



COMPANIES TRIBUNAL

2016/17 STRATEGIC PLAN and ANNUAL PERFORMANCE PLAN

**to the Portfolio Committee on
Trade and Industry
05 April 2016**

Presented by: Ms Agnes Tsele-Maseloanyane

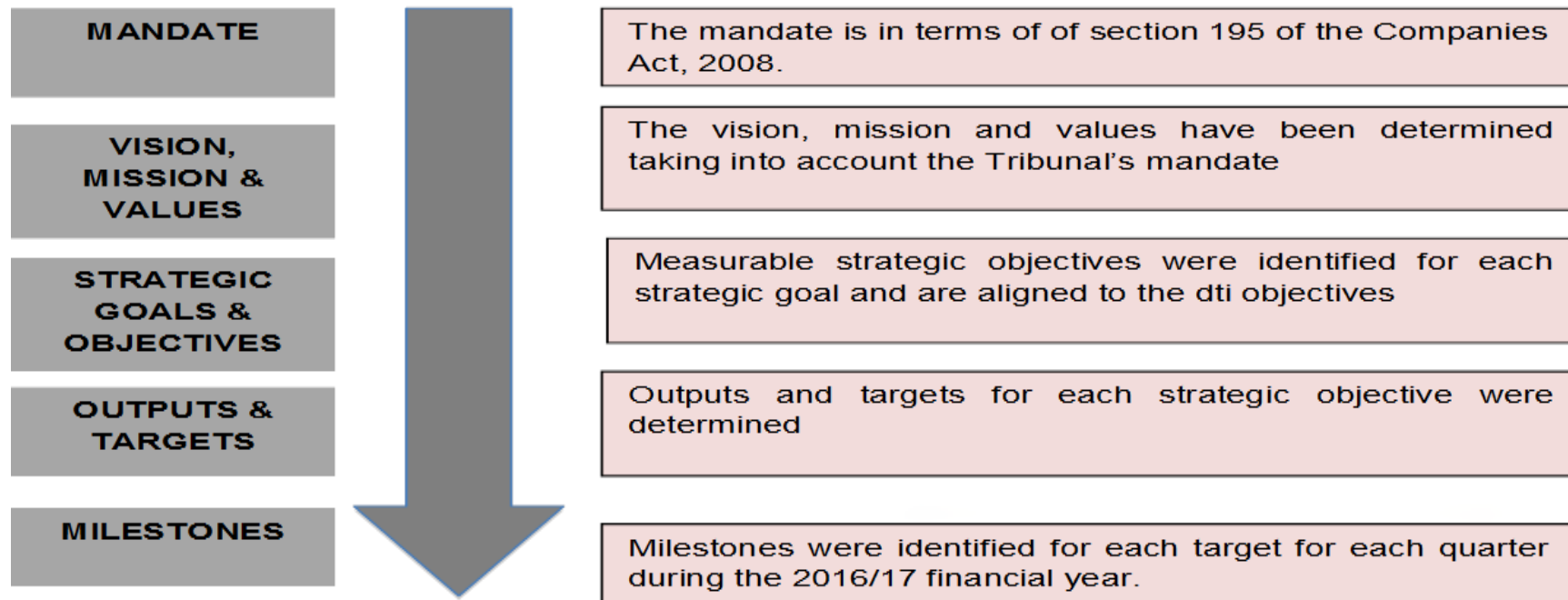


Companies Tribunal Delegation to Parliament for the presentation to the Portfolio Committee on 05 April 2016:

- Ms Agnes Tsele-Maseloanyane (Full-Time Member)
- Mrs Irene Mathatho (Chief Financial Officer)
- Ms Tebogo Mputle (Registry Manager)

1.1 The Planning Process

In compiling the strategic plan, the Companies Tribunal ensured that there is alignment with all the key processes followed. The diagram below outlines the roadmap followed to ensure strategic alignment of all processes.



Mandate (Section 195 Companies Act)

The Companies Tribunal's mandate is in terms of the Companies Act is to:

- Adjudicate in relation to any application that may be made to it in terms of the Act and make any order provided for in the Act in respect of any such application.
- Assist in the resolution of disputes as contemplated in part C of Chapter 7 of the Act.
- Perform any other function assigned to it by or in terms of the Act or any law in Schedule 4

Vision

- A world class regulatory adjudicatory and dispute resolution organization that contributes to the promotion of fair and ethical business practices

STRATEGIC OBJECTIVES

Adjudication:

- Adjudicate applications timeously, fairly and in a transparent manner
- Resolve disputes in a cost effective, informal and timeous manner

Administration:

- To promote sound corporate governance
- To ensure efficient management of cases
- To build a body of knowledge around company law
- To recruit, appoint, develop and retain competent staff
- To educate the members of the public and raise aware-ness regarding the Tribunal

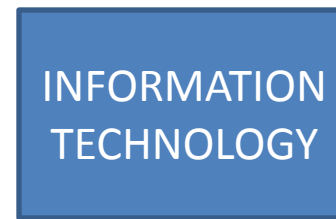
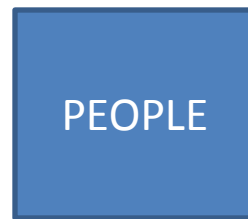
CONTEXUAL OVERVIEW

- Increase in caseload- strategic partnerships (B-BBEE Commission & Courts)
- Increase awareness and accessibility of Tribunal Services
- Opportunities presented by ADR to be exploited further
- Continuous improvement of regulatory environment (Act and Governance Policies)
- Limited Human Resource capacity
- Limited Revenue
- Budget Deficit
- Space/ Hearing rooms limitations

STRATEGIC DRIVERS



STRATEGIC ENABLERS



PERFORMANCE TARGETS- ADJUDICATION

STRATEGIC GOAL	OUTPUTS	PERFORMANCE INDICATOR	ESTIMATED BASELINE	TARGETS
Adjudicate and make orders in relation to any application	Adjudicated applications	Percentage of decisions and orders issued within 30 working days after the final date of the hearing	85%	90%
		Percentage of decisions and orders issued within 30 days after the date of allocation	90%	90%
Resolution of disputes in terms of Alternative Dispute Resolution (ADR)	Resolved disputes	Percentage of cases finalised in terms of Alternative Dispute Resolution (ADR) within 25 working days after the date of final hearing or final submission by parties whichever is applicable	70%	75%

PERFORMANCE TARGETS- ADMINISTRATION

STRATEGIC GOAL	OUTPUTS	PERFORMANCE INDICATOR	ESTIMATED BASELINE	TARGETS
Ensure operational effectiveness and efficiency of the Tribunal	Sound financial management	Percentage of total budget spent	90%	95%
		No irregular, fruitless and wasteful expenditure incurred	None	None

PERFORMANCE TARGETS- ADMINISTRATION

STRATEGIC GOAL	OUTPUTS	PERFORMANCE INDICATOR	ESTIMATED BASELINE	TARGETS
Ensure operational effectiveness and efficiency of the Tribunal	Automated/ electronic case management systems	Piloted case management system	Draft case management business process mapping	Piloting and Partial implementation of Case Management System
	Production of research reports	Number of research reports produced	1 research report on: Comparative analysis of Companies Tribunals in other jurisdictions	Produce one (1) research report on the impact and effectiveness of the CT in delivering on its mandate

PERFORMANCE TARGETS- ADMINISTRATION

STRATEGIC GOAL	OUTPUTS	PERFORMANCE INDICATOR	ESTIMATED BASELINE	TARGETS
Ensure operational effectiveness and efficiency of the Tribunal	Trained staff on matters relating to the operations of the Tribunal	Percentage of staff trained on matters relating to the operations of the Tribunal	N/A	80%
	Staff retention	Percentage of staff retained	N/A	85%

PERFORMANCE TARGETS- ADMINISTRATION

STRATEGIC GOAL	OUTPUTS	PERFORMANCE INDICATOR	ESTIMATED BASELINE	TARGETS
Ensure operational effectiveness and efficiency of the Tribunal	Advocacy services	Number of seminars hosted	Host 1 seminar on Alternative Dispute Resolution (ADR)	Host 1 seminar on corporate governance business ethics and Social and Ethics Committee
		Number of media engagements	Release 2 media statements Participate in 2 radio interviews	Release 2 media statements Participate in 2 radio interviews

PERFORMANCE TARGETS- ADMINISTRATION

STRATEGIC GOAL	OUTPUTS	PERFORMANCE INDICATOR	ESTIMATED BASELINE	TARGETS
Ensure operational effectiveness and efficiency of the Tribunal	Advocacy services	Number of participations in outreaches and/or exhibitions	Participate in 7 outreach programmes or exhibitions in: 2 City of Tshwane 1 Limpopo 1 Soweto 1 Ekurhuleni 1 East London 1 Durban	Participate in 8 outreach programmes or exhibitions targeting business people, aspiring business people, youth in the following areas: 1 Kimberley 1 Bloemfontein 1 PE 1 Potchefsroom 1 Mogale City 1 Emalahleni 1 Richards Bay 1 Mafikeng

SUPPORTING STRATEGIES & PLANS

- Human Resource Strategy
- Information Technology Strategy
- Communications Strategy
- Anti-fraud and Corruption Policy
- Asset Management Plan
- Service delivery improvement plan

SERVICE DELIVERY IMPROVEMENT PLANS

Key Services	Performance measure	Current standard 2015/16	2016/17
Adjudication and make orders	Quality	Applications are resolved within 40 business days after complete filing of documents	Applications to be resolved within 35 days after complete filing of documents
	Quantity	An average of 10 applications are resolved within 30 business days after the date of allocation	An average of 15 applications will be resolved within 28 business days from the date of allocation
	Redress	Enquiries and complaints will be acknowledged within two days after receipt, resolve within five (5) working days	Enquiries and complaints will be acknowledged within a day after receipt, resolve within four (4) working days
Dispute resolution	Quality	Applications are resolved within 32 days from date of receipt of application	Applications to be resolved within 25 days from the date of receipt of application
Paying Service providers	Quality	Service providers are paid within 30 days	All service providers will be paid within 25 days after service has been rendered

STRATEGIC RISKS

Risk Category and Sub-Category	Risk Description
OPERATIONAL -Reputational Risk	1. Failed ADR 2. Applicant may opt to use a different forum other than Companies Tribunal resulting in loss of customer base.
OPERATIONAL -Reputational Risk	Biased decision that may result in disgruntled clients
STRATEGIC -Performance and Reputational Risks	Poor service delivery resulting from delays in finalizing cases.
OPERATIONAL -Human Capital Risk	Lack of capacity to perform effectively (Vacant critical positions)
OPERATIONAL -Reputational Risk	Failure to benchmark organization to best practice leading to poor customer service.

STRATEGIC RISKS

Risk Category and Sub-Category	Risk Description
STRATEGIC -Human Capital Risk	<ol style="list-style-type: none">1. Higher staff turnover2. Poor productivity due to wellness issues3. Inadequate Corporate Governance4. Non-compliance with Human Resource & or Labour laws
STRATEGIC -Performance Risk	<ol style="list-style-type: none">1. Inability to meet planned targets (Poor Service delivery)2. Labour unrest
OPERATIONAL -Compliance Risk	Companies Tribunal may fail to comply with labour laws and regulations (Financial loss resulting from the payment of penalties and fines)
STRATEGIC -Financial risk	Inability to fund critical operations
OPERATIONAL -Technology Risk	<ol style="list-style-type: none">1. Delays in IT project delivery2. Excessive delays in outsourced IT development projects3. IT projects budget overruns4. Incorrect technology solution

ALLOCATED BUDGET

MEDIUM TERM EXPENDITURE FRAMEWORK

	Medium-Term Expenditure Estimates (R'000)		
	2016/17	2017/18	2018/19
Programmes	Medium-Term Expenditure Estimates (R'000)		
Administration	18,058	18,330	19,542
Adjudication	4,348	4,777	5,242
Total	22,406	23,107	24,784

REVENUE ALLOCATION

MEDIUM TERM EXPENDITURE FRAMEWORK

	2016/17	2017/18	2018/19
Revenue Items	Medium-Term Expenditure Estimates (R'000)		
Grant allocation	15,069	15,822	16,740
Interest received	700	600	498
Income from surplus funds	6,637	6,685	7,546
Total	22,406	23,107	24,784

EXPENDITURE ALLOCATION

	2016/17	2017/18	2018/19
Expenditure Items	Medium-Term Expenditure Estimates (R'000)		
Member's fees	4,150	4,565	5,022
Compensation of employees	12,780	13,815	14,786
Goods and services	5,476	4,727	4,976
Total	22,406	23,107	24,784

FINANCIAL ANALYSIS

REVENUE

Main source of funding is Grant from the dti

Interest received – mainly from CPD – Investment account decreasing over MTEF

Income from surplus funds – Based on approved retention of funds, will be utilised to augment the shortage.

There is a need to increase the baseline

EXPENDITURE

Compensation of employees – Increase is based only on cost of living adjustments – no funds to fill up the approved structure

Operational and Administrative expenses – insufficient to funds the operations over MTEF , funds from surplus to be utilised for once off expenditure.

ALTERNATIVE DISPUTE RESOLUTION SEMINAR



Thank you!



Companies Tribunal

a member of **the dti** group