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Strategy of the Broad-Based Black Economic Empowerment Commission

2017-2021

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Foreword by the Executive Authority

It is with great pleasure and pride that I present the first five-year Strategic Plan for the much awaited newly established Broad-Based Black Economic Empowerment Commission (B-BBEE Commission).

This is a step in the right direction to deal with challenges of poverty, unemployment and inequality with much stronger interventions and effort. There is a need to fundamentally change the complexion and structure of our economy to enable entry and full participation by black people. The B-BBEE Strategy and the Black Industrialist Policy, complement other interventions such as the Industrial Policy Action Plan (IPAP) towards an inclusive industrialised economy, and the realization of the National Development Plan (NDP) vision 2030. There is a need to focus on quality, impact and sustainability of these interventions.

Due to serious gaps identified with the implementation of the B-BBEE Act since 2003, the B-BBEE Act was amended through the B-BBEE Amendment Act, 2013 (Act No.46 of 2013) to establish the B-BBEE Commission to monitor implementation and ensure compliance with the requirements of the B-BBEE Act. With a proactive approach to educating, guiding, investigating, researching and reporting, and implementing beneficial collaboration with critical stakeholders, a better South Africa can be delivered.

I extend my gratitude to the Acting Commissioner, Ms Zodwa Ntuli, together with the members of the establishment team, Ms Busisiwe Ngwenya, Ms Nontokozo Nokhwali-Mboyi, Mr Liso Steto, Ms Thembakazi Dondashe, Mr Madidimalo Ramare, and Ms Francina Notoane, for performing a sterling job in spearheading the establishment of the B-BBEE Commission, and helping us to create a solid foundation for its operation within such a short period of time.

I wish the B-BBEE Commission the very best in the achievement of the goals as set out in this plan, and becoming one of the credible and effective economic regulators.

Dr Rob Davies, MP
Minister of Trade and Industry

Overview by the Accounting Authority

As the B-BBEE Commission, we realise that our establishment occurs in trying times where the previously marginalised are bemoaning the slow progress in economic transformation and empowerment, where service delivery protests are almost a daily occurrence, and in an environment where mostly the private sector, and government to a certain degree, lament the shortage of skills and/or expertise in industries deemed to be high priority for economic growth. The recent racial tension and reported racial comments highlight a need for South Africa to really focus on the transformation agenda, and accelerate the pace.

The unemployment rate in South Africa in Quarter 3 of 2015 was at 25.4% when compared to 7.4% in Brazil, 5.5% in Russia, 3.6% in India and 4.1% in China, according to the OECD. The aim is to increase employment from 13 million to 23 million by 2030, according to the NDP. South Africa remains one of the most unequal societies in the world with the Gini coefficient of 0.69, which the NDP aims to reduce to 0.6. The reality in South Africa is that the majority of those unemployed and poor are black, who directly feel the effect of this disparities.

The National Empowerment Fund (NEF) estimates the equity holding by black people on the Johannesburg Stock Exchange (JSE) to be at 3% while the 2015 report of the Commission on Employment Equity indicates that white people still represent 70% and 60% of top management and senior management, with black people representing only 13.6% and 21% respectively. The Jack Hammer Executive Report for 2015 indicates a worrying decline from 15% in 2012 to 10% in the number of black Chief Executive Offices (CEOs) measured on the top 40 JSE listed companies. In all this, black people continue to face serious barriers such as lack of access to finance and capital, access to markets, and high entry barriers due to high concentration of markets. More, tokenism and fronting continue to manifest in respect of senior and executive appointment in companies and business opportunities.

To accelerate the transformation that will achieve equality, eradicate poverty and reduce the rate of unemployment, much stronger and radical interventions and monitoring tools are required.

In this regard, **the dti** identified a need to amend the B-BBEE Act No 53 of 2003 as it was deemed ineffectual in tackling broader issues affecting transformation within the country. A number of other influencing factors were prevalent, and these include fronting of marginalised people, knowingly or unknowingly; BEE deals entered into turned out not to be as economically beneficial or transformational, and misrepresentation of empowerment credential merely to meet the quota; and all these while companies continue to benefit from the contracts awarded by government under the guise of broad-based economic empowerment, and no regulator to correct this.

With the historical background in mind, we have identified key areas that we will focus on in order to deliver on our mandate and functions as follows:

- Safeguarding the outcomes of an inclusive economy
- Implementing corrective enforcement to achieve compliance
- Researching, analysing and reporting on the state of transformation
- Collaborating with relevant stakeholders to advance transformation
- Developing capability and capacity of the B-BBEE Commission to deliver on its mandate

We recognise that the legislation should have been implemented with effect from 24 October 2014 and that we need to hit the ground running to accelerate the pace of broad-based black economic empowerment. We have as a result put in place strategies and objectives that in our assessment will lead to and yield quicker results given the delay in setting up the B-BBEE Commission.

Our strategies involve being close to stakeholders to be readily accessible and available for advisory services prior to deals being concluded, guiding and assisting with the proper implementation of the Act and the codes, detecting systematically improper and unethical practices that undermine the objectives of the B-BBEE Act, engaging stakeholders to raise awareness and get buy-in to achieve compliance, and ensuring that all systems required for our effective and efficient operation are in place.

Our strategies further aim to achieve prevention of non-compliance, swift detection and action on identified malpractices, and voluntary compliance. Attention to quicker redress, including through alternative dispute resolution mechanisms, is given, to reduce litigation costs especially for vulnerable black empowerment partners and participants of B-BBEE schemes who are often dragged through lengthy court processes. We will reach out to more people for the benefit of B-BBEE to be felt and realised by all intended beneficiaries, directly and indirectly. This will include specific measures directed at rural communities, women and people with disabilities.

With collaboration we aim to facilitate the creation of databases from proactive identification of persons that should benefit from B-BBEE, facilitate access for them to receive financial and non-financial support from relevant agencies, assist them with links to platforms for market access and general marketing of products and services. We aim to minimize reliance on consultants for basic services offered by government, such as preparing a business plan or how to market a business, by channeling these identified persons to appropriate government agencies for assistance. We will monitor the market to facilitate that real enterprise and supplier development is implemented.

We will facilitate the creation of a credible and reliable register of black companies with which our foreign investors can do business and achieve real empowerment credentials, and this will include coordination of black entrepreneurs to benefit under incubation programmes set up by

government for participation in critical sectors. We will acknowledge and reward companies for significant steps taken above the minimum requirements towards achieving transformation milestones. We therefore will reward companies for *leading from the front* on broad-based black economic empowerment, instead of *fronting black people* to achieve false B-BBEE credentials.

Complying with B-BBEE requirements should be made easier through rapid market responses and working closely with affected companies, monitoring progress regularly, sending compliance alerts where necessary, tracking the state of transformation on a regular basis and producing national trend reports, and providing upfront advice on transactions before implementation. We will also implement measures to correct past wrongs in the implementation of the B-BBEE Act to the extent that such is still continuing, by reviewing past deals, schemes and contracts, and instructing revisions to be done so that they are fully compliant. Also, beneficiaries of B-BBEE must be educated on their rights and obligation for quality benefits.

We will observe markets and issue periodic advocacy stances from time to time on sectors and industries that continue to entrench discriminatory and exclusive policies and rules, including financing practices that preclude black people from accessing business opportunities and growth. We will collaborate and align our work with those of other regulatory agencies, including the Commission on Employment Equity, to track and monitor the management control and skills development trends and advocate for change or accelerated pace. We will improve the integrity and reliability of B-BBEE verification process.

In short, we emphasise focus on the *quality* of B-BBEE transactions that are concluded (vis-à-vis the contracts awarded in lieu or on the basis of such transactions); the *impact* of these B-BBEE transactions in respect of all elements of B-BBEE; as well as implementing measures to ensure the *sustainability* of B-BBEE transactions concluded. A mindset shift is required for all to move away from the '*get rich quick scheme*' approach to B-BBEE to a more strategic approach that makes B-BBEE an essential element of a company's strategic objectives. The benefits of B-BBEE must be felt by all, especially the poor, through the development of black owned enterprises and industrialists that can employ people.

Having considered the type of challenges that may face our operations and the dynamic environment we operate in, we agreed that high ethical behavior and principles should be the order of the day. We have thus adopted the following organisational *values*, which will serve as a base for how we will serve, act and interact with our stakeholders:

- *An inclusive economy is our first consideration*
 - Our first priority and commitment is our national economic interests
 - Our stakeholders are key to us achieving our economic goals

- *Open access and availability to all economic citizens*
 - We offer swift turnaround times guided by our service standards
 - We offer fair and consistent redress within the legislative parameters
 - We offer quick responses as we do not own any red tape
- *Impartiality*
 - We act without favour, fear, bias or prejudice regardless of the pressure we may be brought under
 - We handle all matters objectively in living our purpose
 - We respect confidentiality within the law
- *Consistency*
 - We provide clear directions and reliable guidance
 - We provide decisions and advice that is consistent
- *Accountability for all our decisions and actions taken by us*
 - We uphold and respect all decisions taken by our organization
 - We trust all our staff to serve stakeholders diligently and professionally
 - We take responsibility for our actions
- *Zero Tolerance for corruption*
 - We are committed to proper governance
 - We are transparent in all dealings
 - We do not tolerate any corruption

Our *brand promise* is that of '*an inclusive economy for all*', which in essence refers to equal participation in the economy, equal access to wealth opportunities by all people, inclusion of black industrialists in the economy and availability of non-financial and financial support, including incentive schemes to achieve equality.

No one should be left behind as we strive for an inclusive economy for all, hence we plan to proactively target rural communities, young people, women, and people with disabilities over and above other stakeholders. We will use our intelligence and networks to identify them proactively, and lead them to appropriate agencies to be equipped or trained.

Therefore, this brand promise can only be achieved through effective and measured implementation of all the elements of B-BBEE, working together towards a common goal of a transformed, empowering and an inclusive economy for all the South Africa citizens.

Sign-off

It is hereby certified that this Strategic Plan for 2017-2021 was developed by the B-BBEE Commission, through the Establishment Team, and with the participation of the BEE Unit of **the dti**, under the guidance and leadership of the Acting Commissioner Ms Zodwa Ntuli, and takes into account all relevant policies, legislation and other mandates for which the B-BBEE Commission is responsible.

Ms. Zodwa Ntuli
Acting Commissioner

Dr Rob Davies, MP
Executive Authority

PART A: Strategic View

1. Our Vision

An inclusive industrialised economy that is globally competitive

Inclusive – refers to equal participation, equitable opportunities for all, and benefits experienced by every section of the society across South Africa. This generally implies a link of macroeconomic and microeconomic factors of the economy for inclusivity to materialise. As the B-BBEE Commission, we are vested with a regulatory responsibility to ensure that the South Africa's economy is broad-based and inclusive in order to attain the vision 2030 in the NDP. For the economy to thrive, function and grow all South Africans must be involved and contribute meaningfully in the value chain and critical sectors of the economy. Therefore, inclusivity must be facilitated through skills development, ownership, management control, enterprise and supplier development, as well as removing economic barriers for black people, so joint efforts by private and public sector is required as no one individual can do this on their own.

Industrialised – refers to the creation of a sustained productive economy that is driven by a wide range of locally sourced and produced products and services. This is an economy that has a high rate of literacy, stimulates economic and employment growth through targeted programmes, allows trade and investment more in education to produce highly competent and skilled labour force that could contribute to job creation, creates start-ups and broaden the production base. Involves well developed and productive commercial markets such as advanced manufacturing and value added services. In essence more beneficiation and exporting of value added products instead on raw material.

Economy - entails the state of the country in terms of production, distribution and consumption of goods and services in a particular geographic region. The IMF in its press briefing of April 2015 painted a picture of declining economic growth in emerging and developing economies. It is imperative for the country to grow its economy through internal production and distribution of goods locally and internationally, and there is a need for a strong trade investment arm within government that will not only identify markets for locals, but will also ensure sustainability.

Globally Competitive - implies viable and integrated international markets with export capability in order to stimulate economic growth. South Africa does not operate in a confined space but has to compete with other nations for resources, skill and markets, which means that we have to support our local products and services and leverage these against other markets. We need to focus on areas where we have uniquely South African products that can be targeted for export markets – we need to have niche and unique offerings. In this regard, benchmarks, peer reviews and adherence to world standards provide the necessary pointers on the areas that the country must improve or capitalize on to remain globally competitive, without compromising national economic interests.

2. Our Mission

To facilitate the accelerated productive implementation of the Act

Facilitate – to make it easy and possible for B-BBEE stakeholders to comply with and implement the B-BBEE Act by interacting and engaging with them; and by providing guidance and support through advisory opinions, explanatory notices and clarifications, amongst other things, on the application and interpretation of the Act, and implementing education and awareness programmes and corrective measures for non-compliance.

Accelerated – ensuring that transformation moves at a faster pace with a target in mind from the existing baseline, which can be regularly measured to ensure that the country is meeting its economic objectives on equity and empowerment for all intended beneficiaries of B-BBEE. This includes reaching out to those pockets of people, sectors and industries that have not felt transformation and empowerment to date, and enhance the impact of B-BBEE on all sectors of our society. .

Productive - moving to a more applied industry where raw products are transformed into finished products within our country; a state where we do not rely on imported goods for our finished products. We plan to interact with learning and technology institutions, engage with students and youth to encourage entrepreneurship and innovation at a young age, facilitate access to financial and non-financial support and guidance for budding and established companies, not working longer hours but working smarter and creatively, come up with new and innovative ideas and technologies to take the country forward, and provide a conducive working environment where citizens are serviced properly.

Implementation – it is often said that South Africa has the best policies but always suffers when it comes to implementation due to many factors including red tape, lack of coordination, not understanding the vision, implementers not understanding mandate, lack of resources and finances and other related constraints. Thus, it is important that the B-BBEE Commission is properly and sufficiently resourced with the funds, assets and people with the requisite skill and expertise to deliver on the mandate.

3. Our Brand Promise

‘An inclusive economy for all, together’

Inclusive – refers to equal participation, equitable opportunities for of all, and benefits experienced by every section of the society across South Africa. This generally implies a link of macroeconomic and microeconomic factors of the economy for inclusivity to materialize.

Economy - entails the state of the country in terms of production, distribution and consumption of goods and services in a particular geographic region. It is imperative for the country to grow its economy through internal production and distribution of goods locally and internationally, and there is a need for a strong trade investment arm within government that will not only identify markets for locals, but will also ensure sustainability.

Together – forging and forming relations, working as teams and partnering with others to achieve end goal – private sector, government, labour and civil society - no one should be left behind as we strive for an inclusive economy for all. This economy must effectively benefit all of us, thus we should work towards the same vision as outlined in the NDP, and in line with goals and targets set by Cabinet from time to time.

4. Our Values

Our operational environment presents various challenges for us, and this include lack of proper corporate governance, fronting tendencies, falsification of empowering credentials, misrepresentation of facts to secure contracts and quick fix solutions to empowerment, all of which present a fertile ground for unethical conduct in and outside the public sector. Having considered this environment and our goal of operating a credible and effective regulatory entity, we have agreed and committed ourselves to live by the following equally important values:

Value 1: An inclusive economy is our first consideration

- Our first priority and commitment is our national economic interests
- Our stakeholders are key to us achieving our economic goals

Value 2: Open access and availability to all economic citizens

- We offer swift turnaround times guided by our service standards
- We offer fair and consistent redress within the legislative parameters
- We offer quick responses as we do not own any red tape

Value 3: Impartiality

- We act without favour, fear, bias or prejudice
- We handle all matters objectively in living our purpose
- We respect confidentiality within the law

Value 4: Consistency

- We provide clear directions and reliable guidance
- We provide decisions and advice that is consistent

Value 5: Accountability for all decisions and actions taken by us

- We uphold and respect all decisions and actions taken by our entity
- We trust all staff to serve stakeholders diligently and professionally
- We take responsibility for our actions

Value 6: Zero Tolerance for corruption

- We are committed to proper governance
- We are transparent in all dealings
- We do not tolerate any corruption

5. Legislative and Other Mandates

5.1 Legislative Mandate

We are established by Section 13B of Act 46 of 2013 and we have jurisdiction throughout the South Africa. We must be impartial and perform our functions without fear, favour or prejudice, in the most cost-effective manner and in accordance with the values and principles mentioned in section 195 of the Constitution. In terms of Section 13E, we are financed from money that is appropriated by Parliament for the B-BBEE Commission, and money lawfully received from any other source. The Auditor-General is mandated to audit our financial records every year.

Section 13F articulates our functions as follows:

- To oversee, supervise and promote adherence to the Act in the interest of the public;
- To strengthen and foster collaboration between the public and private sector in order to promote and safeguard the objectives of broad-based black economic empowerment;
- To receive complaints relating to broad-based black economic empowerment in accordance with the Act;
- To investigate, either on its own initiative or in response to complaints received, any matter concerning broad-based black economic empowerment;
- To promote advocacy; access to opportunities and educational programmes and initiatives of broad-based black economic empowerment;
- To maintain a register of major broad-based black economic empowerment transactions, above a threshold determined by the Minister in the Gazette;
- To receive and analyse such reports as may be prescribed concerning broad-based economic empowerment compliance from organs of state, public entities and private sector enterprises;
- To promote good governance and accountability by creating an effective environment for the promotion and implementation of broad-based black economic empowerment;
- To exercise such other powers which are not in conflict with the Act as may be conferred on the B-BBEE Commission in writing by the Minister; and
- Increase knowledge of the nature and dynamics and promote public awareness of matters relating to broad-based black economic empowerment by implementing

education and awareness measures, providing guidance to the public and conducting research on matters relating to its mandate and activities.

Our strategic focus areas are derived from the mandate in Section 13F, with the resources made available in accordance with Section 13E and takes into account all responsibilities under the Constitution and the PFMA governing organs of state and public entities.

The Act and the codes clearly outline the imperatives that the performance of our mandate must make an impact on, and in terms of which transformation progress should be measured, namely:

- Ownership
- Management Control
- Enterprise and Supplier Development
- Skills Development
- Socio-Economic Initiatives

5.2 Policy Context

South Africa's first democratic government was elected in 1994 with a clear mandate to redress the inequalities of the past in every political, social and economic sphere. Government embarked on a comprehensive process to provide legislative framework for the transformation of the South African economy following the adopting of the B-BBEE Strategy. Act 53 of 2003 was promulgated to advance economic transformation and enhance economic participation of black people in the economy. The Black Industrialist Policy that is aimed at creating black industrialists in the relevant and priority sectors of the economy, has been recently adopted.

We therefore derive our policy mandate from the B-BBEE Policy and Strategy, the B-BBEE Act, including the regulations and codes administered by **the dti**, a national department responsible for the B-BBEE policy and legislation. We are therefore guided by the following, amongst other things:

- National Development Plan
- B-BBEE Policy and Strategy
- Industrial Policy Action Plan
- Black Industrialist Policy
- New Growth Path
- **the dti** Medium Term Strategic Plan

Further, having considered the broader policy environment, we have identified relevance in the policy mandate of the National Planning Commission, as well as policies informing the establishment and operation of other regulatory entities such as Companies and Intellectual

Property Commission, Small Enterprise Development Agency, Companies Tribunal, Takeover Regulation Panel, Competition Commission, South African Revenue Service and the Special Investigations Unit.

Legislative and legal prescripts relevant in supporting the B-BBEE Act and our operation of include the following:

- Constitution of the Republic of South Africa, 1996
- B-BBEE Act (Act 53 of 2003 and Act 46 of 2013)
- B-BBEE Codes of Good Practice, 2013 (implementation framework of the B-BBEE Act)
- B-BBEE Regulations (to be published)
- Public Finance Management Act (Act 1 of 1999, including Treasury Regulations and Directives)
- Preferential Procurement Policy Framework Act (Act 5 of 2000)
- Promotion of Equality and Prevention of Unfair Discrimination Act (Act 52 of 2002)
- Employment Equity Act (Act 55 of 1998)
- National Empowerment Fund Act (Act 105 of 1998)
- Promotion of Access to Information Act (Act 2 of 2000)
- Promotion of Administrative Justice Act (Act 3 of 2000)
- Companies Act (Act 71 of 2008)
- Competition Act (Act 89 of 1998)
- Special Investigating Units and Special Tribunals Act (Act 74 of 1996)

5.3 Policy mandates

Not applicable

5.4 Relevant court rulings

Not applicable

5.5 Planned policy initiatives

Not applicable

6. Situational analysis

6.1 *Performance environment*

Delays in the establishment of the B-BBEE Commission mean that this Strategic Plan is for FY2016/17 to FY2020/2021. The Acting Commissioner was appointed on 1 August 2015 to commence the process to establish the B-BBEE Commission. The Acting Commissioner created the Establishment Team to fast-track the set-up process, and the team consists of five (5) people from the Consumer and Corporate Regulation Division reporting to the Acting Commissioner, and one person assigned from the BEE Unit. A preliminary budget was defined, approved and allocated for establishment purposes based on the implementation plan developed. Several media reports indicate confusion and frustration regarding the delay in establishing the B-BBEE Commission.

A consultative and inclusive process leading to the delivery of this Strategic Plan and Annual Performance Plan commenced in October and was concluded in November 2015, to also inform the development of the business case for submission to National Treasury. Parallel to this process was the development of the organizational structure, with four (4) critical positions approved and advertised. Further, processes for the development of corporate identity and image, website, email communication addresses and domain names commenced and have been completed. Significant progress made on organisational design, development of organisational policies and procurement of office space, amongst others.

Additionally, terms of reference for the Audit Committee, Risk and ICT Committee, HR and Remuneration Committee, Legal and Compliance Committee and the Enforcement Committee were developed and approved, and the nomination process for recruitment of the members has commenced, currently finalising shortlisting and interviewing. This aims to ensure solid governance of the B-BBEE Commission in all its operations. Working relationships were developed with the B-BBEE Advisory Council and BEE Unit of **the dti**.

Stakeholder identification and analysis process was done, and communication initiated with information sessions, roundtables, meetings and media sessions held. Further, the Acting Commissioner reached out to state owned entities with one on one meetings held with some of the state owned entities. Areas of regulatory cooperation have been identified, described for the Companies Tribunal, the Takeover Regulation Panel, the Competition Commission, and others are in the process of being engaged.

Although the B-BBEE Commission is in the process of being established, the Office of the Commissioner is already receiving and dealing with matters relevant for the B-BBEE Commission under the Act, and several meetings with stakeholders are held on specific alleged violation of the Act. Correspondence to and from the Office of the Commissioner are

recorded. The regulations to give effect to the Act had not been developed, and this process has commenced.

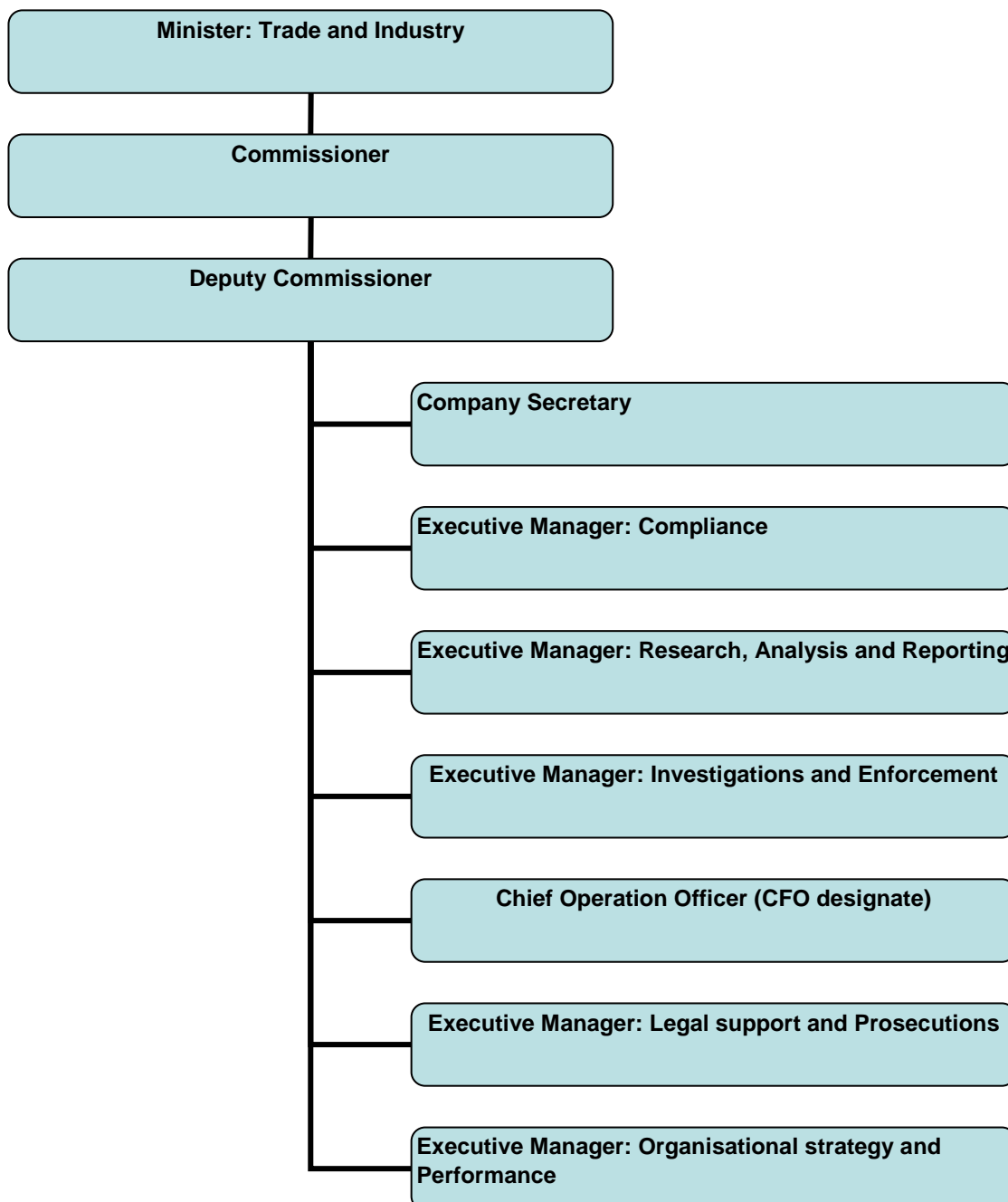
With the allocation of budget for the establishment phase, it is anticipated that the B-BBEE Commission will be operational by 4 April 2016. Meetings have been held with the National Treasury and **the dti** for the listing process, the allocation of budget, and submission of requisite documentation for the establishment of the B-BBEE Commission. It is anticipated that the B-BBEE Commission will be listed under the PFMA early 2016/2017 FY. It is expected that the allocation of the budget for the period 2016/17 FY will be from the allocation of **the dti**, with a direct allocation from the National Treasury taking effect from 2017/2018 FY.

6.2 *Organisational environment*

The B-BBEE Commission is still in the establishment phase and it will open its doors on 4 April 2016 where processes including structural approval and recruitment processes will have been put in place. The challenge facing the organisation include the ability to secure funding and attract skilled and experienced people with requisite expertise who will hit the ground running upon joining the organisation. The work of the B-BBEE Commission is highly specialized and technical.

Further, as our mandate is throughout the country, efficiency and effectiveness is key to reaching all corners of South Africa through creative and user-friendly means, and make the necessary impact. We will operate in a cost-effective manner, use tax-payers' money with the necessary diligence and utmost care, and in a manner that will not add to compliance and regulatory reporting burden. High level operational systems and tools are necessary.

The Organisational Structure shown below is based on the defined strategic goals of the B-BBEE Commission informed by our mandate in the Act, taking into account the fiscal constraints. We are building the structure to meet the requirement over the initial planning period, and it is expected that this structure will be reviewed upon implementation with updates and changes where necessary to fully carry out the mandate. The organisational design process is being finalized.



6.3 *Description of the strategic planning process*

We conducted an extensive strategic and annual performance planning session facilitated by an external party to ensure objectivity and focus, and in accordance with the guidelines provided for public entities. This was preceded by the initial assessment of the requirements, the mandate, the context, the policy framework, the necessary drivers, and the delivery model.

One-on-one engagements were held with critical role players, including consultations with the policy division of **the dti**, the Director General of **the dti**, and the Minister, on the purpose, rationale and expectations for creation of the B-BBEE Commission, and the intended impact. Workshops on the Act and the codes were conducted with the BEE Unit of **the dti**. Benchmark and comparison was done with other similar regulatory entities.

Initial input was gathered from the participants regarding the Strengths, Weaknesses, Opportunities and Threats (SWOT) of the B-BBEE implementation in the past with additional information provided by the Acting Commissioner. The B-BBEE Act was inspected, interrogated and understood by all participants prior to the strategic planning session. The fact that regulations have not been finalised was noted as a possible obstacle to timely commencement of operations, and that the Office of the Commissioner has taken the lead for the development and finalization of the regulations with the Consumer and Corporate Regulation Division.

The process followed in the development of this strategy was explained and clarified, and understood by all participants over the period to build the strategy. Mission, Vision, Brand Promise and Values were described. The process then progressed to Strategic Goals definition with necessary revisits and revisions. For each goal, Strategic Objectives were defined, along with their Outputs (deliverables). High level Performance Measures for each Output were agreed, and then Actions were described over the upcoming financial years' quarters and forward for the following four years.

This directly informed the organisational structure and budget requirement. Additionally, the additional components for the Annual Performance Plan were built. All participants were given the opportunity to further review the strategic plan and make comments and suggestions. The result is a developed strategic plan, with buy-in from the participating team.

6.4 Strategic outcome oriented goals of the entity

The B-BBEE Commission seeks to support both the NDP 2030 vision, as well as **the dti**, as follows:

Strategic Goals	Strategic Goal Statement
1. Safeguarding the outcomes of an inclusive economy	<p>Supports NDP Outcome 4 – decent employment through inclusive growth.</p> <p>Facilitate broad-based economic empowerment through targeted interventions to achieve more inclusive growth.</p>
2. Implementing corrective enforcement to achieve compliance	<p>Supports NDP Outcome 11 – Create a better South Africa and a better world.</p> <p>Create a fair regulatory environment that enables transformational development in an equitable and socially responsible manner</p>
3. Researching, analyzing and reporting on the state of transformation	<p>Provides trend and other in-depth analysis in easy to read formats to measure both the success of the Commission and transformation gains across South Africa.</p> <p>Facilitate broad-based economic empowerment through targeted interventions to achieve more inclusive growth.</p>
4. Collaborating with relevant stakeholders to advance transformation	<p>Extends relationships with key stakeholders for the betterment of the economy in relation to B-BBEE</p> <p>Supports NDP Outcome 12 – An efficient, effective and development-oriented public service</p> <p>Promote a professional, ethical, dynamic competitive and customer-</p>

	<p>focused working environment that ensures effective and efficient service delivery</p> <p>Create a fair regulatory environment that enables transformational development in an equitable and socially responsible manner</p>
5. Developing capability and capacity of the Commission to deliver on its mandate	<p>Supports NDP Outcome 12 – An efficient, effective and development-oriented public service</p> <p>Promote a professional, ethical, dynamic competitive and customer-focused working environment that ensures effective and efficient service delivery</p>

Part B: Strategic objectives

The B-BBEE Commission is formed to contribute to the acceleration of economic transformation. The B-BBEE Commission has formulated strategic objectives to meet its mandate. Being its first five-year Pplan, changes are anticipated within this period as start-up activities end and the entity matures. This has been taken into account in the operational strategy, including phasing activities over the period. The following programmes are seen as key to achieve in the short to medium term.

7. Programme 1: Compliance

The strategic goal of programme 1 is *to safeguard the outcomes of an inclusive economy*.

7.1 Strategic objective description

Strategic objective	Description	Outputs / deliverables
Educate all stakeholders in the purpose and vision and implementation to achieve an all-inclusive economy	Ensure that all stakeholders are aware of both the purpose of the B-BBEE Commission and the Act. It will ensure the B-BBEE Commission's image is visible by providing media relations management, public relations activities, educational and	Communication Plan
		Education and awareness Materials

	visionary messages.	
Guide the implementation of the Act	The Commission will provide answers to specific queries and requests for advice, as well as formulating directives, explanatory notes and clarification on the approach and interpretation where required.	Advisory Opinions
		Practice Notes
		Guidelines
Assess B-BBEE Transactions and provide advice	Compliance checks prior to deals being completed to reduce the number of violations. By registering B-BBEE transactions, the B-BBEE Commission will have a handle on the number of transactions, extent and rate of compliance and be able to advise appropriately. Initially levels of leniency may be applied for stakeholders to divulge deals and become compliant.	Compliance with the Act and Corporate Governance
		Register of B-BBEE Transactions
Provide support and assistance programme to better understand stakeholder issues	Develop a sophisticated and effective contact centre, that is simple to use, and can be accessed through many channels with defined Service level Agreements.	Advisory Contact Centre
Make achievement of transformation goals more rewarding	Provide incentives across all stakeholders to outperform the minimum requirements.	B-BBEE awards programme
		Success Story Journal

Strategic Objective	Educate all stakeholders in the purpose and vision and implementation to achieve an all-inclusive economy
Objective Statement	1.1 Delivery of the Communication Plan (planned to actual)
Baseline	New measure

Strategic Objective	Educate all stakeholders in the purpose and vision and implementation to achieve an all-inclusive economy
Objective Statement	1.2 Percentage of education materials produced by the Commission with Fog Index of 8 or less
Baseline	New measure

Strategic Objective	Guide implementation of the Act
Objective Statement	1.3 Requests for advice are documented in writing to the person who raised them within 30 working days of receipt
Baseline	New measure

Strategic Objective	Guide implementation of the Act
Objective Statement	1.4 Practice Notes are issued twice a year to all stakeholders on both hard copy and electronically
Baseline	New measure

Strategic Objective	Assess B-BBEE Transactions and provide advice
Objective Statement	1.5 Compliance with the Act and Corporate Governance by ensuring the process to become compliant is followed by non-compliant registrations
Baseline	New measure

Strategic Objective	Assess B-BBEE Transactions and provide advice
Objective Statement	1.6 Register of B-BBEE Transactions is published monthly
Baseline	New measure

Strategic Objective	Provide support and assistance programme to better understand stakeholder issues
Objective Statement	1.7 - Advisory Contact Centre service uptime meets defined limits for telephone, email and walk-ins.
Baseline	New measure

Strategic Objective	Make achievement of transformation goals rewarding
Objective Statement	1.8 - Number of sectors represented in Top 3 B-BBEE awards programme to indicate the reach of the B-BBEE incentive programme. It is important that no undue focus is meted out in any one sector.
Baseline	New measure

7.2 Resource Considerations

The B-BBEE Commission is in the process of finalising its organisational design, which will ensure that adequate resources are employed in order for the entity to deliver on its mandate. The staff complement over the next five years is projected to be as follows, however an increase is also anticipated in areas that are identified to be understaffed and in order to improve service delivery and build capacity for the core functions of the organisation.

Projected Number of Employees	2016/17	2017/18	2018/19	2019/2020	2020/2021
Number of permanent employees	26	30	30	35	35
Number of interns and/ trainees	2	5	5	5	5
Total Staff Complement for the Programme	28	35	35	40	40

7.3 Risk Management

The Strategic Risks cut across all the programmes and strategic objectives and are discussed under paragraph 12.2.

8. Programme 2: Investigations and enforcement

The strategic goal is a programme to implement corrective enforcement to achieve compliance

8.1 Strategic objective description

Strategic objective	Description	Outputs / deliverables
Conduct both proactive and reactive Investigations	Initiate pro and re-active investigations and produce report with recommendations – includes summons, public hearings and raids where required	Report on Investigations
Encourage and guide resolution to disputes	Refer cases for mediation or alternative dispute resolutions for amicable settlements	Settlement Agreements Consent Agreements
Initiate prosecution when necessary	Refer cases for prosecution – include exploring damages award	Cases referred for prosecution

Strategic Objective	Conduct both proactive and reactive Investigations
Objective Statement	2.1 - Number of Investigations Reports completed within a year of registration date (as a percentage of all Investigations Reports)
Baseline	New measure

Strategic Objective	Encourage and guide resolution to disputes
Objective Statement	2.2 - Settlement and Consent Agreements as a percentage of all disputes
Baseline	New measure

Strategic Objective	Initiate prosecution when necessary
Objective Statement	2.3 - Updated register of Cases referred for prosecution
Baseline	New measure

8.2 Resource Considerations

The B-BBEE Commission is in the process of finalising its organisational design, which will ensure that adequate resources are employed in order for the entity to deliver on its mandate. The staff complement over the next five years is projected to be as follows, however an

increase is also anticipated in areas that will be identified to be understaffed and in order to improve service delivery and build capacity for the core functions of the organisation.

Projected Number of Employees	2016/17	2017/18	2018/19	2019/2020	2020/2021
Number of permanent employees	25	25	25	25	25
Number interns and/ trainees	2	3	5	5	5
Total Staff Complement for the Programme	27	28	30	30	30

8.3 Risk Management

The Strategic Risks cut across all the strategic objectives and are discussed under paragraph 12.2.

9. Programme 3: Research, analysis and reporting

The strategic goal of programme 3 is *researching, analyzing and reporting on the state of transformation*

9.1 Strategic objective description

Strategic objective	Description	Outputs / deliverables
Benchmark against best practice	Conduct desktop and study tours to compare, learn best practice and exchange information with reports produced	Benchmark study report
		Exchange Programme
Collect and analyse real time	Collations of data for analysis and monitoring of trends through media and other avenues for production of sector	Sector Reports

data by economic sectors	reports and trend tracking	Real time database trend tracking
Report on National Status and Transformation Trends	Collect, collate and analyse transformation status and trends and produce an annual report for publication	'National Status' Annual Report
Assess impact of Commission's initiatives	Conduct research/impact study, analyse data and produce assessment report on impact	Regulatory Impact Assessment Report

Strategic Objective	Benchmark against best practice
Objective Statement	3.1 Benchmark study report produced annually
Baseline	New measure

Strategic Objective	Collect and analyse real time data by economic sectors
Objective Statement	3.2 Sector Report showing year on year transformation improvement over the B-BBEE elements by sector
Baseline	New measure

Strategic Objective	Report on National Status and Transformation Trends
Objective Statement	3.3 'National Status' Report produced annually (Q1 for previous year)
Baseline	New measure

Strategic Objective	Report on National Status and Transformation Trends
Objective Statement	3.4 Sector Report showing year on year transformation improvement over the B-BBEE elements
Baseline	New measure

Strategic Objective	Assess impact of Commission's initiatives
Objective Statement	3.5 Regulatory Impact Assessment Report showing year on year a decline in the

	factors inhibiting positive change
Baseline	New measure

9.2 Resource Considerations

The B-BBEE Commission is in the process of finalising its organisational design, which will ensure that adequate resources are employed in order for the entity to deliver on its mandate. The staff complement over the next five years is projected to be as follows, however an increase is also anticipated in areas that will be identified to be understaffed and in order to improve service delivery and build capacity for the core functions of the organisation.

Projected Number of Employees	2016/17	2017/18	2018/19	2019/2020	2020/2021
Number of permanent employees	12	12	12	12	12
Number interns and/ trainees	2	4	4	5	5
Total Staff Complement for the Programme	14	16	16	17	17

9.3 Risk Management

The Strategic Risks cut across all the strategic objectives and are discussed under paragraph 12.2.

10. Programme 4: Relationship Building/Stakeholder Relations

The strategic goal of programme 4 is *collaborating with relevant stakeholders to advance transformation*

10.1 Strategic objective description

Strategic objective	Description	Outputs / deliverables
Build mutual relationships with selected partners	Identify partners, set-up meetings, agree on areas of mutual interest and enter into memoranda of agreement/binding agreements	Memoranda of Cooperation
		Binding agreements with enforcement Agencies

Strategic Objective	Build mutual relationships with selected partners
Objective Statement	4.1 Segment stakeholders and for those selected partners, generate stakeholder engagement plans
Baseline	New measure

10.2 Resource Considerations

The Commission is in the process of finalising its organisational design, which will ensure that adequate resources are employed in order for the institution to deliver on its mandate. The staff complement over the next five years is projected to be as follows, however the actual staff complement will be known after the completion of the organisational process, which is currently underway.

Projected Number of Employees	2016/17	2017/18	2018/19	2019/2020	2020/2021
Number of permanent employees	4	4	4	4	4
Number interns and/ trainees	1	2	2	2	2
Total Staff Complement for the Programme	5	6	6	6	6

10.3 Risk Management

The Strategic Risks cut across all the strategic objectives and are discussed under paragraph 12.2.

11. Programme 5: Administration

The strategic objective of programme 5 is *developing capability and capacity of the B-BBEE Commission to deliver on its mandate.*

11.1 Strategic objective description

Strategic objective	Description	Outputs / deliverables
Develop an ICT Strategy and infrastructure	Assess B-BBEE Commission's needs, engage with stakeholders, conduct benchmark study, collate information, confer with stakeholders and develop ICT strategy for approval by Commissioner	ICT 5 year plan
Develop and maintain Support Systems	Agree on priority, confirm resources (human and financial), draft terms of reference, procure/develop systems with input/ approval by user/s	Financial system for leadership decision making and compliance
		Human Resources System
		Performance Management system
Staff the Commission and develop a talent pipeline with capability capacity ahead of demand.	Develop a strategy, identify areas needing capacity, engage with institutions of higher learning, identify interventions, recruit, and induct, place and mentor graduates.	Internship and Trainee Programme

Strategic Objective	Develop an ICT Strategy and infrastructure
Objective Statement	5.1 ICT 5 year plan produced and approved
Baseline	New measure

Strategic Objective	Develop and maintain Support Systems
Objective Statement	5.2 Number of audit qualifications
Baseline	New measure

Strategic Objective	Develop and maintain Support Systems
Objective Statement	5.3 Provision of annual B-BBEE compliance report
Baseline	New measure

Strategic Objective	Develop and maintain Support Systems
Objective Statement	5.4 Percentage of policies approved against the planned policy list in first year
Baseline	New measure

Strategic Objective	Develop and maintain Support Systems
Objective Statement	5.5 Staff Turnover
Baseline	New measure

Strategic Objective	Develop and maintain Support Systems
Objective Statement	5.6 Number of staff with Individual Performance Agreements as a percentage of all staff
Baseline	New measure

Strategic Objective	Staff the B-BBEE Commission and develop a talent pipeline with capability capacity ahead of demand.
Objective Statement	5.7 Number of graduates on Internship and Trainee Programme
Baseline	New measure

11.2 Resource Considerations

The B-BBEE Commission is in the process of finalising its organisational design, which will ensure that adequate resources are employed in order for the entity to deliver on its mandate. The staff complement over the next five years is projected to be as follows, however an increase is also anticipated in order to improve service delivery and also ensure proper segregation of duties within the organisation.

Projected Number of Employees	2016/17	2017/18	2018/19	2019/2020	2020/2021
Number of permanent employees	46	46	46	46	46
Number interns and/ trainees	4	5	6	6	6
Total Staff Complement for the Programme	50	51	52	52	52

11.3 Risk Management

The Strategic Risks cut across all the strategic objectives and are discussed under paragraph 12.2.

Part C: Links to other plans

12. Existing Plans

12.1 Financial Plan

Economic Classification	2016/17 Rm	2017/18 Rm	2018/19 Rm	2019/20 Rm	2020/21 Rm
Compensation of Employees	63 000	66 000	70 000	75 000	81 000
Goods and Services	25 000	26 000	27 000	29 000	31 000
Total operational expenditure	88 000	92 000	97 000	104 000	112 000
Machinery and Equipment	35 000	20 000	10 000	6 000	7 000
Total expenditure	123 000	112 000	107 000	110 000	119 000

12.2 Risk Management Plan

Strategic Risks have been identified and described below with their mitigating actions. The Risk Committee will control the register and updates of both Strategic Risks and Operational Risks.

Risk 1	Failure to develop and implement effective and efficient business systems
Mitigation	1. Align systems, policy and procedures to strategy 2. Resource plans optimally
Risk 2	New ICT infrastructure to support new Commission
Mitigation	1. Develop and implement an ICT strategy aligned to the new 5 year plan
Risk 3	Inability to attract the skill sets required
Mitigation	1. Graduate training scheme – build capacity organically 2. Multiskilling programmes, training and development of resources.

Risk 4	Insufficient financial resources to effectively execute the Commission's mandate
Mitigation	1. Apply for reallocation of the dti budget 2. Scale strategy as appropriate and prioritise 3. Limit communications to those with far-reaching effect on 'cheapest' medium
Risk 5	Lack of effective stakeholder engagement resulting in skewed analyses
Mitigation	1. Implement stakeholders' engagements plan 2. Formulate strategic partnerships
Risk 6	External stakeholders desire to form partnerships and comply with corrective actions to be compliant
Mitigation	1. Education 2. Advisory notes and guidelines 3. Engagement plan

13. Links to the long-term infrastructure and other capital plans

None at current time

14. Conditional grants

Not applicable

15. Public entities

Not applicable

16. Public-private partnerships

Not applicable

Annexure A – Technical indicator descriptions

Strategic Goal 1 - Safeguarding the outcomes of an inclusive economy

Programme 1 - Compliance

Strategic Objective	Educate all stakeholders in the purpose and vision and implementation to achieve an all-inclusive economy
Indicator title	1.1 Delivery of the Communication Plan (planned vs actual)
Short definition	The Communication Plan should cover all sectors of the economy and include an engagement plan for educating all stakeholders, for the strategy period
Purpose/importance	The purpose is to ensure all stakeholders are covered in the B-BBEE Commissions' communications. This is important to ensure full and effective coverage of education endeavors.
Source/ collection of data	The plan is generated internally by the B-BBEE Commission and held in a document describing the frequency, audience, media and content of communications. Communications against the plan are stored centrally within the B-BBEE Commission's system.
Method of calculation	Percentage of published communications against the planned communications in a year
Data limitations	External printing delays may move a count into a following period. The count should be limited to communications received by the audience in the measured period. Definition of the sectors is required.
Type of indicator	Outputs
Calculation type	Non-cumulative
Reporting cycle	Annually
New Indicator	New
Desired performance	Target or higher
Indicator Responsibility	Executive Manager: Compliance and Executive Manager: Organizational Strategy & Performance

Strategic Objective	Educate all stakeholders in the purpose and vision and implementation to achieve an all-inclusive economy
Indicator title	1.2 Percentage of education materials produced by the B-BBEE Commission with Fog Index of 8 or less

Short definition	The B-BBEE Commission must provide electronic and printed materials in alignment with the B-BBEE Act in an easy to read format relevant to the audience.
Purpose/importance	Relevant educational information must be made available to all audiences in order to educate stakeholders in the purpose and vision of the B-BBEE Act. Understanding this will aid in the overall spirit of B-BBEE goals.
Source/ collection of data	Education materials may be outsourced or produced internally by B-BBEE Commission staff.
Method of calculation	Utilise the Fog Index methodology to ensure the materials are understandable. The outside limit is a level of 8.
Data limitations	None
Type of indicator	Outcome
Calculation type	Non-cumulative
Reporting cycle	Quarterly
New Indicator	New
Desired performance	A lower Fog Index is desirable
Indicator Responsibility	Executive Manager: Compliance and Executive Manager: Organizational Strategy & Performance

Strategic Objective	Guide implementation of the Act
Indicator Title	1.3 Requests for advice are documented in writing within 30 working days of receipt.
Short definition	Advisory Opinions are generated in response to requests for advice on B-BBEE issues. These must be registered, investigated and feedback to requestor within the specific number of days.
Purpose/importance	The purpose is to ensure all stakeholders' queries are dealt with in a timely manner by issuing advisory opinions in response to all queries.
Source/ collection of data	All requests for advice are recorded centrally with date received, date of feedback and date closed (finalised).
Method of calculation	Percentage of Advisory Opinions meeting the 30 working day limit against all requests for advice.
Data limitations	None
Type of indicator	Outputs
Calculation type	Non-cumulative
Reporting cycle	Quarterly

New Indicator	New
Desired performance	100%
Indicator Responsibility	Executive Manager: Compliance

Strategic Objective	Guide implementation of the Act
Indicator Title	1.4 Explanatory Notes must be issued twice a year to all stakeholders on both hard copy and electronically
Short definition	Practice notes provide feedback to stakeholders to clarify any areas of the B-BBEE Act which may require it.
Purpose/importance	The purpose is to ensure all stakeholders receive further clarification on various parts of the Act as required.
Source/ collection of data	The B-BBEE Commission collates the relevant topics for the Practice Notes based on areas raised by stakeholders, informed by advisory topics and internal research
Method of calculation	Number of Practice Notes issued per year.
Data limitations	None
Type of indicator	Outputs
Calculation type	Cumulative
Reporting cycle	Annually
New Indicator	New
Desired performance	Additional Practice Notes over two could be deemed an improvement, if quality is maintained.
Indicator Responsibility	Executive Manager: Compliance

Strategic Objective	Assess B-BBEE Transactions and provide advice
Indicator title	1.5 Compliance with the Act and Corporate Governance
Short definition	The B-BBEE Commission is charged with assuring that BEE transactions comply with the B-BBEE and Companies Acts.
Purpose/importance	The purpose is to ensure all B-BBEE transactions are legal in respect of the law. It is important that the B-BBEE Commission drive compliance and best practice.
Source/ collection of data	All B-BBEE transactions registered with the B-BBEE Commission will be audited internally. Non-compliance will be dealt with in terms of specific procedures.
Method of calculation	Percentage of all non-compliant transactions showing adherence to the defined process to become compliant.
Data limitations	Only those B-BBEE transactions above the gazette threshold, that are registered, can be measured.
Type of indicator	Outputs
Calculation type	Non-Cumulative
Reporting cycle	Annually
New Indicator	New
Desired performance	All non-compliant transactions should be following the defined steps so 100% is desirable.
Indicator Responsibility	Executive Manager: Compliance

Strategic Objective	Assess B-BBEE Transactions and provide advice
Indicator Title	1.6 Register of B-BBEE Transactions
Short definition	The B-BBEE Commission is charged with registering all B-BBEE transactions(above threshold) which should be published electronically
Purpose/importance	The purpose is to ensure transparency of all B-BBEE transactions (above threshold)
Source/ collection of data	All B-BBEE transactions registered with the B-BBEE Commission will be placed on the B-BBEE Transaction Register
Method of calculation	B-BBEE register to be updated monthly and published on website. Email notifications will be sent to all stakeholders directing them to website.

Data limitations	Only those B-BBEE transactions above the gazette threshold, that are registered, can be measured.
Type of indicator	Outputs
Calculation type	Non-Cumulative
Reporting cycle	Quarterly
New Indicator	New
Desired performance	A monthly update must be published
Indicator Responsibility	Executive Manager: Compliance and Executive Manager: Organizational Strategy & Performance

Strategic Objective	Provide support and assistance programme to better understand stakeholder issues
Indicator title	1.7 Advisory Contact Centre service uptime
Short definition	A centralised contact point running efficient front-line access for stakeholders' queries over a number of channels, monitored by a unique reference number
Purpose/importance	The purpose is to negate difficulties in reaching the B-BBEE Commission and gaining information.
Source/ collection of data	The Advisory Centre systems
Method of calculation	Number of email queries with an automatic reply with unique reference within one hour of receipt, divided by the total number of email queries multiplied by 100. Number of walk-ins helped each day divided by the number turned away multiplied by 100 Number of telephone calls answered within 3 rings divided by the total number of telephone calls multiplied by 100 Average above three percentages to get uptime
Data limitations	Analytical ability of the Contact Centre systems
Type of indicator	Outputs
Calculation type	Non-Cumulative
Reporting cycle	Quarterly
New Indicator	New
Desired performance	100%

Indicator Responsibility	Executive Manager: Compliance
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Strategic Objective	Make achievement of transformation goals rewarding
Indicator Title	1.8 Number of sectors represented in Top 3 B-BBEE awards programme
Short definition	The reach of the B-BBEE incentive programme should be across all industries. It is important that no undue focus is meted out in any one sector
Purpose/importance	The purpose is to ensure all sectors are benefitting from the B-BBEE Commissions efforts
Source/ collection of data	Nominations for the annual awards
Method of calculation	Count of the different sectors in the top 3 awardees.
Data limitations	Awardees must divulge the sector in which they enter the awards
Type of indicator	Outputs
Calculation type	Non-Cumulative
Reporting cycle	Annually
New Indicator	New
Desired performance	At least 2 sectors should be represented
Indicator Responsibility	Executive Manager: Organizational Strategy & Performance

Strategic Goal 2: Implementing corrective enforcement to achieve compliance

Programme 2: Investigations and Enforcement

Strategic Objective	Conduct both proactive and reactive Investigations
Indicator Title	2.1 Number of Investigations Reports completed within a year of registration date (as a percentage of all Investigations Reports)
Short definition	Investigation reports must be registered, tracked, investigated, feedback and closed so that the person with the query feels the value-add service being provided by the Commission
Purpose/importance	The efficiency of the B-BBEE Commission to deal with queries in a timely fashion is of paramount importance.
Source/ collection of data	Database

Method of calculation	Days between Date of registration to Date of closure of each report should be less than 365 as a percentage of all Investigative reports
Data limitations	Accurate dates must be captured and stored
Type of indicator	Activities
Calculation type	Non-cumulative
Reporting cycle	Annual
New Indicator	New
Desired performance	100%
Indicator Responsibility	Executive Manager: Investigations & Enforcement

Strategic Objective	Encourage and guide resolution to disputes
Indicator Title	2.2 Settlement and Consent Agreements as a percentage of all disputes
Short definition	The objective is to try and resolve disputes before prosecution.
Purpose/importance	The desire is to get to settlement or consent agreement in preference to prosecution.
Source/ collection of data	Database
Method of calculation	Number of disputes reaching settlement and consent agreements, as a percentage of all disputes
Data limitations	The database should be able to track the outcome of the dispute in order to
Type of indicator	Outcome
Calculation type	Non-cumulative
Reporting cycle	Annual
New Indicator	New
Desired performance	The higher the percentage, the better the performance
Indicator Responsibility	Executive Manager: Investigations & Enforcement

Strategic Objective	Initiate prosecution when necessary
Indicator Title	2.3 Updated register of cases referred for prosecution
Short definition	When consensus cannot be reached, it is necessary to hand over disputes for prosecution. The register of these disputes needs to be tracked and kept up to date.
Purpose/importance	The B-BBEE Commission is interested in the closure of all disputes. Those going to external parties for prosecution need to be tracked until closure
Source/ collection of data	Register
Method of calculation	The register must be published quarterly
Data limitations	Desire of the prosecuting authority to keep the B-BBEE Commission informed on progress of all cases it is assigned
Type of indicator	Outcomes
Calculation type	Non-cumulative
Reporting cycle	Quarterly
New Indicator	New
Desired performance	1 publication per quarter
Indicator Responsibility	Executive Manager: Investigations & Enforcement

Strategic Goal 3: Researching, analyzing and reporting on the state of transformation

Programme 3: Research, Analysis & Reporting

Strategic Objective	Benchmark against best practice
Indicator Title	3.1 Benchmark study report produced annually
Short definition	The B-BBEE Commission must produce a report benchmarking the progress and implementation of SA's B-BBEE policy against the best practice coming from other countries
Purpose/importance	It is important that the B-BBEE Commission keeps abreast of the best practice in the description and implementation of policies like B-BBEE. This will ensure that South Africa has the best to ensure the overall goals of an inclusive economy.
Source/ collection of data	Existence of the annual report
Method of calculation	The number of Benchmark Study reports produced in a financial year

Data limitations	Availability of the best practice data for comparison
Type of indicator	Output
Calculation type	Cumulative
Reporting cycle	Annually
New Indicator	New
Desired performance	One
Indicator Responsibility	Research And Analysis Executive Manager

Strategic Objective	Collect and analyse real time data by economic sectors
Indicator Title	3.2 Sector Report showing year on year transformation improvement over the B-BBEE elements
Short definition	A published report outlining the performance of each sector across the B-BBEE elements. The scores should be compared to previous year to show a constant improvement
Purpose/importance	The reach of the B-BBEE Commission's involved should be felt across each sector and all elements. This report will collate the information with comparisons to previous years
Source/ collection of data	The databases held by the B-BBEE Commission and other entities are to hold the overall results of the sectors performance across the B—BBEE elements.
Method of calculation	Number of Sector reports published
Data limitations	Availability of the data from each sector
Type of indicator	Impact
Calculation type	Cumulative
Reporting cycle	Annual
New Indicator	New
Desired performance	One per year
Indicator Responsibility	Executive Manager : Research, Analysis & Reporting

Strategic Objective	Collect and analyse real time data by economic sectors
Indicator Title	3.3 'National Status' Report produced annually
Short definition	A report of the B-BBEE status as a nation
Purpose/importance	Feedback to the stakeholders as to the status and reach of the B-BBEE Commission's work
Source/ collection of data	Databases
Method of calculation	Number of reports published
Data limitations	Content to produce the report may need to be sourced externally
Type of indicator	Impact
Calculation type	Cumulative
Reporting cycle	Annual
New Indicator	New
Desired performance	One per year (published in the first quarter of the next financial year)
Indicator Responsibility	Executive Manager : Research, Analysis & Reporting

Strategic Objective	Increasing trend of B-BBEE ownership in listed and non-listed companies
Indicator Title	3.4 'National Status' Report produced annually
Short definition	The implementation of the B-BBEE Act can be measured by examining the equity that black people own and the movement of black people in management and decision making structures, in key organisations.
Purpose/importance	The ownership of black people in organisations is seen as a key marker of the impact of B-BBEE policy. The upward trend of ownership equity is desirable each year.
Source/ collection of data	The JSE (Johannesburg Stock Exchange) publishes ownership equity figures of listed companies. A selection of other key companies must be included from the private sector.
Method of calculation	The percentage of black ownership equity over all equity
Data limitations	Availability of private sector information
Type of indicator	Impact

Calculation type	Non-cumulative
Reporting cycle	Annual
New Indicator	New
Desired performance	The equity holding and management control should be increasing over time
Indicator Responsibility	Executive Manager : Research, Analysis & Reporting

Strategic Objective	Assess impact of B-BBEE Commission's initiatives
Indicator Title	3.5 Regulatory Impact Assessment Report showing a year on year decline in the factors inhibiting positive change
Short definition	The B-BBEE Commission is to produce a report annually highlighting the factors inhibiting positive change, according to the 5 elements of B-BBEE
Purpose/importance	It is vital that the B-BBEE Commission shares the challenges and successes of its initiatives with its stakeholders.
Source/ collection of data	databases
Method of calculation	Number of Impact assessment Reports in a year
Data limitations	Availability of data from external sources and objective interpretation of the B-BBEE position
Type of indicator	Impact
Calculation type	Non-cumulative
Reporting cycle	Annual
New Indicator	New
Desired performance	One
Indicator Responsibility	Executive Manager : Research, Analysis & Reporting

Strategic Goal 4: Collaborating with relevant stakeholders to advance transformation

Programme 4: Relationship Building/Stakeholder Relations

Strategic Objective	Build mutual relationships with selected partners
Indicator Title	4.1 Segment stakeholders for those selected partners and generate stakeholder engagement plans
Short definition	The B-BBEE Commission must engage with partners to form relationships that are mutually beneficial to aid in the achievement of the B-BBEE goals. By selecting stakeholders and developing plans to work closely together is the first step in the process
Purpose/importance	The implementation and success of the B-BBEE initiatives cannot be done by the B-BBEE Commission alone. Key stakeholders need to play an role in understanding, advocating and implementing
Source/ collection of data	Internal selection of stakeholders and generation of an individual plan to engage with the entity
Method of calculation	A list of selected stakeholders must exist and a plan for each one must exist. The calculation is the percentage of existing plans for stakeholders all selected stakeholders
Data limitations	None
Type of indicator	Output
Calculation type	Non-cumulative
Reporting cycle	Annual
New Indicator	New
Desired performance	100%
Indicator Responsibility	Executive Manager: Organisational Strategy and Performance

Strategic Goal 5: Developing capability and capacity of the B-BBEE Commission to deliver on its mandate

Programme 5: Administration

Strategic Objective	Develop an ICT Strategy and infrastructure
Indicator Title	5.1 ICT 5 year plan produced and approved
Short definition	The ICT plan will describe the infrastructure, application, data and security layers required to support the Commission's activities
Purpose/importance	The Commission relies heavily on ICT for the storage of information for its activities. It is a major budget item and should be closely managed to the plan.
Source/ collection of data	ICT plan should be available electronically for all Committees and internal stakeholders
Method of calculation	The plan should be updated annually, approved and be readily available.
Data limitations	None
Type of indicator	Activities
Calculation type	Non-cumulative
Reporting cycle	Annual
New Indicator	New
Desired performance	One approved plan
Indicator Responsibility	Chief Operations Officer

Strategic Objective	Develop and maintain Support Systems
Indicator Title	5.2 Number of audit qualifications
Short definition	The total number of audit qualifications as obtained from the Auditor General's audit report.
Purpose/importance	The Commission strives for excellence in all it does. It is passionate about compliance and strives for clean audits
Source/ collection of data	Auditor General audit report
Method of calculation	Total number of audit qualifications
Data limitations	None

Type of indicator	Outcome
Calculation type	Non-cumulative
Reporting cycle	Annual
New Indicator	New
Desired performance	0
Indicator Responsibility	Chief Operations Officer

Strategic Objective	Develop and maintain Support Systems
Indicator Title	5.3 Provision of annual B-BBEE compliance report
Short definition	The B-BBEE compliance report is mandated.
Purpose/importance	The Commission must comply with all legislative and regulatory requirements. This report is one of these
Source/ collection of data	Internal
Method of calculation	The publication of the report in the required timeframe
Data limitations	None
Type of indicator	Output
Calculation type	Non-cumulative
Reporting cycle	Annually
New Indicator	New
Desired performance	One
Indicator Responsibility	Executive Manager: Organisational Strategic & Performance

Strategic Objective	Develop and maintain Support Systems
Indicator Title	5.4 Percentage of policies approved against the planned policy list in first year
Short definition	As a start-up, the B-BBEE Commission must write and get approved a set of policies to govern its activities.
Purpose/importance	The importance of approved policies must be stressed as these aid in the governance of the B-BBEE Commission and form the basis of any grievance
Source/ collection of data	Internal approved and published policies
Method of calculation	Number of approved policies divided by the number of planned policies

Data limitations	None
Type of indicator	Activities
Calculation type	Non-cumulative
Reporting cycle	Quarterly
New Indicator	New
Desired performance	100%
Indicator Responsibility	Chief Operations Officer

Strategic Objective	Develop and maintain Support Systems
Indicator Title	5.5 Staff Turnover
Short definition	The B-BBEE Commission must strive for a low staff turnover
Purpose/importance	A stable and motivated workforce is paramount to the operations of the B-BBEE Commission and the achievement of its goals.
Source/ collection of data	
Method of calculation	Number of resignations of permanent employees divided by the total number of permanent employees as at 31 March multiplies by 100
Data limitations	None
Type of indicator	Outcome
Calculation type	Non-cumulative
Reporting cycle	Annual
New Indicator	New
Desired performance	The lower the percentage the better
Indicator Responsibility	Chief Operations Officer

Strategic Objective	Develop and maintain Support Systems
Indicator Title	5.6 Number of staff with Individual Performance Agreements as a percentage of all staff, in required timeframe
Short definition	All staff must be clear on their contribution to the overall objectives of the B-BBEE Commission
Purpose/importance	Staff with clear objectives make for a motivated workforce. Having a measurable performance agreement is the tool used to ensure participation in the overall goals of the B-BBEE Commission.

Source/ collection of data	Performance Management System
Method of calculation	Current staff members should have a Performance Agreement by the end of the first quarter (31 May 2016). New recruits must have a Performance Agreement within 3 months of appointment. Counting all staff with Performance agreements divided count of all staff, divided by 100
Data limitations	None
Type of indicator	Efficiency
Calculation type	Non-cumulative
Reporting cycle	Quarterly
New Indicator	New
Desired performance	100%
Indicator Responsibility	Chief Operations Officer

Strategic Objective	Staff the B-BBEE Commission and develop a talent pipeline with capability capacity ahead of demand.
Indicator Title	5.7 Number of graduates on Internship and Trainee Programme
Short definition	The Internship and Trainee Programme exists to ensure steady growth of the available resource base for both the Commission and South Africa at large
Purpose/importance	Growing young people organically into the values and vision of the B-BBEE Commission is a future-proof mechanism to ensure the success of the B-BBEE Commission
Source/ collection of data	Human Resource records
Method of calculation	Count of the number of graduates on an official B-BBEE Commission programme divided by the number of total staff of the B-BBEE Commission
Data limitations	None
Type of indicator	Capacitation
Calculation type	Non-Cumulative
Reporting cycle	Quarterly
New Indicator	New
Desired performance	The level is dependent on the available budget to support the graduates.
Indicator Responsibility	Chief Operations Officer