

**THE COMPETITION TRIBUNAL
PERFORMANCE REPORT**

1st APRIL 2017 – 31st MARCH 2018

QUARTER 1

Reviewed for submission by :

Lerato Molalung (Registrar)

Signature:



Date:

04 Aug 2017

Reviewed and verified for approval by :

Janeen de Klerk (Chief Operating Officer)

Signature:



Date:

4/8/2017

Approved by

Norman Manolm (Chairperson)

Signature:



Date:

4/8/2017

STRATEGIC FOCUS AREA 1:		ADJUDICATIVE EXCELLENCE				QUARTER 1			YEAR TO DATE		REASON FOR DEVIATIONS
		CURRENT BUDGET		R 26,060,298.00		R 6,938,076.00		R 6,938,076.00			
		ACTUAL EXPENDITURE		R 5,875,401.75		R 5,875,401.75		R 5,875,401.75		The budget is based on an estimate of the volume of cases and variances will occur as we cannot predict volume	
GOAL STATEMENT											
STRATEGIC OUTCOME											
TO ENSURE EFFECTIVE AND EFFICIENT ADJUDICATION ON MATTERS BROUGHT BEFORE THE TRIBUNAL											
STRATEGIC OBJECTIVE	STRATEGIC STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET Q1	PERFORMANCE Q1	ANNUAL PERFORMANCE YEAR TO DATE	EXPLANATIONS FOR DEVIATIONS		
TIMEOUS ISSUING OF JUDGEMENTS	Improvement in the Issuing of Judgements/decisions in line with adopted time frames	Epeditious conclusion of matters	Reasons for prohibited practice cases issued to parties in accordance with delivery timeframes per category: A,B or C	A - 100 business days	No reasons issued	A - 100 business days	No reasons issued	No reasons issued	No reasons were issued and target cannot be measured		
				B - 125 business days	66.67%	B - 125 business days	100%	100%	Target met for quarter and year to date		
				C- 150 business days	50%	C- 150 business days	No reasons issued	No reasons issued	No reasons were issued and target cannot be measured		
				% of procedural matter orders issued to parties within 20 business days of last hearing date	85%	60%	60%	Target not met for quarter or year to date. 4 out of 10 decisions were issued late. The shortest period out of time being 25 days and the longest being 67 days. The reasons for the delay were due to the unusual and complex applications that were heard and the fact that members still had to sit on other panels.			
			% consent orders issued to parties within 10 business days of last hearing date	90%	100.00%	90%	60%	60%	Target not quarter and year to date met. Orders were issued late in 2 out of 5 matters because of an administrative error		
				% interim relief reasons issued to parties within 20 business days of last hearing date	100%	0.00%	100%	No reasons issued	No reasons were issued and target cannot be measured		
				Enhancement of case management system facility in line with project plan	Feasibility study of automation opportunities completed by December 2016	It was established that updates were possible and as a result no feasibility study was undertaken. We are currently testing the final update and will then be in a position to determine what enhancements is required and can be implemented. This target will therefore be removed or revised in 2017/2018	Annual not quarterly target	Not measured or reported on	Not measured or reported on	We will be requesting permission from EDD to redefine these targets as they were incorrectly stated and approved in the Annual Performance Plan for the period ending 31st March 2018	
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	Reduced reliance on manual performance reporting by 2020 according to agreed plan	25% of agreed plan implemented by March 2017	An informal as opposed to formal agreed plan for electronic reporting was agreed and we have been working on these so as to reduce the reliance on manual systems. Enhancements are implemented as we progress and new reports are being tested. This target will be removed or revised in 2017/2018	Annual not quarterly target	Not measured or reported on	Not measured or reported on	We will be requesting permission from EDD to redefine these targets as they were incorrectly stated and approved in the Annual Performance Plan for the period ending 31st March 2018		

STRATEGIC FOCUS AREA 2 - QUARTER 1 - 2017/2018

STRATEGIC FOCUS AREA 1:		STAKEHOLDER RELATIONSHIPS		QUARTER 1	YEAR TO DATE	REASON FOR DEVIATIONS			
GOAL STATEMENT		TO BUILD AND DEVELOP EFFECTIVE STAKEHOLDER RELATIONSHIPS							
STRATEGIC OUTCOME									
STRATEGIC OBJECTIVE	STRATEGIC OBJECTIVE STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET	PERFORMANCE	ANNUAL PERFORMANCE YEAR TO DATE	EXPLANATIONS FOR DEVIATIONS
ENSURE RELEVANT COMMUNICATION TO STAKEHOLDERS	Ensure that an integrated communication plan is developed and implemented	A structured and focussed process to create and enhance awareness of the work of the Tribunal	Communication Plan reviewed and changes implemented in line with EXCO requirements and agreed timeframe	Implement plan against agreed timeframes by March 2017	Document referred to as Communication Framework as opposed to Communication Plan. Framework was finalised and approved by the EXCO Communication Officer now submits quarterly report and framework will be revised annually.	Annual not quarterly target	Not measured or reported on	Not measured or reported on	No communication plan was or will be developed - this document was revised to be a framework and will be reviewed on an annual basis. We wish to revise or remove this target as it was incorrectly stated in the APP
			Monitored performance and implementation against improved plan	Report on implementation against plan by March 2017	Document not referred to as a plan but a framework and identifies policy and procedure around communication no implementation plan just projects. Progress on these reported against quarterly Communication framework finalised and approved by the EXCO	Annual not quarterly target	Not measured or reported on	Not measured or reported on	No implementation plan has been devised and this target was incorrectly stated in the APP. A quarterly report will be distributed which will cover agreed aspects of the Tribunal's media coverage, outreach and projects. We wish to revise or remove it
MAINTAIN AND ENHANCE THE PRESENCE AND PROFILE OF THE TRIBUNAL	Ensure communication pertaining to final decisions in mergers and prohibited practice cases are made public within adopted delivery timeframes	Timely and compliant communication of adjudication outcomes	% press releases of final merger decisions communicated within 2 business days of order date	75%	99.05%	75%	100%	100%	Target exceeded for quarter and year to date
			% press releases of prohibited practice decisions communicated within 2 business days of order date	100%	80.00%	100%	100%	100%	Target met for quarter and year to date
CURRENT BUDGET			R 1,152,965.46		R 260,702.15		R 260,702.15		
ACTUAL EXPENDITURE			R 259,833.08		R 259,833.08		R 259,833.08		Little variance in this objective we expect it to remain close to budget!

STRATEGIC FOCUS AREA 3 - QUARTER 1 - 2017/2018

STRATEGIC FOCUS AREA 1:		ACCOUNTABLE, TRANSPARENT AND SUSTAINABLE ENTITY		QUARTER 1		YEAR TO DATE		REASON FOR DEVIATIONS	
		CURRENT BUDGET	R 9,630,508.71	R 2,164,219.12	R 2,164,219.12				
		ACTUAL EXPENDITURE	R 2,021,541.04	R 2,021,541.04	R 2,021,541.04	We expect this budget to increase as we incur expenses related to both internal and external audit for the year end			
GOAL STATEMENT									
STRATEGIC OUTCOME									
TO ENSURE THE TRIBUNAL HAS EFFECTIVE STRATEGIC LEADERSHIP, ADMINISTRATION AND MANAGEMENT THROUGH ADHERENCE TO GOOD GOVERNANCE AND SOUND BUSINESS PRACTICE.									
STRATEGIC OBJECTIVE	STRATEGIC OBJECTIVE STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET	PERFORMANCE	ANNUAL PERFORMANCE	EXPLANATIONS FOR DEVIATIONS
GOOD GOVERNANCE	Increase the level of compliance with the prescripts of good governance	Accountable and transparent Public Entity	Achieve an unqualified Audit Outcome year on year	Unqualified audit - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Annual target set for second quarter	Draft report indicates we will receive a clean report for 2016/2017 and no issues of governance raised	Draft report indicates we will receive a clean report for 2016/2017 and no issues of governance raised	Draft report indicates annual target will be met
						Q1	Q1	YEAR TO DATE	
EFFECTIVE OVERSIGHT STRUCTURES	Maintain effective oversight structures that promote solid business practice	Sound Business Practice	Achieve an unqualified Audit Outcome year on year	Unqualified audit - no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Annual target set for second quarter	Draft report indicates we will receive a clean report for 2016/2017 and no material misstatements	Draft report indicates we will receive a clean report for 2016/2017 and no issues of governance raised	Draft report indicates annual target will be met
						Q1	Q1	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 fruitless/wasteful expenditure	Fruitless and wasteful expenditure disclosed in final AFS for 2015/2016	Annual target set for second quarter	Draft report indicates we will receive a clean report for 2016/2017 and no fruitless/wasteful expenditure disclosed	Draft report indicates we will receive a clean report for 2016/2017 and no fruitless/wasteful expenditure disclosed	Draft report indicates annual target will be met
						Q1	Q1	YEAR TO DATE	
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 management report for 2015/2016 - no material misstatements	Annual target set for second quarter	Draft report indicates we will receive a clean report for 2016/2017 and no material misstatements	Draft report indicates we will receive a clean report for 2016/2017 and no material misstatements	Draft report indicates annual target will be met
						Q1	Q1	YEAR TO DATE	
SUSTAINABLE CAPACITY	Ensure that the Tribunal effectively leverages 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 Internships against plan	Graduate Internship implemented	Implemented and currently 2 LT interns employed	Annual target set for second quarter	2 LT interns appointed for the period 1st January 2017 to 31st December 2017	2 LT interns appointed for the period 1st January 2017 to 31st December 2017	Annual target met
						Q1	Q1	YEAR TO DATE	