



Annual Performance Plan

2020/21 -2022/23

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Foreword by the Executive Authority



The Public Finance Management Act requires that every public entity prepares a Strategic Plan setting out the overall strategy for the 5 year period covering the state's Medium-term Strategic Framework (MTSF). Every year, an Annual Performance Plan (APP) is prepared, which converts the overall strategy to key annual targets. These documents are then provided for approval to the Executive Authority and budgets are aligned to these plans.

The **Broad-Based Black Economic Empowerment Commission (B-BBEE Commission)** a division of the Department of Trade, Industry and Competition, has prepared its **Strategic Plan 2020/21 – 2022/23**, which I now submit to Parliament, as required by the legislation.

This is the first **Annual Performance Plan** prepared in the 6th Administration by the **B-BBEE Commission**. I have requested that all entity Strategic Plans and Annual Performance Plans be aligned to the MTSF, which incorporates the work to develop and implement National Sector Masterplans, as well as the trade reforms, investment and transformation work of the Department.

Once the revised MTSF has been signed off, we will review the Strategic Plan and Annual Performance Plan of the entity and align it accordingly. The Strategic Plan and Annual Performance Plan may further need to be aligned to Government's response to the COVID-19 pandemic, both during the period of the national disaster declared by President Ramaphosa, and thereafter as we adapt to the new economic reality. Should adjustments be made, a revised Plan will be submitted to Parliament.

A handwritten signature in black ink, appearing to read 'Ebrahim Patel', written over a horizontal line.

Mr. Ebrahim Patel
Minister responsible for Trade, Industry and Competition

Overview by the Accounting Authority



The priorities of the B-BBEE Commission were set at the beginning of the financial year in line with its mandate and key performance areas that are aligned with the goals and priorities of **the dtic** and objectives of the 2030 National Development Plan (NDP). The focus for 2020/21 and beyond reflects the B-BBEE Commission's vision of promoting transformation and inclusive economy.

The vision and mission are articulated through strategic goals and measurable performance indicators. We have also conducted an analysis of external and internal factors that could affect our ability to achieve the goals indicated. Strategic risks, which we could be exposed to, as well as mitigating controls, are also identified.

We remain focused on implementing our two fold strategy, firstly the compliance driven strategy that is aimed at creating an enabling environment for stakeholders to understand and better comply with the B-BBEE Act, and secondly the corrective enforcement strategy that aims to identify offending behaviour with a view of correcting it through remedial intervention and where blatant criminality and disregard of the B-BBEE Act is found, through criminal proceedings which will lead to fines of up to 10% of turnover or up to 10 years imprisonment. After three years of operation, we are beginning to see the results of our strategy translating to some change in market behaviour.

Fronting continues to be the major challenge to achieving real benefits of the B-BBEE Act, which is why there is a need to continue with awareness and advisory

services to prevent fronting schemes into the future, particularly in new transactions and initiatives. We are pleased that proactive requests for advisory opinions and presentations from stakeholders have increased significantly, with thirty-three (33) advisory opinions and one thousand two hundred and seventy-six (1276) clarifications received from 1 April 2019 to 31 December 2019, an increase of 27% and 24% respectively compared to 2018/19 financial year same period.

We are concerned that 78% of the total complaints received from 1 April 2019 to 31 December 2019 relate to allegations of fronting which are prevalent in ownership and management control elements in those reported entities. An increase of 43% in the number of complaints received is noticeable compared to 2018/19 FY same period, which can be attributed to provincial conferences and the information sessions that we embarked on raising awareness to encourage reporting of contraventions early on. Our tipoff line is also gaining popularity with more anonymous complaints that have led to real investigations, and we have more proactive investigations that are informed by market surveillance and media monitoring.

We realise that complaints require sensitivity, attention to detail and urgent intervention as most complainants would have suffered for a number of years prior to receiving attention and assistance. Our resources sadly do not enable us to deliver with the speed we would like to, especially in cases involving employees who are often dismissed during the investigation process without any remedy under the B-BBEE Act. To correct behaviour, where appropriate, we pursue alternation dispute resolution which offers immediate relief for complainants rather than the criminal process that may take a number of years before redress to the complainant can be achieved.

As at 31 December 2019, eighty-three (83) B-BBEE transactions were registered, of those transactions twenty-two (22) involved Trusts, sixty-one (61) certificates of registration were issued and eleven (11) transactions rejected for non-compliance. Further, we have analysed all two hundred and seventy-two (272) transactions that were submitted in 2017/18 FY and we produced a report that will be published in quarter 3 of 2019/20 FY. The report indicates a significant activity in B-BBEE ownership deals with the value of R188 billion. Moreover, one hundred and ninety-four (194) compliance reports were received from public companies listed on the JSE, organs of state and public entities in line with the requirement of section 13G of the B-BBEE Act. We remain concerned about the low levels of reporting from both the private and the public sector, and we have engaged the JSE and the Auditor General to enhance compliance through coordination.

As guided by our mandate, strategy and measurable goals, we have identified our key focus areas 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; and
- Developing capability and capacity of the B-BBEE Commission to deliver on its mandate

This financial year we aim to fully implement our communication strategy to effectively communicate the work of the B-BBEE Commission, including publication of findings on concluded cases. This we will do through the various media channels, focused engagements with stakeholders through organised formations such as unions, business associations and government platforms, the main aim being to change mind-set and behavioural practices that manifest in how the B-BBEE Act is implemented. We will also embark on name and shame where necessary, but also acknowledge cooperative entities who have made clear undertakings to fully comply.

Despite our official office hours, we commit to being accessible and reachable to all our stakeholders, and we are in the process of developing and implementing a twenty-four (24)-hour Contact Centre to provide best services and rapid advice as required. At this point and with the three (3) years of operation, there seems to be no excuse for any entity not to approach us for assistance upfront, our turnaround times are great so far on advice, despite limited resources.

We will continue to monitor the markets daily and introduce measures to enable us to detect systematically improper and unethical practices that undermine the objectives of the B-BBEE Act, and initiate investigations against the offending entities. Attention to quicker redress through compliance interventions and alternative dispute resolution mechanism, will be provided where applicable to reduce litigation costs, but this will not be entertained in respect of serious violations or repeat offenders.

Realising that both the public and the private sector are key to achieving the objectives of the B-BBEE Act, we will continue with our collaboration efforts towards the improved implementation of the Memoranda of Understanding that we concluded with such as SANAS, CIPC, Competition Commission, NGB, and the Commission for Employment Equity. Further, we will put measures to effectively implement the referral protocol with sector councils in order to create the required consistency and harmonisation. We will continue to engage business formations such as BLSA, BUSA, BBC, BMF, AHI, and others for constructive collaborative effort towards compliance.

We will on ad-hoc basis identify persons that should benefit from B-BBEE, facilitate access/referral to relevant agencies and entities for financial and non-financial support, and assist them with links to platforms for market access and general marketing of products and services, whilst aiming to encourage beneficiaries to benefit from enterprise and supplier development elements in the B-BBEE Act.

In order to improve our operational efficiency, we are currently in the final stages of developing a One-Stop-Shop Portal System which will introduce automated registration, reporting, complaints handling and further provide us with the capability for large data management and information intelligence. We will also commence the process to create the automated register of major B-BBEE transactions, which will also enable online updates by measured entities when changes occur.

We will acknowledge and reward entities for significant steps taken to achieve the objectives of the B-BBEE Act and attaining the economic transformation milestones. We will reward entities for **leading from the front** on B-BBEE instead of **fronting black people** to achieve false B-BBEE credentials. In this regard, we will continue to recognise entities that are contributing positively towards implementation of B-BBEE through our annual awards, which we will improve each year.

We continue our focus on the **quality** of B-BBEE transactions and initiatives in the market; the **impact** of these B-BBEE transactions and initiatives in respect of all five (5) elements of B-BBEE; as well as incorporation of measures to ensure the **sustainability** of B-BBEE transactions are concluded.

A mind-set shift is required to move away from the 'tick box' approach to B-BBEE to a more strategic and sustainable implementation by measured entities, as well as a shift away from 'get rich quick' approach by some black people involved in B-BBEE transactions and initiatives as these undermine the objectives of the B-BBEE Act. The benefits of B-BBEE must be felt by all, especially the poor, through the development / support of black owned enterprises and industrialists that can grow the economy and create employment opportunities.

Having taken into consideration the challenges that may impact our operations and the dynamic environment we operate in, we are guided by the following organisational **values**, which serve as a base for how we 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

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 and incentive schemes to achieve equality.

We guarantee zero tolerance to corruption, fronting and misrepresentation of B-BBEE status by measured entities. Our corrective enforcement coupled with our compliance driven strategy will isolate the culprits against whom strong and unapologetic action must be taken.

We are proud of our employees and their contribution to towards building a sustainable economy for South Africa. All of the staff members at the B-BBEE Commission are performing beyond expectation and go an extra mile given that we do not have resources to perform this critical mandate.

I wish to extend my sincere appreciation to the B-BBEE Commission Governance Committee Members for their support and guidance; the Executive and Management Team, **the dtic** Oversight Unit, and B-BBEE Commission Staff for their support, passion and dedication in making a difference in the lives of many South African citizens. I am also grateful to our strategic partners and key stakeholders for the tremendous support. I thank the Minister, the Deputy Ministers and the Director-General for their continued support of the work of the B-BBEE Commission.



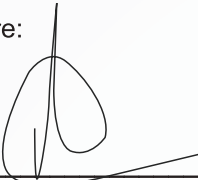
Ms. Zodwa Ntuli
Commissioner


Official Sign-off

It is hereby certified that:

This Strategy Plan was developed by the management of the Broad-Based Black Economic Empowerment Commission under the guidance of the Commissioner, Ms Zodwa Ntuli, and with the participation of the Entity Oversight Unit of **the dtic**.

This plan reveals the strategic goals, objectives and yearly milestones which the B-BBEE Commission will consider over the period 2020/21 – 2022/23 in order to achieve its mandate. It also takes into account all relevant policies, legislation for which the B-BBEE Commission is responsible.

Signature: 
Ms. Nontokozi Nokhwali-Mboyi
Chief Operations Officer

Signature: 
Ms. Moipone Amanda Kgaboesele
Executive Manager Investigations & Enforcement

Signature: 
Ms. Zodwa Ntuli
Commissioner

Signature: 
Mr. Ebrahim Patel
Executive Authority

Broad-Based Black Economic Empowerment Commission Organisational Structure



PART A: Strategic View

1. Update to Relevant Legislative and Policy Mandate

We are committed to continue implementing our strategies using the Medium Term Strategic Framework (MTSF) as the main vehicle for the implementation of the 2030 National Development Plan (NDP) and the achievement of its main objectives, namely defying the challenge of unemployment, poverty and inequality by providing guidance and support in proper implementation of the B-BBEE Act in making a difference in the lives of the people we serve.

With 2019 behind us, and marked the third year anniversary of the B-BBEE Commission which matched with the first year of the MTSF 2019/20 to 2024/25 cycle, the B-BBEE Commission will need to ensure that we put all our energy and resources in contributing towards achieving government and **the dtic** objectives to “Facilitate the transformation of the economy to promote industrial development, investment, competitiveness and employment creation” and “Create a fair regulatory environment that enables investment, trade and enterprise development in an equitable and socially responsible manner”.

Since the formal operation of the B-BBEE Commission in June 2016 to 31 December 2019, significant progress has been recorded in analysing and publishing our first major B-BBEE transaction report, and we are in the process of finalising the second report which will be

to Parliament in 2020/21 FY. We have also published three National State of B-BBEE Transformation Reports. Both reports referred to in the later statements are of significance as they provide a clear indication of who are the real players in the economy in terms of race, whether real economic empowerment has vested in the hands of black people, and further indicates whether B-BBEE is progressing or regressing.

Our efforts are also directed to ensuring that fronting practice is eradicated in South Africa. Thus, we published a number of investigation reports naming a few entities which contravened the B-BBEE legislation and this made a significant impact in the B-BBEE space. Further, we also promptly acted on activities which undermined the objectives of the B-BBEE, and these were mentioned through various media platforms. Such cases include but not limited to:

- (i) Publication of Eskom Holdings SOC Limited case - found to be non-complaint with section 10 of the B-BBEE Act;
- (ii) Publication of MTN Zakhele-Futhi Scheme case - found to be contrary to the B-BBEE Act, also referred to the National Treasury and Minister of Public Enterprises;
- (iii) Publication of BEE Matrix (Pty) Ltd case – issued invalid B-BBEE certificate to Zuri Quantity Surveyors Incorporated and Ilifa Africa Engineers (Pty) Ltd;
- (iv) Cancellation of the Fronting Seminar in Centurion – seminar had element of undermining the principles of B-BBEE its intension was to ‘show delegates how to front legally’;



- (v) Retraction of Association of B-BBEE Professionals (ABP) from issuing misleading statements regarding its role which purported itself as the B-BBEE Verification Professional Regulator.

In terms of providing guidance to the public, we made progress by issuing six (6) guidelines with regards to B-BBEE certificates for EMEs and QSEs; Recognition of Third Party Procurement Spend; Application of the Old Codes; Enhanced Recognition Status for EMEs and QSEs Through Application of Modified Flow-Through Principle; Determining the Validity of B-BBEE Certificate and Sworn Affidavit; B-BBEE requirements for Multinational Corporation. This is to ensure that stakeholders understand and implement the B-BBEE Act in an efficient and effective manner that will enhance meaningful participation of marginalised group of people into the mainstream economy of the country and to decrease the 29% rate of unemployment.

We aim to integrate and enhance our systems to ensure that our services work as seamless as possible and are available anywhere in the country, 24 hours. We have developed our five-year ICT Strategy, ICT infrastructure, HR Systems, B-BBEE Certificate Portal System, Contact Centre Service System and Integrated databases. We are in the process of developing Case Management System (CMS) to ensure that we are a trusted source of information. We will continue to work with our Strategic Partners for purpose of collaboration, opportunity to access broader range of resources and expertise and make referrals easier on investigated cases.

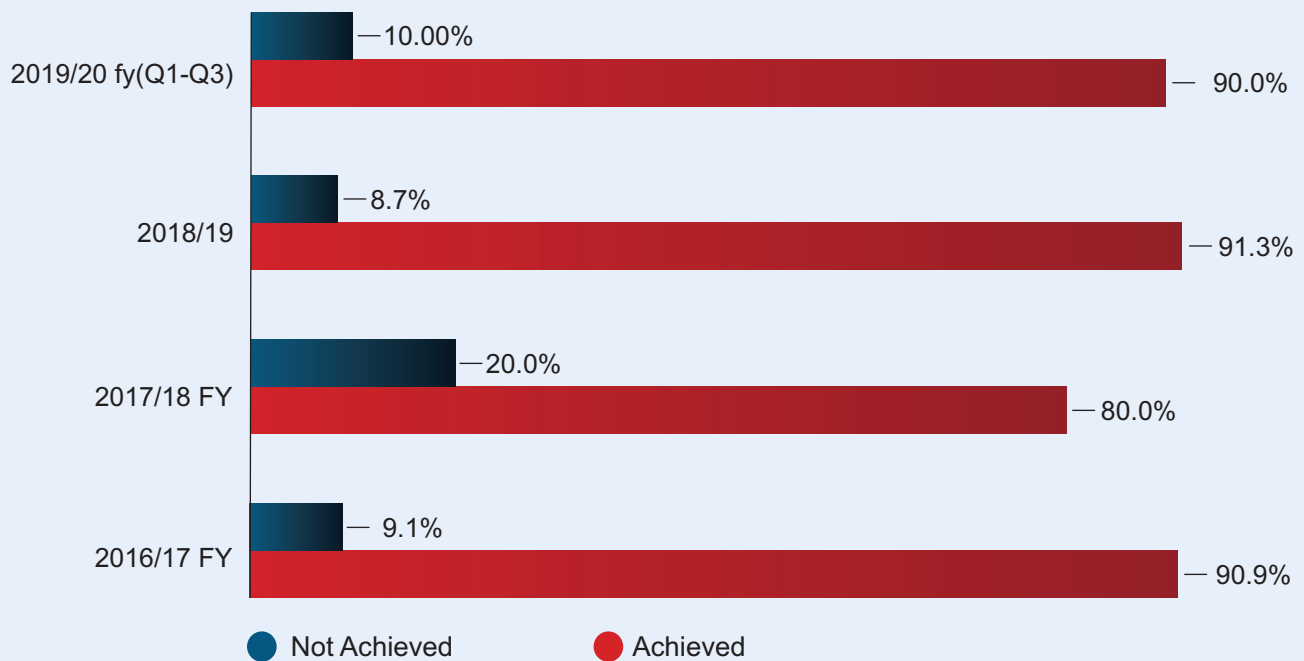
We will continue with our compliance strategy while we continue with enforcement activities dealing with fronting activities and those who blatantly act against the objectives of the B-BBEE Act. We will ensure that we enhance the understanding of the environment we operate in and our customers, and collaborate with other organisations to offer integrated services.

The Management Team with the support from B-BBEE Commission Officials is confident that we will achieve the desired outcomes, ultimately, building a transformed state.

2.Update to Institutional Policies and Strategies

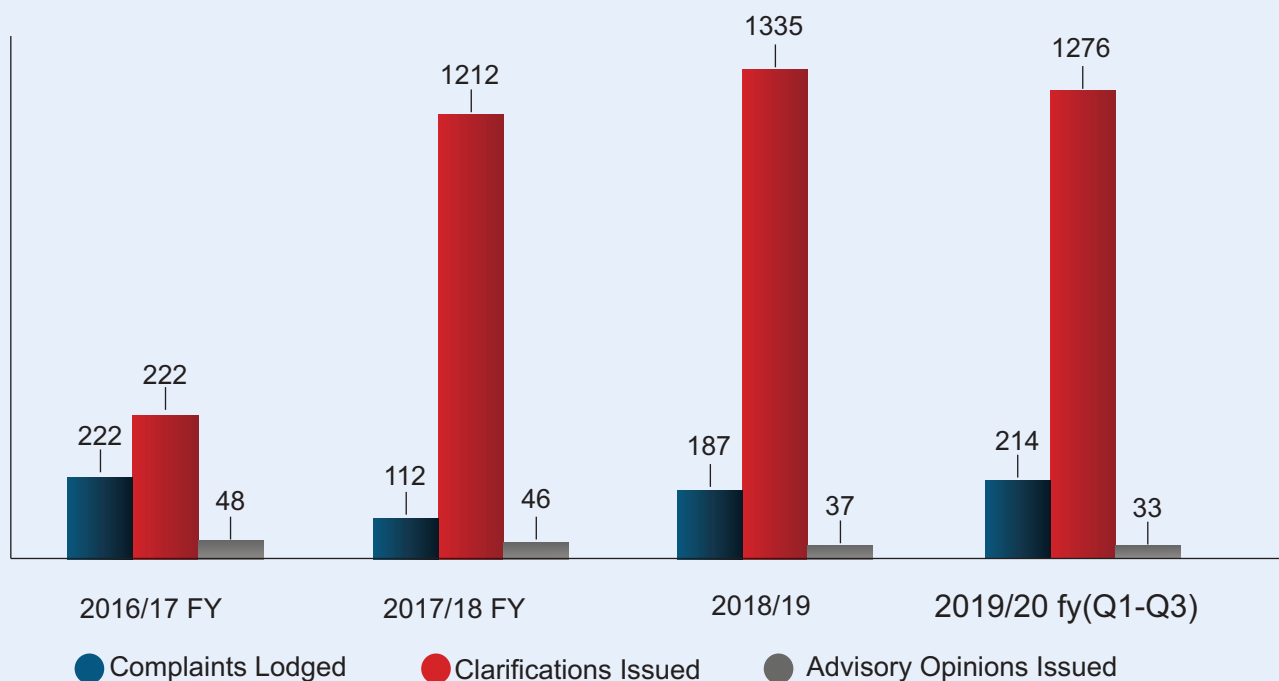
An increase in the number of complaints lodged has been noticed on a yearly basis. This may be due to the public being aware of the existence of the B-BBEE Commission and our focus on the compliance strategy. There is also a growing need for automated ICT systems and to fully resource the B-BBEE Commission to enable it to achieve its mandate. In the true sense, every South African citizen is a stakeholder of the B-BBEE Commission either direct or indirect, economic transformation affects all citizens, young or old; black or white, we all need to embrace B-BBEE.

Significant improvement in organisational performance has been realised over the last three (3) financial years (i.e. from June 2016/17 to 31 December 2019/20 FY). The graph below illustrates our performance:

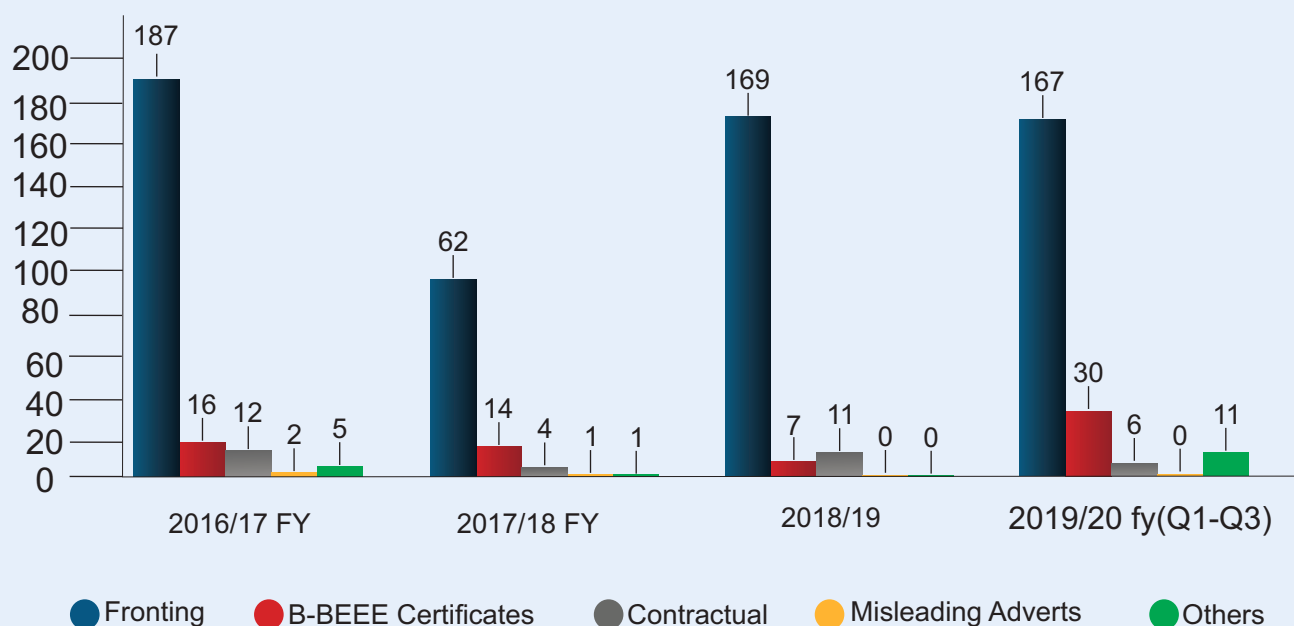


The constant performance shows that the B-BBEE Commission leadership has common vision of where the organisation needs to be, and a focus on achieving the key governmental and departmental priorities. Further, assurance that these priorities are translated into measurable, funded and realistic plans and projects.

Since its existence, the B-BBEE Commission has been driving the two core internal strategies, the Compliance Strategy and the Enforcement Strategy. The B-BBEE Commission has made significant progress in respect of its Compliance Strategy since 2016/17 financial year. Number of requests for Clarifications and Complaints lodged which are within our jurisdiction are increasing year on year, this can be attributed to education and awareness programme. While we have noticed a slight decline in number of advisory opinion requests. In 2019, we rolled out Provincial Conferences with the aim to educate, create awareness, and showcase the services of various government entities that are tailor made to assist Small, Medium and Micro Enterprises (SMMEs) and get the previously disadvantaged individuals to participate meaningfully in the South African economy. The statistics on complaints lodged with the B-BBEE Commission as well as clarifications and advisory opinions issued from 2016/17 FY to 31 December 2019 is reflected below:



The concern is that 84% of the total complaints received since 2016 relate to allegations of fronting which are prevalent in ownership. In mitigating the situation, the B-BBEE Commission in partnership with BEE Advisory Council hosted a roundtable session on Black Ownership in February 2019 which was a build-up to the Annual Conference which was also focusing on Black Ownership as a priority element, with the emphasis on major B-BBEE transaction registered with B-BBEE Commission from June 2017 to 31 March 2018. In addition, as part of advocacy and awareness programme, in 2016 we hosted a conference with Verification Professionals, 2017 a breakfast session on the National State of Transformation which also heightened issues around fronting practices, 2018 a conference on Improving State Procurement for Real Empowerment. The graph below depicts the types of complaints received by the B-BBEE Commission from 2016/17 FY to 31 December 2019.



To reach the desired outcomes in executing our mandate, we have entered into Memorandum of Understanding with nine (9) regulatory entities. As part of support and to provide guidance, a roundtable session was held with our strategic partners to discuss compliance with section 10 and section 13G of the B-BBEE Act.

The B-BBEE Commission has also made progress on the implementation of its Enforcement Strategy, a number of complaints were referred to the National Prosecuting Authority (NPA) and/or South African Police Services (SAPS) for criminal investigation whereas other complaints outside the jurisdiction of the B-BBEE Commission were referred to other relevant regulatory institutions such as Companies and Intellectual Property Commission (CIPC), South African Police Services (SAPS) and Department of Labour. So, where there is clear criminality and blatant disregard of the B-BBEE Act, we will not hesitate to pursue criminal processes. This year will see even more referrals for criminal investigation and prosecutions given the number of findings issued in the preceding year.

As from June 2016 to 31 December 2019 we concluded on average 67% (494/733) investigations with findings produced. We issued One Hundred and Forty-Five (145) Notices of Non-Investigation, in respect of complaints

where we found no evidence of contravention of the B-BBEE Act, or where a matter predates the B-BBEE Act, or the complainant does not have remedy or the matter does not fall within our jurisdiction.

As from June 2016 to 31 December 2019 we concluded on average 67% (494/733) investigations with findings produced. We issued One Hundred and Forty-Five (145) Notices of Non-Investigation, in respect of complaints where we found no evidence of contravention of the B-BBEE Act, or where a matter predates the B-BBEE Act, or the complainant does not have remedy or the matter does not fall within our jurisdiction.

We successfully concluded Thirteen (13) agreements relating to alternative dispute resolution where complainants were paid in total R106 517 839.36 as redress arising from the complaints, further, R14 598 483.31 contributions were made by respondents towards promoting the objectives of the B-BBEE Act, particularly to advance skills development for black beneficiaries.

The B-BBEE Commission also published its findings in terms of the provisions of section 13J (7) of the B-BBEE Act read with regulation 15 (12) (c) of the

B-BBEE Regulations, against Eskom Holdings SOC Limited on non-compliance with section 10 of the B-BBEE Act including MTN Zakhele-Futhi Scheme which was contrary to the requirements of the B-BBEE Act.

Amongst other matters referred to regulatory institution in terms of section 13J (6) of the B-BBEE Act, we have also referred the findings in respect of Eskom Holdings SOC Limited to the National Treasury and the Minister of Public Enterprises.

Other achievements of the B-BBEE Commission in 2019/20 FY:

The B-BBEE Commission has made positive improvement and contribution in the internal processes and procedures through the:

- Development and availability of relevant policies and procedures by the use of internal communication channel;
- Review of internal processes to deal with customer satisfactory and training of officials to gain relevant expertise;
- The payment of invoices within 30 days;
- Presentations on compliance related issues at various platforms such as Media Platforms, Forums (BBC, BMF, BUSA, etc);
- Development of ICT 5-year Plan, ICT infrastructure, ICT Systems namely: HR Management System, One-Stop Shop, B-BBEE Certificate Portal and Contact Centre Service System.

3. Update to Relevant Court Rulings

The B-BBEE Commission has the following matters:

- Total Litigation Matters pending: 12
- Total Matters under institution of legal proceedings: 8
- Total Matters under defending of legal proceedings: 4
- Total matter finalized: 1

Part B: Our Strategic Focus

4. Update on Situational Analysis

The B-BBEE Commission was established in terms section 13B of the Broad-Based Black Economic Empowerment Act, Act No. 46 of 2013 as amended ("B-BBEE Act"). The B-BBEE Commission commenced its

operations in June 2016 after the publication of B-BBEE Regulations. The B-BBEE Commission has developed strategic partnerships with other regulatory entities to explore synergies and collaborate on investigations and compliance work in order to reach the desired results in executing its mandate.

The Memoranda of Understanding have been concluded with various regulatory structures namely; National Gambling Board, Competition Commission, Companies and Intellectual Property Commission, Commission for Employment Equity, South African National Accreditation Systems, National Liquor Authority, KZN Department of Economics Development and South African Revenue Services.

Furthermore, the B-BBEE Commission has established the Legal and Compliance Committee, chaired by Ms Zandile Mpungose, and the Enforcement Committee chaired by, Mr Lutendo Sigogo, to provide guidance in the execution of its mandate.

Given the number of fraudulent certificates in the market, the B-BBEE Commission developed a B-BBEE Portal system which requires verification professionals/agencies to upload approved B-BBEE certificates. This is a measure to reduce the use of fraudulent certificates as in future the public and organs of state will be able to access the system to verify validity of certificates they receive. In addition, the system is allowing albeit in a limited way for now, the B-BBEE Commission to monitor the state of B-BBEE compliance by various sectors and entities, and moreover, do trends analysis in order to contribute to the report on the National Status of Transformation. The B-BBEE Commission is in the process of finalising the development of phase two of the portal system to enable the system to integrate with other departments, especially the Central Supplier Database.

The need for funding, human resource and office space remain the key challenge for the B-BBEE Commission. The National Treasury indicated that due to the fiscal constraints, **the dtic** must identify the budget within its resources, which will enable National Treasury to re-allocate those funds to the B-BBEE Commission. The B-BBEE Commission will continue to engage with **the dtic** on these issues.

Part C: Measuring Our Performance

5. Institutional Programme Performance Information

5.1 Programme 1-Compliance

Purpose: To safeguard the outcomes of an inclusive economy.

5.1.1 Outcomes, Output, Performance Indicators and Targets

Outcome	Outputs	Output Indicator	Annual Targets					
			Audited / Actual Performance		Estimated Performance	MTEF Period		
			2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Improved Compliance	Guide implementation of the Act	Average number of days taken to provide advice to clients	30 days	30 days	30 days	30 days	30 days	30 days
		Average of number of days taken to issue clarifications to clients	Nil	Nil	Nil	5 days	5 days	5 days
		Number of practice notes/guides developed and issued	2 annually	2 annually	2 annually	2 annually	2 annually	2 annually
		Number of Guidelines / Brochures developed	2 annually	2 annually	2 annually	2 annually	2 annually	2 annually
	Assess B-BBEE transactions and provide advice/initiatives	Number of education and awareness sessions conducted	Nil	Nil	Nil	10 annually	10 annually	10 annually
		Average number of days taken to issue a registration certificate	Nil	Nil	10 days	10 days	10 days	10 days
	Assess Compliance Reports and provide feedback	Average number of days taken to assess a transaction and issue a remedial instruction	90 days	90 days	90 days	90 days	90 days	90 days
		Average number of days taken to assess compliance reports and issue certificates of compliance / rejection	Nil	Nil	90 days	90 days	90 days	90 days

5.1.2 Indicators, Annual and Quarterly Targets

Performance Indicator/Measure	Annual Target 2020/21	Quarterly Milestones			
		1 st	2 nd	3 rd	4 th
Number of days taken to provide advice to clients	30 days taken to provide advice to clients upon receipt	Advice provided to clients within 30 days upon receipt	Advice provided to clients within 30 days upon receipt	Advice provided to clients within 30 days upon receipt	Advice provided to clients within 30 days upon receipt
Average of number of days taken to issue clarifications to clients	5 days taken to issue clarifications to clients upon receipt	Clarifications issued to clients within 5 days upon receipt	Clarifications issued to clients within 5 days upon receipt	Clarifications issued to clients within 5 days upon receipt	Clarifications issued to clients within 5 days upon receipt
Number of practice notes/guides developed and issued	2 practice notes/guides developed and issued annually	Nil	1 practice note/guide developed and issued	Nil	1 practice note/guide developed and issued
Number of Guidelines / Brochures produced	2 Guidelines / brochures produced annually	Nil	Gather information, consult and develop 2 draft guidelines / brochures	2 draft guidelines /brochures for Commissioner's review and input	2 Final guidelines/ brochures approved by Commissioner and issued
Number of education and awareness programme conducted	10 education and awareness programme conducted annually and reports produced	2 education and awareness programme conducted and reports produced	3 education and awareness programme conducted and reports produced	3 education and awareness programme conducted and reports produced	2 education and awareness programme conducted and reports produced
Average number of days taken to issue registration certificates	Issue registration certificates within 10 days of registration of major B-BBEE transactions	10 days	10 days	10 days	10 days
Assess transactions and issue remedial instruction	90 days taken to assess B-BBEE transactions and issue remedial instruction	Assess B-BBEE transactions and issue remedial instruction within 90 days upon receipt	Assess B-BBEE transactions and issue remedial instruction within 90 days upon receipt	Assess B-BBEE transactions and issue remedial instruction within 90 days upon receipt	Assess B-BBEE transactions and issue remedial instruction within 90 days upon receipt
Average number of days taken to assess compliance reports and issue compliance certificates / reject	90 days taken to assess compliance reports and issue compliance certificate / reject	Assess compliance reports and issue certificates of compliance / rejection within 90 days upon receipt	Assess compliance reports and issue certificates of compliance / rejection within 90 days upon receipt	Assess compliance reports and issue certificates of compliance / rejection within 90 days upon receipt	Assess compliance reports and issue certificates of compliance / rejection within 90 days upon receipt

5.2 Programme 2: Investigations and Enforcement

Purpose: To implement corrective enforcement to achieve compliance.

5.2.1 Outcomes, Output, Performance Indicators and Targets

Outcome	Outputs	Output Indicator	Annual Targets						
			Audited / Actual Performance			Estimated performance			
			2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
Improved Compliance	Conduct both proactive and reactive investigations.	Average percentage of reports produced on investigations conducted within 12 months	5 Reports	80% of Reports	On average 80% investigation findings produced on investigations conducted within 12 months upon receipt of compliant.	On average 80% investigation findings produced on investigations conducted within 12 months upon receipt of compliant / initiation	On average 80% investigation findings produced on investigations conducted within 12 months upon receipt of compliant / initiation	On average 80% investigation findings produced on investigations conducted within 12 months upon receipt of compliant / initiation	On average 80% investigation findings produced on investigations conducted within 12 months upon receipt of compliant / initiation
	Encourage and guide resolution of disputes through ADR when necessary.	Average percentage of identified cases analysed & investigated for possible ADR process if any.[r15 (11)]	3 Cases	100% cases received analysed and investigated. 80% Cases referred.	100% identified cases for ADR analysed and investigated. 80% of the referred cases resolved within 6 months.	100% identified cases for ADR analysed and investigated. 80% ADR concluded within 6 months and referred to other regulatory entities within 30 days.	80% of the identified cases for ADR finalised within 6 months if any[r15 (11)]	80% of the identified cases for ADR finalised within 6 months if any[r15 (11)]	80% of the identified cases for ADR finalised within 6 months if any[r15 (11)]
	Referral to other regulatory entities when necessary.	Percentage of cases referred to other Regulatory entities on average within 30 days.[s13J (6)]	Nil	100% of Cases Referred.	100% of identified cases referred.	100% of identified cases referred within 30 days.	100% of identified cases referred on average within 30 days if any.	100% of identified cases referred on average within 30 days if any.	100% of identified cases referred on average within 30 days if any.
	Refer for prosecution when necessary.	Number of cases finalised and referred for prosecution when necessary.[s13J (5)]	1 Case	2 Cases	100% of the identified cases if any.	100% of the identified cases referred for prosecution if any.	100% of identified cases referred for prosecution if any.[s13J (5)]	100% of identified cases referred for prosecution if any.[s13J (5)]	100% of identified cases referred for prosecution if any.[s13J (5)]

5.2.2 Indicators, Annual and Quarterly Targets

Performance Indicator/Measure	Annual Target 2020/21	Quarterly Milestones			
		1 st	2 nd	3 rd	4 th
Average percentage of reports produced on investigations conducted within 12 months receipt of complaint / initiation	On average 80% investigation findings produced on investigations conducted within 12 months upon receipt of complaint / initiation	On average 80% investigation findings produced on investigations conducted within 12 months upon receipt of complaint / initiation	On average 80% investigation findings produced on investigations conducted within 12 months upon receipt of complaint / initiation	On average 80% investigation findings produced on investigations conducted within 12 months upon receipt of complaint / initiation	On average 80% investigation findings produced on investigations conducted within 12 months upon receipt of complaint / initiation
Average percentage of identified cases analysed & investigated for possible ADR process if any./r15 (11)	80% of the identified cases for ADR finalised within 6 months if any/r15 (11)	80% of the identified cases for ADR finalised within 6 months if any/r15 (11)	80% of the identified cases for ADR finalised within 6 months if any/r15 (11)	80% of the identified cases for ADR finalised within 6 months if any/r15 (11)	80% of the identified cases for ADR finalised within 6 months if any/r15 (11)
Percentage of cases referred to other Regulatory entities on average within 30 days./s13J (6)	100% of identified cases referred on average within 30 days if any.	100% of Cases referred to other regulatory institutions within 30 days during analysis and investigation process if any./s13J (6)	100% of Cases referred to other regulatory institutions within 30 days during analysis and investigation process if any./s13J (6)	100% of Cases referred to other regulatory institutions within 30 days during analysis and investigation process if any./s13J (6)	100% of Cases referred to other regulatory institutions within 30 days during analysis and investigation process if any./s13J (6)
Number of cases finalised and referred for prosecution when necessary./s13J (5)	100% of identified cases finalised and referred for prosecution if any./s13J (5)	Nil	100% of identified cases finalised and referred for prosecution if any./s13J (5)	Nil	100% of identified cases finalised and referred for prosecution if any./s13J (5)

5.3 Programme 3: Research, analysis and reporting

Purpose: To research, analyzing and reporting on the state of transformation

5.3.1 Outcomes, Output, Performance Indicators and Targets

Outcome	Outputs	Output Indicator	Annual Targets			
			Audited / Actual Performance		Estimated Performance	MTEF Period
Improved Compliance	Collect and analyse data by economic sectors	Number of Sector Reports produced and data analysed	2016/17	2017/18	2018/19	2019/20
			2 Sector reports produced.	2 SectorReports produced80% of realtime data tracked.	2 Sector Reports produced and data analysed.	2 Sector reports produced annually and 100% of data tracked from the B-BBEE certificate portal
	Report on B-BBEE National Status and Transformation Trends	Number of 'National Status' Annual Report produced	1 National Status annual report produced.	1 National Status annual report produced.	1 National Status annual report produced.	1 National Status annual report produced.
	Report on Major Transactions	Number of major B-BBEE Transaction Report produced	Nil	Nil	Nil	1 Major B-BBEE Transaction report produced

Purpose: To developing capability and capacity of the B-BBEE Commission to deliver on its mandate

5.5.1 Outcomes, Output, Performance Indicators and Targets

Outcome	Outputs	Output Indicator	Annual Targets						
			Audited / Actual Performance			Estimated performance	MTEF Period		
			2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
Improved Compliance	Develop and Implement ICT strategy and infrastructure	Develop Integrated data base (data warehouse) for of the B-BBEE Commission.	1 ICT 5 year plan developed and approved	1 ICT 5 year plan developed and approved	1 ICT 5 year plan developed and approved	Develop integrated database (data warehouse)	Implement and monitor integrated data-base (data warehouse)	Monitor implementation of integrated data-base (data warehouse) and ICT plan and review ICT 5 year plan	Enhance Integrated data base
	Implement and maintain support systems	Number of systems developed, implemented and monitored	Nil	Implementation of the 2 Systems (CMS & B-BBEE certificate and reports portal)	4 Systems developed and 5 systems Implemented (CMS, Phase 2 B-BBEE certificate & reports portal, HRMD, and Contact Centre)	4 Systems developed and 5 systems Implemented (CMS, Phase 2 B-BBEE certificate & reports portal, HRMD, Contact Centre and Financial)	3 systems Implemented (B-BBEE certificate & reports portal, One stop portal, Events and Management System)	Monitor and maintain the 5 systems (CMS, B-BBEE certificate & reports portal, HRMD, Contact Centre and Financial)	Monitor, maintain and review the 5 systems (CMS, B-BBEE certificate & reports portal, HRMD, Contact Centre and Financial System)
	Staff the B-BBEE Commission and develop a talent pipeline	Average percentage of officials trained	Nil	Nil	10 officials trained	60% officials trained	60% officials trained	60% officials trained	60% officials trained
		Number of graduates on Internship and Trainee programme	11 graduates	10 Graduates employed on internship and Trainee programme	Nil	Nil	Nil	10 Graduates	10 Graduates

5.4.2 Indicators, Annual and Quarterly Targets

Performance Indicator/Measure	Annual Target 2020/21	Quarterly Milestones			
		1 st	2 nd	3 rd	4 th
Develop Integrated data base (data warehouse) for of the B-BBEE Commission.	Implement and monitor integrated data-base (data warehouse)	Implement integrated data-base (data warehouse)	Monitor integrated data-base (data warehouse)	Monitor integrated data-base (data warehouse)	Monitor integrated data-base (data warehouse)
Number of systems developed, implemented and monitored	3 systems Implemented (B-BBEE certificate & reports portal, One stop portal, Events and Management System)	implement B-BBEE certificate & reports portal and One stop portal	Implement and Maintain the B-BBEE Certificate Portal systems and Develop Events and Management system	Maintain the systems	Maintain the systems
Average percentage of officials trained	60% officials trained annually	NIL	NIL	NIL	60% officials trained

6. Explanation of Planned Performance over the medium term period

The selected outputs for each programme are aimed to support the delivery and achievement of the strategic outcomes which are linked to both the National Development Plan (NDP) goals and **the dtic** objectives. Focus is to contribute to the acceleration of the inclusive economic growth that is globally competitive and to increase meaningful participation of previously disadvantage group of people (women, youth, people living with disability) in the mainstream economy. The below table illustrate the linkage between the choice of the outcome indicators and the National Development goals.

Outcomes	National Development Goals
1. Safeguarding the outcomes of an inclusive economy.	Supports NDP Outcome 4 – decent employment through inclusive growth. Facilitate broad-based economic empowerment through targeted interventions to achieve more inclusive growth.
2. Implementing corrective enforcement to achieve compliance.	Supports NDP Outcome 11 – Create a better South Africa and a better world. Create a fair regulatory environment that enables transformational development in an equitable and socially responsible manner.
3. Researching, analyzing and reporting on the state of transformation.	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. Facilitate broad-based economic empowerment through targeted interventions to achieve more inclusive growth.
4. Collaborating with relevant stakeholders to advance transformation.	Extends relationships with key stakeholders for the betterment of the economy in relation to B-BBEE. Supports NDP Outcome 12 – An efficient, effective and development-oriented public service. Promote a professional, ethical, dynamic competitive and customer-focused working environment that ensures effective and efficient service delivery. Create a fair regulatory environment that enables transformational development in an equitable and socially responsible manner.
5. Developing capability and capacity of the Commission to deliver on its mandate.	Supports NDP Outcome 12 – An efficient, effective and development-oriented public service. Promote a professional, ethical, dynamic competitive and customer-focused working environment that ensures effective and efficient service delivery.

7. Programme Resource Consideration

7.1 Human Resource Considerations

The staff complement over the next three 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, build capacity for the core functions of the organisation and to deliver on our mandate.

7.2 Financial Plan

It must be noted the B-BBEE Commission is operating with a zero (0) budget since its budget is allocated under the transfer line item which is not accessible until such time the B-BBEE Commission is listed as a Public entity. Below is the projected budget of the B-BBEE Commission for a three-year period.

Economic Classification	2020/21 Rm	2021/22 Rm	2022/23 Rm
Compensation of Employees	89 000	93 000	98 000
Goods and Services	49 000	52 000	55 000
Total operational expenditure	138 000	145 000	153 000
Payment for capital assets	6 000	6 000	6 000
Total expenditure	144 000	151 000	159 000

7.1.1 Programme 1: Compliance

Projected Number of Employees	2020/21	2021/22	2022/23
Number of permanent employees	25	25	25
Number of interns and/ trainees	2	2	2
Total Staff Complement for the Programme	27	27	27

7.1.2 Programme 2: Investigation and Enforcement

Projected Number of Employees	2020/21	2021/22	2022/23
Number of permanent employees	25	25	25
Number interns and/ trainees	3	3	3
Total Staff Compliment for the Programme	28	28	28

7.1.3 Programme 3: Research

Projected Number of Employees	2020/21	2021/22	2022/23
Number of permanent employees	12	12	12
Number interns and/ trainees	2	2	2
Total Staff Complement for the Programme	14	14	14

7.1.4 Programme 4: Relationship Building/Stakeholder Relations

Projected Number of Employees	2020/21	2021/22	2022/23
Number of permanent employees	4	4	4
Number interns and/ trainees	1	1	1
Total Staff Complement for the Programme	5	5	5

7.1.5 Programme 4: Administration

Projected Number of Employees	2020/21	2021/22	2022/23
Number of permanent employees	47	47	47
Number interns and/ trainees	2	2	2
Total Staff Complement for the Programme	49	49	49

8. Updated Key Risks

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

Outcome	Key Risk	Risk Mitigation
1. Developing capability and capacity of the Commission to deliver on its mandate	Lack of infrastructure to support the B-BBEE Commission	(a) Monitor the implementation of the ICT strategy plan (b) Timely procurement of ICT infrastructure
2. Developing capability and capacity of the Commission to deliver on its mandate	Inadequate human resources to deliver on the mandate	(a) Recruitment and secondment of multi-skilled and experienced human resources (b) Alternative Office space (c) Graduate training programme – build capacity organically (d) Capacity building programme,
3. Developing capability and capacity of the Commission to deliver on its mandate	Inadequate and inaccessible financial resources to effectively execute the B-BBEE Commission's mandate	(a) Apply for additional budget from the dtic
4. Implementing corrective enforcement to achieve compliance	Non-compliance with corrective action and recommendations to stakeholders	(a) Enforcement
5. Implementing corrective enforcement to achieve compliance	Litigation against B-BBEE Commission	(a) Proper investigations plan (b) Adequate legal support
6. Safeguarding the outcomes of an inclusive economy	Regulatory Uncertainty	(a) Issue practice guides on B-BBEE (b) Service Legal Agreement (SLA) with the dti on policy

9. Public Entity

Not applicable

10. Infrastructure Projects

None at the current time

11. Public Private Partnerships

None at the current time

Part E: Technical Indicator Description (TID)

Outcome 1 - Safeguarding the outcomes of an inclusive economy
Programme 1 - Compliance

Outcome	Improved Compliance
Indicator title	1.1 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	Cumulative
Reporting cycle	Quarterly
Baseline Indicator	Two annually
Desired performance	A lower Fog Index is desirable
Indicator Responsibility	Executive Manager: Compliance and Executive Manager: Organizational Strategy & Performance

Outcome	Improved Compliance
Indicator Title	1.2 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 provide 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 provided within the 30 working days limit against all requests for advice.
Data limitations	None
Type of indicator	Outputs
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Baseline Indicator	Advice provided to client within 30 days upon receipt
Desired performance	100%
Indicator Responsibility	Executive Manager: Compliance

Outcome	Improved Compliance
Indicator Title	1.3 Requests for clarifications are documented in writing within 5 working days of receipt.
Short definition	Clarifications are generated in response to requests for clarity on B-BBEE issues. These must be registered and provide 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 clarification in response to all queries.
Source/ collection of data	All requests for clarification are recorded centrally with date received, date of feedback and date closed (finalised).
Method of calculation	Percentage of Clarifications provided within the 5 working days limit against all requests for advice.
Data limitations	None
Type of indicator	Outputs
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Baseline Indicator	Clarifications provided to client within 5 days upon receipt
Desired performance	100%
Indicator Responsibility	Executive Manager: Compliance

Outcome	Improved Compliance
Indicator Title	1.4 Explanatory Notes/Guides 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
Baseline Indicator	Two practice notes/ guides issued annually
Desired performance	Additional Practice Notes over two could be deemed an improvement, if quality is maintained.
Indicator Responsibility	Executive Manager: Compliance

Outcome	Improved Compliance
Indicator Title	1.4 Explanatory Notes/Guides 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
Baseline Indicator	Two practice notes/ guides issued annually
Desired performance	Additional Practice Notes over two could be deemed an improvement, if quality is maintained.
Indicator Responsibility	Executive Manager: Compliance

Outcome	Improved Compliance
Indicator title	1.5 Compliance with the B-BBEE Act and Corporate Governance
Short definition	The B-BBEE Commission is charged with assuring that B-BBEE transactions comply with the B-BBEE Act 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 assessed.
Type of indicator	Outputs
Calculation type	Non-Cumulative
Reporting cycle	Annually
Baseline Indicator	New
Desired performance	All non-compliant transactions should be following the defined steps so 100% is desirable.
Indicator Responsibility	Executive Manager: Compliance

Outcome	Improved Compliance
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 assessed.
Type of indicator	Outputs
Calculation type	Non-Cumulative
Reporting cycle	Quarterly
Baseline Indicator	Assess transactions within 90 days upon registration
Desired performance	A monthly update must be published
Indicator Responsibility	Executive Manager: Compliance and Executive Manager: Organizational Strategy & Performance

Outcome	Improved Compliance
Indicator Title	1.7 Compliance reports in line with section 13G
Short definition	The B-BBEE Commission will acknowledge receipt and assess the compliance reports and provide feedback with regards to state of compliance as per the B-BBEE Act
Purpose/importance	The purpose is to ensure transparency with B-BBEE compliance
Source/ collection of data	Submitted compliance report from JSE listed companies, organs of state, state-owned entities, SETA's
Method of calculation	Certificate of Compliance / rejection will be sent to all entities that submitted compliance report to B-BBEE Commission
Data limitations	Only submitted compliance report will be assessed and analysed
Type of indicator	Outputs
Calculation type	Non-Cumulative
Reporting cycle	Quarterly
Baseline Indicator	90 days taken to assess compliance report
Desired performance	Monthly update
Indicator Responsibility	Executive Manager: Compliance and Executive Manager: Organizational Strategy & Performance

Outcome 2: Implementing corrective enforcement to achieve compliance
Programme 2: Investigations and Enforcement

Outcome	Improved Compliance
Indicator Title	2.1 Percentage of reports produced on investigations conducted within 12 months upon receipt of compliant
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 B-BBEE 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
Baseline Indicator	On average 80% of reports produced with findings on investigations conducted within 12 months upon receipt of compliant
Desired performance	100%
Indicator Responsibility	Executive Manager: Investigations & Enforcement

Outcome	Improved Compliance
Indicator Title	2.2 Percentage of identified cases for possible Alternative Dispute Resolution (ADR) process
Short definition	The objective is to try and resolve disputes before prosecution.
Purpose/importance	The desire is to get ADR agreement in preference to prosecution.
Source/ collection of data	Database
Method of calculation	Number of disputes reaching ADR agreements, as a percentage of all disputes
Data limitations	The database should be able to track the outcome of the dispute in order to hand over disputes for prosecution if consensus cannot be reached.
Type of indicator	Outcome
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Baseline Indicator	Three cases referred for ADR
Desired performance	The higher the percentage, the better the performance
Indicator Responsibility	Executive Manager: Investigations & Enforcement

Outcome	Improved Compliance
Indicator Title	2.3 Updated register of cases referred for prosecution
Short definition	Where there is contravention of the B-BBEE Act cases will be referred for prosecution. A register of referred cases will be maintained and managed.
Purpose/importance	The B-BBEE Commission is interested in in managing all cases referred for prosecution.
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
Baseline Indicator	One case referred for prosecution if any
Desired performance	1 publication per quarter
Indicator Responsibility	Executive Manager: Investigations & Enforcement

Outcome 3: Researching, analysing and reporting on the state of transformation
Programme 3: Research, Analysis & Reporting

Outcome	Improved Compliance
Indicator Title	3.1 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 database held by the B-BBEE Commission (B-BBEE certificate portal system) will 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
Baseline Indicator	Two report
Desired performance	Two per year
Indicator Responsibility	Chief Economist

Outcome	Improved Compliance
Indicator Title	3.2 Major Transaction Report produced annually
Short definition	A report on the major B-BBEE transactions analysis
Purpose/importance	To determine if Ownership has been created in line with code series 100, identify value creation by sectors and calculate total value of registered transactions
Source/ collection of data	Received major B-BBEE Transactions
Method of calculation	Number of major B-BBEE Transaction reports published
Data limitations	Availability of received major B-BBEE Transactions
Type of indicator	Impact
Calculation type	Cumulative
Reporting cycle	Annual
Baseline Indicator	One report
Desired performance	One per year (published in the first quarter of the next financial year)
Indicator Responsibility	Chief Economist

Outcome	Improved Compliance
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	Database (B-BBEE certificate Portal system), Compliance report, major B-BBEE transactions.
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
Baseline Indicator	One report
Desired performance	One per year (published in the first quarter of the next financial year)
Indicator Responsibility	Chief Economist

Outcome	Improved Compliance
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	Chief Economist

Outcome	Improved Compliance
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	Chief Economist

Outcome 4: Collaborating with relevant stakeholders to advance transformation
Programme 4: Relationship Building/Stakeholder Relations

Outcome	Improved Compliance
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	Cumulative
Reporting cycle	Annual
Baseline Indicator	Two memoranda of understanding entered to per year
Desired performance	Two memoranda of understanding entered to per year
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

Outcome	Improved Compliance
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 B-BBEE 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
Baseline Indicator	One ICT plan
Desired performance	One approved plan
Indicator Responsibility	Chief Operations Officer

Outcome	Improved Compliance
Indicator Title	5.2 Number of systems developed and maintained
Short definition	Development of operational system
Purpose/importance	B-BBEE Commission requires automated systems to improve efficiency
Source/ collection of data	Benchmark with other organs of state
Method of calculation	Number of systems developed
Data limitations	None
Type of indicator	Outcome
Calculation type	Non-cumulative
Reporting cycle	Annual
Baseline Indicator	One system
Desired performance	Five systems
Indicator Responsibility	Chief Operations Officer

Outcome	Improved Compliance
Indicator Title	5.3 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
Baseline Indicator	6
Desired performance	The level is dependent on the available budget to support the graduates.
Indicator Responsibility	Chief Operations Officer

Outcome	Improved Compliance
Indicator Title	5.4 Percentage of officials trained for capacity building
Short definition	Staff development and training exist to ensure improvement of skills and knowledge of employees within the B-BBEE Commission.
Purpose/importance	Staff development and training assist in creating a pool of readily available and adequate replacements for personnel who may leave or move up in the B-BBEE Commission.
Source/ collection of data	Human Resource records
Method of calculation	Number of staff members training annually
Data limitations	None
Type of indicator	Capacitation
Calculation type	Non-Cumulative
Reporting cycle	Quarterly
Baseline Indicator	10
Desired performance	60%
Indicator Responsibility	Chief Operations Officer



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