIA

<b>Indicator Title</b>	<b>Approved POPIA Complaints Management Processes, Standard Operating Procedures (SOP) and Manual implemented</b>
<b>Definition</b>	Complaints Handling System aimed at implementing effective management of Complaints.
<b>Source of data</b>	Approved Complaints Handling Systems and Manual
<b>Method of Calculation / Assessment</b>	Check if the Complaints Register is in line with the approved Complaints Handling Manual and SOP
<b>Means of verification</b>	Complaints Register
<b>Assumptions</b>	Envisaged that once all the sections of POPIA become operational the Regulator will receive complaints in high volume and lack of adequate Human Resource capacity will be an impediment.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	N/A
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	All Complaints handled in accordance with Complaints Management Processes, Manual and SOP
<b>Indicator Responsibility</b>	Executive: POPIA

<b>Indicator Title</b>	<b>Automated Complaints Management System for POPIA and PAIA acquired</b>
<b>Definition</b>	Electronically fitted device which will be in a position to assist and record complaints registered in an automated manner
<b>Source of data</b>	Evidence of the procurement process undertaken and also the delivery of the actual infrastructure and acquisition of licenses
<b>Method of Calculation / Assessment</b>	Check the actual system against the process flow to determine if there is an alignment
<b>Means of verification</b>	Actual delivery of the system
<b>Assumptions</b>	The Automated Complaints Management System to alleviate the Manual Complaints Handling system and expedite resolving of complaints.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	N/A
<b>Reporting Cycle</b>	Annually
<b>Desired performance</b>	System acquired and also being implemented
<b>Indicator Responsibility</b>	Executive: POPIA and PAIA

## Programme 2: Promotion of Access to Information

Indicator Title	Memorandum of Cooperation (MOC) Implemented
<b>Definition</b>	This is an agreement signed between the Regulator and the SAHRC to facilitate the transfer of the PAIA functions to the Regulator
<b>Source of data</b>	Signed MoC
<b>Method of Calculation / Assessment</b>	Manual check
<b>Means of verification</b>	Manual check of the content of the signed MoC
<b>Assumptions</b>	The transfer of the PAIA functions may take place during the 2020/21 financial year.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	N/A
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Implement all the activities in the MoC
<b>Indicator Responsibility</b>	Executive: PAIA

Indicator Title	Approved Readiness Plan for the implementation of PAIA
<b>Definition</b>	Readiness Plan that will guide the Regulator to prepare for the implementation of the enforcement sections of PAIA once the proclamation is issued by the President
<b>Source of data</b>	Readiness Plan for PAIA
<b>Method of Calculation / Assessment</b>	Approved Readiness Plan
<b>Assumptions</b>	Executive PAIA would have assumed duty
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Full implementation of the Readiness Plan.
<b>Indicator Responsibility</b>	Executive: PAIA

### Programme 3: Education and Communication

<b>Indicator Title</b>	<b>Number of public awareness sessions conducted in line with the approved and implemented Awareness Strategy and Plan for POPIA</b>
<b>Definition</b>	Public awareness workshops are conducted in accordance with POPIA to raise awareness to the public about their right to privacy as it relates to the protection of personal information.
<b>Source of data</b>	Invitations and attendance registers
<b>Method of Calculation / Assessment</b>	Simple count
<b>Means of verification</b>	Check the attendance registers to confirm the number of people who attended the workshops
<b>Assumptions</b>	All participants who confirmed attendance will turn up for the workshop.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	N/A
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Achieve the set target
<b>Indicator Responsibility</b>	Executive: Education and Communication

<b>Indicator Title</b>	<b>Approved Communication and Branding Strategy and Plan</b>
<b>Definition</b>	The Communication and Branding Strategy and Plan will be used to market the brand of the Regulator and raise awareness about its existence and its mandate.
<b>Source of data</b>	The Approved Strategy and Plan for Communication and Branding
<b>Method of Calculation / Assessment</b>	Manual check of the existing document
<b>Means of verification</b>	Check the approved document
<b>Assumptions</b>	Timely appointment of the service provider to develop the Communication and Branding Strategy and Plan
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	N/A
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Approved Strategy and Plan implemented within the financial year
<b>Indicator Responsibility</b>	Executive: Education and Communication

<b>Indicator Title</b>	<b>Numbers of stakeholder engagement held in accordance with the Approved Stakeholder Engagement Strategy and Plan</b>
<b>Definition</b>	Stakeholder engagements are conducted to raise awareness in both private and public bodies regarding compliance with POPIA. The Strategy and Plan will outline the nature of engagement and the approach to be followed
<b>Source of data</b>	Invitations and attendance registers
<b>Method of Calculation / Assessment</b>	Simple count
<b>Means of verification</b>	Verify information on the attendance registers
<b>Assumptions</b>	All invited stakeholders will attend the planned workshops
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	N/A
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	Achieve the set target
<b>Indicator Responsibility</b>	Executive: Education and Communication



**Programme 4: Legal, Policy, Research and Information Technology**

<b>Indicator Title</b>	<b>Approved Research Strategy and Plan</b>
<b>Definition</b>	Develop and approve Research Strategy and Plan aimed at ensuring the protection of personal information
<b>Source of data</b>	Benchmark with similar institutions, research tertiary institutions, consultations with tertiary and similar institutions
<b>Method of Calculation / Assessment</b>	Check the actual Strategy if it is line with the relevant provisions of POPIA
<b>Means of Verification</b>	Check if the actual Approved Research Strategy and Plan is available
<b>Assumptions/ Data Limitations</b>	Lack of adequate in-house research capacity
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Annual
<b>Desired performance</b>	Approved Research Strategy and Plan
<b>Indicator Responsibility</b>	Executive : Legal, Policy, Research and Information Technology Analysis

<b>Indicator Title</b>	<b>Conduct Research study in accordance with the Approved Research Strategy and Plan</b>
<b>Definition</b>	Conduct one Research Study
<b>Source of data</b>	Information on data collected and the actual research report
<b>Method of Calculation / Assessment</b>	Check the actual report produced against the set research objectives
<b>Means of verification</b>	The actual research report that has been approved should be presented as evidence
<b>Assumptions/Data Limitations</b>	No in-house Library
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Annual
<b>Desired performance</b>	One research study concluded
<b>Indicator Responsibility</b>	Executive : Legal, Policy, Research and Information Technology Analysis

## Programme 5: Administration

<b>Indicator Title</b>	<b>Approved Phase Two (2) of the Organisational Structure implemented</b>
<b>Definition</b>	Filling of the sixteen (16) vacant and funded posts identified for phase two (2) of the Organisational Structure as part of the establishment of the Administration of the Regulator
<b>Source of data</b>	Organisational Structure containing the identified positions and the job evaluation reports
<b>Method of Calculation / Assessment</b>	Simple count of the actual posts from the approved list
<b>Means of verification</b>	Report of the vacancies that have been filled
<b>Assumptions</b>	Functional Job Evaluation System
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Annual
<b>Desired performance</b>	All posts in phase two filled within the financial year
<b>Indicator Responsibility</b>	Executive: Corporate Services

<b>Indicator Title</b>	<b>Approved prioritised Corporate Services Policies and Guidelines</b>
<b>Definition</b>	Number of Corporate Services Policies and Guidelines to be developed and approved as part of establishing the Administration of the Regulator to operate independently from the DoJ&CD
<b>Source of data</b>	POPIA and other relevant prescripts used to develop the policies
<b>Method of Calculation / Assessment</b>	Counting all the policies and guidelines that have been developed and approved
<b>Means of verification</b>	Approved policies available
<b>Assumptions</b>	Availability of Members of the Regulator
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Annual
<b>Desired performance</b>	All policies approved to ensure that the separation of the Regulator from DoJ&CD is implemented
<b>Indicator Responsibility</b>	Executive: Corporate Services

<b>Indicator Title</b>	<b>Approved Delegation of Authority (DOA) Framework</b>
<b>Definition</b>	The DOA Framework is a document that outlines the responsibilities that are delegated from the Members to the CEO and from the CEO to all the Staff
<b>Source of data</b>	DoA Framework that has been approved by the Regulator
<b>Method of Calculation / Assessment</b>	Assess the document and ascertain if all the responsibilities that require delegation to the administration have been included
<b>Means of verification</b>	Check the actual document that has been approved
<b>Assumptions</b>	Although the functions may have been delegated, such can be revoked by the Regulator at any time
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation type</b>	N/A
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	DoA Framework approved and also implemented during the 2020/21 financial year
<b>Indicator Responsibility</b>	Members and CEO

<b>Indicator Title</b>	<b>Approved prioritised Finance Policies and Guidelines</b>
<b>Definition</b>	Key Finance Policies and Guidelines that have to be developed in compliance with the Public Finance Management Act 1 of 1999 (PFMA) to enable the Regulator to operate independently from the DoJ&CD
<b>Source of data</b>	Legislation and Regulations used in the development of the policies. Policies from similar institutions.
<b>Method of Calculation / Assessment</b>	Simple count of approved policies
<b>Assumptions</b>	Some Policies may be adapted from other Institutions of similar nature and only required few adjustments to be made
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Monthly
<b>Desired performance</b>	All policies approved to ensure that the separation of the Regulator from DoJ&CD is implemented
<b>Indicator Responsibility</b>	Chief Financial Officer

<b>Indicator Title</b>	<b>Separation Plan developed, approved and implemented</b>
<b>Definition</b>	Separation Plan is developed to ensure that the Regulator operates as an independent institution as provided for in section 39 of POPIA
<b>Source of data</b>	Benchmark reports on the Separation Plan produced by other newly established institutions. Guidelines and prescripts from the National Treasury governing the establishment of new institutions
<b>Method of Calculation / Assessment</b>	Checking actual progress against the activities in the Separation Plan
<b>Means of Verification</b>	Checking the actual document to ensure that it is approved and all activities implemented
<b>Assumptions</b>	The Separation Plan would have been finalised and approval granted.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Reporting Cycle</b>	Quarterly
<b>Desired performance</b>	The separation of the Regulator from the DoJ&CD so that it operates as an independent institution
<b>Indicator Responsibility</b>	Chief Financial Officer and Executive: Corporate Services

## **PART E: LIST OF ACRONYMS AND ABBREVIATIONS**

AI	Artificial Intelligence
APP	Annual Performance Plan
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CoE	Compensation of Employees
DoJ & CD	Department of Justice and Constitutional Development
EE	Employment Equity Plan
ENE	Estimate of National Expenditure
ICT	Information and Communication Technology
4IR	Fourth Industrial Revolution
MoC	Memorandum of Cooperation
Minister	Minister of Justice and Correctional Services
MTEF	Medium Term Expenditure Framework
MTSF	Medium Term Strategic Framework
PAIA	Promotion of Access to Information Act No. 2 of 2000
PFMA	Public Finance Management Act No.1 of 1999 as amended
POPIA	Protection of Personal Information Act No.4 of 2013
Regulator	Information Regulator
SAHRC	South African Human Rights Commission
SOP	Standard Operating Procedures