

THE COMPETITION TRIBUNAL

PERFORMANCE REPORT

1st APRIL 2016 – 31st MARCH 2017

QUARTER 1 to QUARTER 4

Reviewed for submission by:

Lerato Molaung (Registrar)


P.P. 

Signature:

Date: 02.05.2017

Reviewed and verified for approval by:

Janeen de Klerk (Chief Operating Officer)

Signature: P.P. 

Date: 02.05.2017

Approved by

Norman Manoin (Chairperson)

Signature:



Date: 2/05/2017

STRATEGIC FOCUS AREA 1:		ADJUDICATIVE EXCELLENCE				QUARTER 1				QUARTER 2				QUARTER 3				QUARTER 4				YEAR TO DATE		REASON FOR DEVIATIONS																			
CURRENT BUDGET		R 23 450 530 03		R 6 964 094 26		R 4 508 978 26		R 6 508 509 25		R 5 508 248 26		R 23 450 530 03		Budget divided equally across 4 quarters																													
ACTUAL EXPENDITURE		R 21 277 972 64		R 4 569 817 88		R 5 607 801 69		R 4 820 442 81		R 6 800 120 36		R 21 277 972 64		The budget is based on an estimate of the volume of cases and variances will occur as we cannot predict volume																													
GOAL STATEMENT																						TO ENSURE EFFECTIVE AND EFFICIENT ADJUDICATION ON MATTERS BROUGHT BEFORE THE TRIBUNAL																					
STRATEGIC OUTCOME																																											
STRATEGIC OBJECTIVE	STRATEGIC STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET Q1	PERFORMANCE Q1	TARGET Q2	PERFORMANCE Q2	TARGET Q3	PERFORMANCE Q3	TARGET Q4	PERFORMANCE Q4	ANNUAL PERFORMANCE YEAR TO DATE	EXPLANATIONS FOR DEVIATIONS																												
TIMEOUS ISSUING OF JUDGEMENTS	Improvement in the issuing of judgement/decisions in the with adopted time frames	Expedient conclusion of matters	Reasons for prohibitive practice cases issued to parties in accordance with delivery timeframe per category A, B or C	A - 100 business days	No reasons issued	A - 100 business days	No reasons issued	A - 100 business days	No reasons issued	A - 100 business days	No reasons issued	A - 100 business days	No reasons issued	No reasons issued	No reasons issued in period under review or year to date. Target therefore cannot be measured																												
				B - 125 business days	No reasons issued	B - 125 business days	No reasons issued	B - 125 business days	100%	B - 125 business days	100%	67%	Target met for quarter but not for year to date. Reasons were issued in three matters and in one they were issued 79 days out of time. The resignation of a case manager and the lack of capacity amongst Tribunal members caused the delay																														
				C - 150 business days	100%	C - 150 business days	0%	C - 150 business days	No reasons issued	C - 150 business days	No reasons issued	C - 150 business days	No reasons issued	C - 150 business days	0%	No reasons issued in this period but target not met for year to date 1 out of 1 reasons issued were late by 29 days because it was a very complex case and the shortage of Tribunal members meant panel members also had to sit on several other large matters, eg Inery and Voddom & Nicol. In addition the BICCS conference took place during this period and certain Tribunal members delivered papers or chaired working groups																											
			% of procedural matter orders issued to parties within 20 business days of last hearing date	65%	73%	65%	22%	65%	7%	65%	43%	65%	20%	24%	Target not met for quarter and year to date. In 10 matters the decisions were issued 10 days or less out of time. In 15 matters the decisions were issued 30 days or less out of time and in the remaining 7 decisions - 2 were late by 60 days or less while 5 were delayed by 80 days or more. The delays were mainly the result of lack of capacity amongst Tribunal members. Tribunal members find little time to focus on decision writing as they are required to sit on numerous parties																												
				% consent orders issued to parties within 10 business days of last hearing date	90%	98%	90%	100%	100%	100%	100%	100%	100%	100%	100%	100%	Target exceeded for quarter and year to date																										
				% interim relief reasons issued to parties within 20 business days of last hearing date	100%	No reasons issued	100%	No reasons issued	100%	No reasons issued	100%	0%	100%	No reasons issued	100%	0%	No reasons issued in period under review																										
EFFECTIVE BUSINESS APPLICATIONS	Enhance record keeping, performance and case flow management by harnessing facility and functionality of business applications	Improved management information to inform strategic decision making and access to historical data	Enhancement of case management system facility in line with project plan	Feasibility study of automation opportunities completed by December 2016	Phase 2 fully implemented and operative by March 2016	Annual not quarterly target	Annual not quarterly target	Annual not quarterly target	Annual not quarterly target	Annual not quarterly target	Annual not quarterly target	Annual not quarterly target	Annual not quarterly target	23% of agreed plan implemented by March 2017	No reasons issued in this period but updates tested and reports being reviewed to reduce reliance on paper systems																												
				Reduced reliance on manual performance reporting by 2020 according to agreed plan	No formal plan in place but manual reliance being reduced	Annual not quarterly target	We continue to work with our reports to reduce reliance on manual reports	Annual not quarterly target	Electronic data being verified straight from system and continuing to look at new ways of using technology and decreasing reliance on manual systems	Annual not quarterly target	Electronic data being verified straight from system and continuing to look at new ways of using technology and decreasing reliance on manual systems	Annual not quarterly target	Electronic data being verified straight from system and continuing to look at new ways of using technology and decreasing reliance on manual systems	Annual not quarterly target	Electronic data being verified straight from system and continuing to look at new ways of using technology and decreasing reliance on manual systems	23% of agreed plan implemented by March 2017	Final testing of update taking place. Further developments on process and reports being discussed with consultants	Continue to ensure system remains stable while we migrate to new software	Electronic data being verified straight from system and continuing to look at new ways of using technology and decreasing reliance on manual systems																								
				Feasibility study of automation opportunities completed by December 2016	Phase 2 fully implemented and operative by March 2016	Annual not quarterly target	Focusing on ensuring current CMS remains stable while we consider upgrading to a new system	Annual not quarterly target	Preparing documents to be distributed to service providers to bid for assisting the Tribunal through a migration phase	Annual not quarterly target	Upgraded system to latest version and assessing process required going forward	Annual not quarterly target	Final testing of update taking place. Further developments on process and reports being discussed with consultants	Annual not quarterly target	Continue to ensure system remains stable while we migrate to new software	Electronic data being verified straight from system and continuing to look at new ways of using technology and decreasing reliance on manual systems																											

STRATEGIC FOCUS AREA 3 - QUARTER 3 - 2016/2017

STRATEGIC FOCUS AREA 1:		ACCOUNTABLE, TRANSPARENT AND SUSTAINABLE ENTITY													
		CURRENT BUDGET		QUARTER 1		QUARTER 2		QUARTER 3		QUARTER 4		YEAR TO DATE		REASON FOR DEVIATIONS	
		R 6 883 100 48		R 1 428 611 12		R 2 201 404 12		R 1 428 611 12		R 1 824 384 12		R 6 883 100 48		Budget divided equally across 4 quarters	
		R 2 165 804 62		R 1 497 323 77		R 1 629 946 67		R 1 181 112 67		R 1 608 321 51		R 6 165 804 62		We expect the budget to increase as we incur expenses related to both internal and external audit for the year end	
GOAL STATEMENT		TO ENSURE THE TRIBUNAL HAS EFFECTIVE STRATEGIC LEADERSHIP, ADMINISTRATION AND MANAGEMENT THROUGH ADHERENCE TO GOOD GOVERNANCE AND SOUND BUSINESS PRACTICE													
STRATEGIC OUTCOME															
STRATEGIC OBJECTIVE	STRATEGIC OBJECTIVE STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET Q1	PERFORMANCE Q1	TARGET Q2	PERFORMANCE Q2	TARGET Q3	PERFORMANCE Q3	TARGET Q4	PERFORMANCE Q4	ANNUAL PERFORMANCE YEAR TO DATE	EXPLANATIONS FOR DEVIATIONS
GOOD GOVERNANCE	Increase the level of compliance with the principles of good governance	Accountable and transparent Public Entity	Achieve an unqualified Audit Outcome year on year	Unqualified audit - no issues of governance raised	Final report - no issues of governance raised	Annual target set for second quarter	Draft management report for 2015/2016 - no issues of governance raised	Unqualified audit - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Unqualified audit - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Unqualified audit - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Target met for quarter and year to date
EFFECTIVE OVERSIGHT STRUCTURES	Maintain effective oversight structures that promote sound business practice	Sound Business Practice	Achieve an unqualified Audit Outcome year on year	Unqualified audit - no issues of governance raised	Final report - no issues of governance raised	Annual target set for second quarter	Draft management report for 2015/2016 - no issues of governance raised	Unqualified audit - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Unqualified audit - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Unqualified audit - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Target met for quarter and year to date
EFFECTIVE MANAGEMENT OF THE BUDGET	Ensure financial management that promotes effective and efficient use of resources	Optimal financial resource allocation and utilisation	Achieve an unqualified Audit Outcome year on year	Unqualified audit - no findings of financial expenditure	Final report - has findings and wasteful expenditure	Annual target set for second quarter	Final report and wasteful expenditure disclosed in draft AFS for 2015/2016	Unqualified audit - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Unqualified audit - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Unqualified audit - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Target not met for quarter and year to date. The Tribunal disclosed financial wasteful and irregular expenditure. A portion was condoned by National Treasury and the balance will be condoned by the Accounting Authority. An action plan has been put in place to prevent this occurring going forward
FINANCIAL GOVERNANCE AND REPORTING	Ensure a sound control environment and monitor	Compliance to requirements as an accountable, transparent institution	No material misstatements for May submission	No material misstatement on May submission	Final report - no material misstatements	Annual target set for second quarter	Draft management report for 2015/2016 - no material misstatements	No material misstatements disclosed in final report	Final management report for 2015/2016 - no material misstatements	No material misstatements disclosed in final report	Final management report for 2015/2016 - no material misstatements	No material misstatements disclosed in final report	Final management report for 2015/2016 - no material misstatements	Final management report for 2015/2016 - no material misstatements	Target met for quarter and year to date
		Integrated risk management processes and combined assurance	Achieve an unqualified Audit Outcome year on year	Unqualified audit - no issues of risk management raised	Final report - no risk management issues raised	Annual target set for second quarter	Draft management report for 2015/2016 - no risk management issues raised	Unqualified audit - no risk management issues raised	Final management report for 2015/2016 - no risk management issues raised	Unqualified audit - no risk management issues raised	Final management report for 2015/2016 - no risk management issues raised	Unqualified audit - no risk management issues raised	Final management report for 2015/2016 - no risk management issues raised	Final management report for 2015/2016 - no risk management issues raised	Target met for quarter and year to date
SUSTAINABLE CAPACITY	Ensure that the Tribunal effectively leverage employee skills by recruiting, retaining and developing high quality people	Strengthen the Tribunal's organisational capacity and performance to deliver on its legislative Mandate	Implementation of Case Management Graduate Management against plan	Graduate Internship Implemented	Policy in final draft and 2 interns employed	Graduate Internship targets met plan requirements	Implemented and currently 2 LT interns employed	Graduate Internship targets met plan requirements	Implemented and currently 2 LT interns employed	Graduate Internship targets met plan requirements	Implemented and currently 2 LT interns employed	Graduate Internship targets met plan requirements	Implemented and currently 2 LT interns employed	Implemented and currently 2 LT interns employed	Target met for quarter and year to date