Implementation of the Sector Oversight Model in South Africa: Challenges, Progress, and Implications for Legislative Accountability

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ABSTRACT

The Constitution of the Republic of South Africa mandates the National Assembly and provincial legislatures to exercise oversight over the executive and ensure accountability in the utilisation of public resources. To strengthen legislative oversight and promote accountability, the South African Legislative Sector adopted the Sector Oversight Model (SOM) in 2012 as a uniform framework to guide oversight practices across legislatures in South Africa. The SOM seeks to enhance the effectiveness, consistency, and coordination of oversight activities while supporting legislatures in fulfilling their constitutional responsibilities. Despite its potential to improve accountability, oversight and governance, the implementation of the SOM has been uneven across legislatures. This review article examines the implementation of the SOM in South Africa by analysing legislative documents, institutional reports, and relevant literature. The study identifies key implementation challenges, including inadequate financial and human resources, capacity constraints among committee support staff, inconsistent application of oversight tools, limited oversight visits, weak resolution-tracking mechanisms, and insufficient awareness and training on the model. The article further highlights successful implementation experiences, particularly within the KwaZulu-Natal Legislature, which demonstrate the value of structured oversight planning and adequate institutional support. Based on the findings, the article proposes several measures to strengthen SOM implementation, including enhanced capacity-building programmes, improved budget allocations, regular implementation assessments, standardised resolution-tracking systems, and stronger sector-wide coordination. Strengthening the implementation of the SOM is essential for improving legislative oversight, promoting executive accountability, and advancing good governance and service delivery in South Africa.

Keywords: Accountability, Model, Legislature, Oversight, Parliament, SOM

INTRODUCTION

The Constitution of the Republic of South Africa (1996), specifically sections 55(2) and 114(2), gives the national assembly and provincial legislatures, respectively, the authority to conduct oversight over the executive and hold them accountable for their actions when utilising public resources. The Constitution further requires the national assembly and provincial legislatures to establish mechanisms to maintain oversight and accountability over the executive. Various models were also established to strengthen legislative oversight and accountability. The current model used by the Legislative Sector of South Africa is the Sector Oversight Model (SOM). It is important to indicate that the SOM has not yet reached the desired perfection, but it has been tried and tested for years within the South Africa's legislative sector. Its development stems from practices such as the Programme Evaluation and Budget Analysis (PEBA), Public Service Oversight Mechanism (PSOM), Oversight Guide for the Committee Staff Forum (OGCSF), Parliament's Oversight and Accountability (POA) to the actual models such as the Oversight and Accountability Model (OAM), and the Sector Oversight Model (SOM).

The development of SOM came after several sessions facilitated by the National Speaker's Forum of South Africa, encouraged by the idea to improve and enhance oversight and accountability performance in the legislative sector (Legislative Sector of South Africa, 2012). This was culminated by the different approaches, frameworks, methods, and practices to oversight and accountability as implemented across the legislative sector in South Africa (National Parliament of South Africa, 2009). This resulted in the introduction of an oversight and accountability model in 2009, which was intended to have a uniform approach towards parliamentary oversight and accountability across all legislatures in South Africa (National Parliament of South Africa, 2009). The model was developed to describe how parliament conducts oversight, and equip members of parliament with advanced techniques, which they can use to effectively execute their constitutional mandate (Mbete, 2016).

The need to ensure a coordinated and effective approach to the sector's application of oversight practices in all legislatures further culminated to the introduction of the Sector Oversight Model (SOM) in 2012 (Legislative Sector of South Africa, 2012). The SOM was adopted by the National Speaker's Forum of South Africa, and a directive was approved that each legislature in South Africa should customise its own oversight model based on the approved SOM. The SOM was rolled out in South Africa as a guide for parliamentarians to achieve their daily committee functions. These functions, in the main, include oversight, law making and public participation as enshrined in the Constitution. The SOM further empowers parliamentarians to apply various tools and mechanisms to effectively oversee the executive performance (Ile & Makiva, 2017), and to enhance the efficacy of committees in conducting oversight and accountability.

The implementation of the SOM resulted in the advancement of a uniform guide that describes how parliament and provincial legislatures conduct oversight. It further seeks to advance the current apparatuses and mechanisms for parliamentary oversight (Legislative Sector of South Africa, 2012). It is also important to highlight that during the development of the SOM, Programme Evaluation and Budget Analysis (PEBA), Oversight Guide for the Committee Staff Forum (OGCSF), and the Parliament's Oversight and Accountability (POA) models were carefully taken into account because they are known practices and approaches to oversight (Legislative Sector of South Africa, 2012). In addition, the SOM was designed to ensure that there is strict adherence to democratic values as cherished in the Constitution.

THEORETICAL FRAMEWORK

This review study is underpinned by Accountability Theory (Bovens, 2007; Schedler, 1999), which provides a suitable lens for understanding the implementation and effectiveness of the Sector Oversight Model (SOM) within South Africa's legislative sector. Accountability Theory is concerned with the obligation of public officials and institutions to explain and justify their actions, accept responsibility for their decisions, and be subject to sanctions where misconduct, inefficiency, or non-performance occurs (Bovens, 2007). Within democratic systems, accountability serves as a mechanism through which citizens, through their elected representatives, monitor and evaluate the performance of government institutions and public officials (Schedler, 1999).

The relevance of Accountability Theory to this review study lies in the constitutional mandate of the National Assembly and provincial legislatures to oversee the executive and ensure accountability in the management of public resources (Constitution of the Republic of South Africa, 1996). The Sector Oversight Model was developed to strengthen this accountability relationship by providing a structured and uniform framework for conducting oversight across legislatures in South Africa (Legislative Sector of South Africa, 2012). Through committee engagements, oversight visits, budget reviews, interrogation of departmental reports, and monitoring of resolutions, legislatures are expected to hold the executive accountable for policy implementation and service delivery outcomes.

According to Accountability Theory, accountability consists of three key dimensions: answerability, enforcement, and responsiveness. Answerability refers to the obligation of public officials to provide information and justify their actions; enforcement relates to the ability of oversight institutions to recommend corrective actions or sanctions where necessary; and responsiveness focuses on the extent to which government institutions address identified deficiencies and implement legislative recommendations (Bovens, 2007;

Brinkerhoff, 2004). The SOM incorporates these dimensions by providing oversight tools and mechanisms that enable committees to assess departmental and public entities performance, make recommendations, and monitor implementation.

The theory further suggests that effective accountability depends on the availability of adequate institutional capacity, resources, information, and oversight mechanisms (Brinkerhoff, 2004; Bovens, 2007; Schedler, 1999). Consequently, challenges such as inadequate human and financial resources, weak resolution-tracking systems, limited oversight visits, and insufficient committee support staff may undermine the effectiveness of legislative oversight and weaken accountability outcomes. These implementation challenges, which are identified in this study, can therefore be interpreted as barriers to achieving the objectives of the SOM.

The application of Accountability Theory enables the study to evaluate whether the implementation of the SOM strengthens the ability of legislatures to hold the executive accountable and improve governance outcomes. It also provides a framework for assessing the extent to which institutional, financial, and operational factors influence the effectiveness of oversight processes. Ultimately, the theory assists in explaining how strengthening SOM implementation can enhance accountability, improve legislative oversight, promote transparency, and contribute to better service delivery within South Africa's public sector.

METHODOLOGY

This review study employed a qualitative desktop review approach to examine the implementation of the Sector Oversight Model (SOM) within the South African legislative sector. A desktop review was considered appropriate and drew data from a range of secondary sources, including the legislative frameworks, policy documents, institutional reports, and oversight-related publications to understand the extent of SOM implementation, identify challenges, and propose measures to strengthen its application across legislatures. Literature was selected based on its relevance to legislative oversight processes, accountability mechanisms, committee effectiveness, and the implementation of the SOM.

A thematic content analysis was utilised to analyse the collected information. The reviewed sources were examined to identify recurring themes and patterns relating to the implementation of the SOM. The study adopted an interpretive approach, focusing on understanding the practical realities and experiences of South African legislatures in implementing the SOM. By synthesising evidence from literature, the study provides a comprehensive assessment of the opportunities and challenges associated with the implementation of the Sector Oversight Model (SOM) in South Africa.

IMPLICATIONS FOR SOM IMPLEMENTATION

The legislatures were expected to customise their SOM based on their environment, institutional setup, human, and financial needs. For instance, the model requires that each committee should be supported by competent and skilled support staff as well as adequate allocation of funds for oversight and site visits (Legislative Sector of South Africa, 2012). Nevertheless, the reality is that the implementation of SOM, in legislatures such as Limpopo and Gauteng, is still in progress, mostly hindered by a lack of human and financial resources (Limpopo Legislature, 2023; Gauteng Legislature, 2024). This was mainly compounded by the SOM requirements, which outlined that each committee should at least be supported by a coordinator, researcher, legal advisor, content advisor, public participation practitioner, and information officer (Legislative Sector of South Africa, 2012). Committees in the Limpopo Legislature, for instance, are only supported by a coordinator, researcher, and legal advisor. In addition, those support staff (coordinators, researchers, and legal advisors) are in most instances not only allocated to one committee, but to various committees. There is no information officer and content advisor allocated to committees in the Limpopo Legislature. Currently, a researcher also performs the duties of information officer as well as content advisor, and juggles around two to three committees. This increases the workload of committee support staff, which could further compromise the quality of the work produced, and ultimately compromise effective oversight.

There is a perception that quarterly reporting has become a compliance-driven exercise rather than an effective oversight mechanism. In addition, Focused Intervention Study (FIS) is a critical tool to enhance oversight and accountability, but the limited resources and time allocated to the committees per year are counterproductive and make it impossible to undertake or finish FIS. There is also a lack of sufficient field/site visits undertaken by committees and a lack of a standardised approach to resolutions tracking. In most cases, each committee has its own approach towards resolutions tracking, which becomes difficult to holistically track their implementation. As further alluded by the Gauteng Legislature (2014), there is also a lack of attendance by Honourable Members during oversight visits and public hearing engagements. The similar situation has also been experienced in the Limpopo Legislature, and in some instances, public hearings were facilitated by officials, which is in violation of the Constitution.

Furthermore, the government budget process does not take into full cognisance the interests and needs of the legislatures (Parliamentary Monitoring Group, 2025). The Public Finance Management Act (PFMA) (1999) allows the executive to arrange the Cabinet Budget Lekgotla to discuss and finalise budget allocations to the departments and entities. Although the legislatures do not have representation or sit at the lekgotla's where budget allocation is being decided and finalised, sections 17 and 29 of Financial Management of Parliament and Provincial Legislatures Act (FMPPLA) (2009) make a provision for the Speaker and Minister/MEC of Finance to discuss the parliament budget. However, it seems that more funds are allocated to the executive, while the legislatures are considered at the tail end. It is thus perceived in this paper that the current mechanism for budget allocation needs to be reviewed or revisited as it compromises effective oversight.

In some worst cases, other legislatures have not yet customised their SOM, while others have not yet fully implemented it (McDaid, 2022). All these hindrances hinder the full implementation of SOM across the legislative sector. These challenges also impact negatively on good governance and effective accountability. It further limits the delivery of quality service to the people of South Africa.

In the case of the Limpopo Legislature, the institution has customised its SOM from the Sector's Oversight Model but took time to approve it. The customised SOM for the Limpopo Legislature was approved in October 2023. Its intention is to ensure that oversight operations and activities of the Limpopo Legislature are rigorous, effective, and efficient (Limpopo Legislature, 2023). According to the assessment done on the customised Limpopo Legislature SOM, the key changes considered during the customisation processes are as follows:

Support staff

The SOM suggests that committee support staff should be comprised of a researcher, coordinator, public participation practitioner, content advisor, and information officer. In the Limpopo Legislature, each committee has one researcher, committee coordinator, public participation practitioner, legal advisor, communication official, and IT official. However, it should be considered that these support staff perform their functions in more than one committee.

Roles and responsibilities of support staff

The SOM has raised serious concerns about capacity gaps within the legislatures. For instance, currently in the Limpopo Legislature, researchers, over and above their responsibilities, also perform the roles and functions of information officers as well as content advisors.

Timeframe to consider quarterly reports after submission

Instead of 10 days as recommended by SOM, in the Limpopo Legislature case, reasonable and practical working days, preferable three days, need to be recommended for consideration of quarterly reports after submission and tabling in the House, and such changes should be incorporated into the Rules.

Committee meetings

The SOM suggests that committee meetings be five, that is, from referral to adoption of the report in the House. In the case of the Limpopo Legislature, the number of committee meetings has been reduced from five to three. All the committee activities or processes are effectively done in three meetings. This is considered essential as it saves time and resources required when arranging committee meetings and other logistics.

SUCCESS CASES FOR SOM IMPLEMENTATION IN SOUTH AFRICA

There are legislatures that have successfully implemented the SOM. The point of reference is the KwaZulu-Natal Legislature. The introduction of SOM as well as its implementation in the Kwazulu-Natal Legislature has brought a positive impact to oversight and accountability. It has enabled the performance of committees to be easily monitored, and there is certainty over activities that need to be undertaken as part of oversight work (Gabela et al., 2015). Furthermore, the SOM implementation assessment conducted by the Gauteng Legislature also revealed that the model allows legislatures to monitor the performance of the provincial departments and entities through utilising a set of imperatives (Gauteng Legislature, 2024). The model has further assisted the legislatures to determine the levels of administrative support required to give effective support to committees. The effective implementation of SOM has further enabled committees in the KZN legislature to be diligent during planning for oversight, and work towards achieving the set targets. The level of engagement among committee members, as well as the preparedness of accounting officers and executive authorities, has improved (Gabela et al., 2015). The SOM is thus perceived as a good model to hold the executive accountable (Gauteng Legislature, 2024), which is essential for good governance, and to enhance the delivery of quality services to the citizens.

CONCLUSION

The Sector Oversight Model (SOM) was introduced to provide a uniform and structured approach to legislative oversight and accountability across South Africa's legislative sector. By strengthening oversight processes, enhancing committee performance, and promoting accountability within the executive, the model seeks to support legislatures in fulfilling their constitutional mandate. The findings of this review indicate that, although the SOM is a valuable framework for improving oversight effectiveness, its implementation remains uneven across the legislative sector.

The study identified several challenges that continue to hinder the effective implementation of the SOM. These challenges undermine the ability of South African legislatures to exercise robust oversight and hold the executive accountable for the use of public resources. Nevertheless, experiences from legislatures such as KwaZulu-Natal demonstrate that where sufficient institutional support, resources, and commitment exist, the SOM can significantly enhance oversight planning, committee performance, accountability, and governance outcomes.

Guided by Accountability Theory, this study argues that effective oversight depends not only on the existence of an oversight framework or model, but also on the institutional capacity and resources required for its implementation. The existing budget allocation arrangements have been criticised for creating a degree of dependency on executive-driven budget processes, which may inadvertently limit the ability of legislatures to perform robust oversight functions. To address this challenge, policy reforms should be considered to strengthen the financial autonomy of legislatures.

Furthermore, strengthening the implementation of the SOM therefore requires a coordinated effort by the South African Legislative Sector, provincial legislatures, and relevant stakeholders. This implies that priority should be given to ensuring that all legislatures customise and fully implement the model, strengthen committee support structures, invest in continuous capacity-building initiatives, improve funding for oversight activities, and introduce standardised automated resolution-tracking system applicable across all provincial legislatures and Parliament. Ultimately, the effective implementation of the SOM has the potential to improve executive accountability, strengthen democratic governance, enhance transparency in the management of public resources, and contribute to improved service delivery for citizens. As South Africa continues to seek stronger

mechanisms for oversight, accountability, and good governance, the SOM remains a critical instrument for advancing effective legislative oversight and promoting responsive government.

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