

ANNUAL ACTIVITY REPORT 2019



INDEPENDENT
AND
IMPARTIAL

OFFICE OF THE MILITARY OMBUD
Annual Activity Report
FY2019



defence

Department:
Defence
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

TABLE OF CONTENT

TOPICS	PAGE
Statement of Responsibility and Confirmation of Accuracy	4
General Information	5
Foreword by the Minister of Defence and Military Veterans	6
Foreword by the Military Ombud	8
Foreword by the Deputy Military Ombud	10
Glossary of Terms / Abbreviations	11
PART A: STRATEGIC OVERVIEW	
Mandate	14
Vision	15
Mission	15
Values	15
Organisational Values	15
Supporting Values	16
Strategic Objectives	16
Legislative Mandates	17
Organisational Structure	17
PART B: OPERATIONS	
Complaints Overview	19
Complaints Finalised in 2019	19
Number of Complaints Submitted as per the Mandate of the Office	20
Number of Complaints per Service/Members of the Public for FY2019/20	20
Complaints from Current, Former and Members of the Public	21
Complaints by Each Province	22
Complaints by Gender	23
Implementation and Non-Implementation of Recommendations	23
Liaison Forum Meetings	23
Stakeholder Interaction	24
International Relations	29
Outreach Programme	33
Research and Development	36
Legal Services	37
PART C: CASE STUDIES	
Placement / Utilisation / Appointment	39
Non-Renewal of Core Service System (CSS) Contract	39
Non-Payment of Resettlement Allowance	40
Pension Benefits	40
Cancellation of Core Service System (CSS) Contract	41



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

TABLE OF CONTENT

TOPICS	PAGE
Non-Payment of Technical Allowance	42
Termination of Service	42
Working Environment – Injury on Duty	43
PART D: GOVERNANCE	
Governance Structures	44
Risk Management	45
Corruption and Fraud Prevention	46
Code of Conduct	47
PART E: PERFORMANCE INFORMATION	
Annual Performance Information	48
PART F: CORPORATE SUPPORT	
Human Resource Management	51
Financial Management	52
LIST OF TABLES	
Table 1: Key Mandate Areas	14
Table 2: Legislative Mandate	17
Table 3: Eight Year Statistical Overview	19
Table 4: Complaints Finalised in 2019	19
Table 5: Age Analysis of Active Complaints	20
Table 6: Category of Complaints	20
Table 7: Number of Complaints by Current Members of the Defence Force	22
Table 8: Implementation and Non-Implementation of Recommendations	22
Table 9: Liaison Forum Meetings	23
Table 10: Internal Stakeholder Interaction Planned versus Achieved FY2019/20	24
Table 11: External Stakeholder Interaction Planned versus Achieved FY2019/20	24
Table 12: Number of Military Units Visited per Province / Public Engagements	26
Table 13: Outreach Programme Per Province	33
Table 14: Overview of Performance	33
Table 15: Military Ombud Governance Structure	45
Table 16: Strategic Risks	46
Table 17: Overview of Performances	50
Table 18: Planned versus Actual Strength as at 31 March 2020	51
Table 19: Employment and Vacancies as at 31 March 2020	51
Table 20: Personnel Cost	51
Table 21: Reasons Why Staff Left the Office	52
Table 22: Number of Skills Development Opportunities as at 31 March 2020	52



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

TABLE OF CONTENT

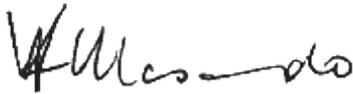
TOPICS		PAGE
Table 23:	Employment Equity Figures as at 31 March 2020	52
Table 24:	Expenditure Report of the Office of the Military Ombud	52
LIST OF FIGURES / GRAPHS		
Figure 1:	Office of the Military Ombud Organisational Values	15
Figure 2:	Office of the Military Ombud Supporting Values	16
Figure 3:	Office of the Military Ombud Strategic Objectives	17
Figure 4:	Structural Position of the Office within the Ministry	18
Figure 5:	Organisation Structure of the Office	18
Figure 6:	Nature of Complaints	20
Figure 7:	Complaints per Service / Members of the Public	21
Figure 8:	Complaints from Current, Former and Members of the Public	21
Figure 9:	Complaints by each Province	22
Figure 10:	Complaints by Gender	23
Figure 11:	Corporate Governance High Level Model	44
Figure 12:	Logic Result Based Model	48
Figure 13:	Military Ombud Planning, Budgeting and Reporting Cycle	49



STATEMENT OF RESPONSIBILITY AND CONFIRMATION OF ACCURACY

To the best of my knowledge and belief, I confirm the following:

- a. All information and amounts disclosed throughout the Annual Activity Report are consistent.
- b. The Annual Activity Report is complete, accurate and is free from any omissions.
- c. The Annual Activity Report has been prepared in accordance with the guidelines on Annual Reports as issued by National Treasury.
- d. The Financial Report herein reflects expenditure incurred in accordance with relevant legislation, instructions, policies and prescripts.
- e. In our opinion, the Annual Activity Report fairly reflects the operations, performance information, the human resources information and financial affairs of the Office of the Military Ombud for the financial year which ended 31 March 2020.



**(LT GEN (RET) V.R. MASONDO)
MILITARY OMBUD**

OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

OFFICE OF THE MILITARY OMBUD GENERAL INFORMATION

Physical Address: Office of the Military Ombud
Eco Origin
Block C4
349 Witch-Hazel Avenue
Centurion
0063

Postal Address: Private Bag X163
Centurion
Pretoria
0002

Telephone Number: (012) 676 – 3800
080 – 726 – 6283 (080SAOMBUD)

Facsimile Line: 086 – 523 – 2296

Website Address: www.milombud.org

Email: Intake@milombud.org

Face Book: South African Military Ombud

Twitter: @Mil_OmbudSA

Instagram: South African Military Ombud

LinkedIn: South African Military Ombud



**FOREWORD BY THE EXECUTIVE AUTHORITY, MINISTER OF DEFENCE AND
MILITARY VETERANS (MOD&MV)
THE HONOURABLE, MS N.N. MAPISA-NQAKULA, MP**



The year 2019 saw the appointment of Lt Gen (Ret) Vusumuzi Masondo as the new Military Ombud by the President and Commander-in-Chief of the Republic, Cyril Matamela Ramaphosa. I take pleasure in congratulating him on his new appointment and wish him well in this role. With impeccable administrative and managerial experience, I trust that he will elevate the Office to broader excellence in its oversight role in line with the Constitutional mandate of the Republic.

Without a doubt, the rights of soldiers and their best possible training and conditions of service are of great concern to the Department of Defence. Considerable improvements are required in terms of development and maintaining ongoing relevance in the evolving arena of military practice.

The military, which is an institution based on hierarchy, strict regulations, and obedience, has been leading the transition to democracy and requires seamless administrative oversight so as not to lose administrative traction and sustainability. Overall, there has been marked success and an increasing number of the constituency and members of the public are aware of the role and function of the Office of the Military Ombud. I continue to give my full support to the Office and its work, in particular, the recommendations that have been submitted following thorough investigation. However, a challenge remains whereby some recommendations are not implemented for a number of reasons. This is a matter that continues to be addressed. The Office's achievements occur against the background of this being the only office of its kind on the African continent. This places it in the position of being able to share its experiences whilst at the same time deepening best practice for the men and women that it serves. The upholding of human rights and adherence and compliance to policy and legislation by the defence establishment remains paramount so as to ensure a significant reduction in the number of cases that the Military Ombud has to investigate. In this regard, it is also incumbent that the Office continues to make every effort to reduce the turnaround time for investigations so that these are within its own stipulated timelines. In addition, there needs to be continued awareness programmes within the South African National Defence Force (SANDF) about the mandate of the Military Ombud.

The context of the seeming "contagion of the coup" and the armed conflicts plaguing our continent presents a serious challenge to civil military relations in Africa. Given this, the Annual Military Ombud Symposium that took place in April 2019 under the banner "The Role of Oversight over the Armed Forces in the contemporary African context" was a timely event. Effective oversight, which was a key recommendation, is especially needed within the areas of legislative mandates, accountability, good governance, and human rights.

Today, the Office of the Military Ombud is recognised worldwide as a leading organisation in the resolution of complaints. This recognition comes from current and former members of the SANDF and members of the public and is supported by a combination of factors including, but not limited to the Military Ombud Office's:

Position in building strong relations between itself, the SANDF, and the Department of Defence (DOD) as well as fostering negotiated settlements of received complaints.



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Resolution of complaints at the lowest possible level in a non-adversarial manner.

Constant readiness and flexibility that allows it to address complaints in a professional and expeditious manner.

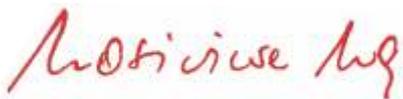
Impartiality, neutrality, and confidentiality in its operational and analytic mode of helping all complainants irrespective of their rank.

Holistic approach to addressing challenges relating to the conditions of service of SANDF members.

The Office has collaborated well with local and international stakeholders in order to harmonise democratic oversight and governance within our military. The Office positions itself as a crucial tool in conflict prevention, conflict resolution, labour mediation, and as an interlocutor between the military and civil society on human rights.

I seize this opportunity to express my deepest appreciation for the cooperation received from the Office of the Military Ombud thus far, all made possible by the men and women serving within that office.

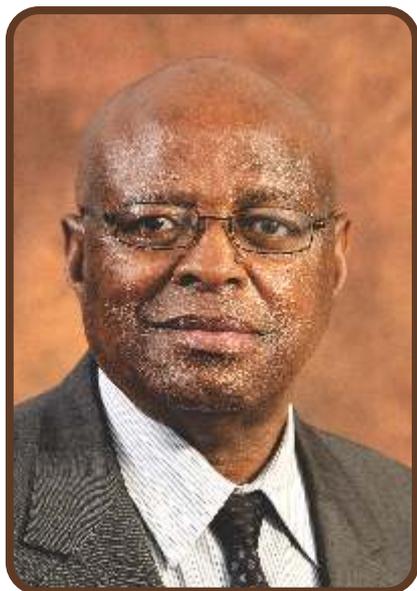
That said, I look back with pride at what the Office has achieved and continues to achieve. I wish the Office, its incoming Military Ombud, and its team continued success in the years to come, especially with the start of the second term of the Office's existence.



(N.N. MAPISA-NQAKULA)
MINISTER OF DEFENCE AND MILITARY VETERANS, MP



**FOREWORD BY THE MILITARY OMBUD
LT GEN (RET) V.R. MASONDO**



This financial year marked the dawn of a new chapter in my professional journey as the newly appointed South African Military Ombud whilst also marking the end of a chapter in which I had worn military uniform for 43 years as a serving member of the SANDF.

As I take over the baton from my predecessor, I am without a doubt both humbled and elated by the honour and privilege to be appointed by the President of South Africa to serve my country as the Military Ombud. I commit to uphold the values enshrined within the Constitution of the Republic of South Africa and to discharge the mandate of the Office in a fair, impartial and accountable manner.

I deem the oath that I took in November 2019, as binding on my conscience and pledge to serve the Office and my country without fear, favour or prejudice; and to

provide strategic leadership in the implementation of the mandate as provided in the Military Ombud Act No.4 of 2012.

The prevention of maladministration and human rights violations is essential in a democratic society. This prevention relies, in part, on the existence of a security sector that is both transparent and accountable. Such transparency and accountability can only be guaranteed through the establishment of independent and impartial oversight bodies and the endowing of such bodies with the necessary resources and powers to enable them to act as a counterbalance.

Civil oversight over the military is a global phenomenon. Our relations with other Ombuds institutions both nationally and internationally where we share best practices is important.

It is my hope that under my leadership the Office of the Military Ombud will strive to achieve greater heights and, as the first Military Ombud Office in Africa, we will be a source of inspiration and learning for our neighbouring countries.

This annual activity report showcases our milestones and the many ways in which we support government priorities and work closely with other public entities, constitutional bodies and international bodies such as the African Ombudsman and Mediators Association (AOMA) and the Geneva Centre for Democratic Control of Armed Forces (DCAF) to realise our vision and mission.

A highlight of the 2019/20 financial year was the Annual Military Ombud Symposium which took place on the 26th of April 2019 at Emperors Palace under the theme of: "The Role of Oversight over the Armed Forces in the Contemporary African Context". The symposium was attended by delegates from Ethiopia, Lesotho, and Mozambique who shared valuable comments regarding the narrative of oversight institutions on the continent.

Throughout the year we continually strived to improve our accountability and transparency mechanisms. We also reviewed our complaints handling systems and processes. The continuous improvement of our modus operandi, enhanced public advocacy and



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

stakeholder feedback enabled the Office to progressively close the gap between identified areas for awareness initiatives, operational improvement, accessibility to ordinary members of the Defence Force and the general public. This resulted in a marked increase in the Office's general performance across the board, particularly, in the area of operations which saw a performance improvement from 47% in the previous financial year to 75% in the year under review. These improvements are undertaken with a view to enhancing Batho Pele principles and service delivery whilst ensuring that the Office is known nationally and operates independently.

We extend our thanks to both the Minister of Defence and Military Veterans; and Parliament for their continued support of the Office. I would also like to thank the senior management and all staff members for providing unequivocal support and service to our stakeholders.

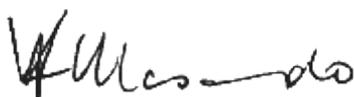
My predecessor, Lt. Gen (Ret) T. T. Matanzima, oversaw the establishment of the Office seven years ago as the country's first Military Ombud. Following his retirement, the institution was left in the capable hands of the Deputy Military Ombud, Adv. S.T.B Damane-Mkosana who held the fort until my appointment. I thank you both for the solid foundation that has been laid.

As an independent and impartial institution, my Office plays a crucial role in responding to both maladministration and human rights abuses, by receiving and investigating complaints and reporting systemic problems. This Office is a force multiplier and remains committed to the Mandate of the Military Ombud and the Constitution.

I trust that my colleagues within the SANDF will continue to support me in the execution of this mandate as we embark on a journey of Security Sector Reforms.

I hope that this annual activity report sheds light on the mandate of the Office and our achievements during the 2019/20 financial year.

Sincerely,



(LT GEN (RET) V.R. MASONDO)
MILITARY OMBUD



**FOREWORD BY THE DEPUTY MILITARY OMBUD,
ADV S.T.B. DAMANE-MKOSANA**



It is with great pleasure to be part of the Annual Activity Report of the South African Military Ombud for the financial year 2019/20.

As mandated by the Military Ombud Act No 4 of 2012 we have responsibilities as an Office to fulfil the commitment of achieving our vision as a world leading impartial watchdog. We envisaged to achieve all our commitments through the finalisation of complaints that came through our Office from serving members and non-serving members of the SANDF. Members of the public are always encouraged to lodge complaints regarding the official conduct of members of the SANDF.

I am pleased to see that we are able to resolve complaints lodged in writing and within our jurisdiction in the specified timeline of six months, however, there are complaints that take longer than anticipated due to a number of reasons beyond our control. The Office also adopted a more conciliatory and consensus-building approach in complaints handling as opposed to an adversarial one.

During the financial year under review we have deliberately as an Office intensified our outreach programme in communities working in partnership with other Organs of State. We targeted areas where members of the public are in constant contact with soldiers in South Africa to inform the general public of the rights and limits of soldiers who serve in those areas. Members of the public are also encouraged to comply with the existing rules and laws so that there are no challenges during internal operations.

Our participation in the global stage continues to grow as we receive invitations to present papers on a number of topics on Security Sector Reforms. The ICOAF is one of the conferences where we get invited to share the best practices with other Ombud Institutions. After hosting a successful ICOAF conference it is pertinent for the Office to continue to play a meaningful role in the global stage. The Office participated during the first session of the 11ICOAF which took place in Bosnia. For the first time in Africa an Exhibition of Ombuds Institutions took place in October 2019, in Nigeria and the Office won the first prize for a well-equipped and well-presented exhibition stand.

In the continent we visited Namibia, Lesotho and Mozambique with the aim of exploring mechanisms to the discourse, and of sharing the best practises with other neighbouring countries in the SADC region. We envisaged to strengthen cooperation and share good practices amongst independent oversight institutions in Africa.

I would like to take this opportunity to thank the Military Ombud for his support and Staff Members in the Office for their continued contribution in making sure that we are able to fulfil our mandate. Working together we can be able to achieve more.

A handwritten signature in black ink, appearing to read 'S.T.B. Damane-Mkosana', enclosed within a simple black circular outline.

**(ADV S.T.B. DAMANE-MKOSANA)
DEPUTY MILITARY OMBUD**



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

GLOSSARY OF TERMS / ABBREVIATIONS

A	AOMA	African Ombudsman and Mediators Association
	ADV	Advocate
C	CCS	Chief of Corporate Services
	CD Ops	Chief Director Operations
	CMJ	Court of Military Judge
	CoE	Compensation of Employees
	CSANDF	Chief of the South African National Defence Force
	CSS	Core Service System
D	DFSC	Defence Force Service Commission
	DLS	Director Legal Services
	DMO	Deputy Military Ombud
	DOD	Department of Defence
E	EA	Executive Authority
	EC	Eastern Cape Province
	EXCO	Executive Committee
F	FS	Free State Province
	FY	Financial Year
G	GEPF	Government Employees Pension Fund
	GMSI	Governance and Management Services International
	GPAA	Government Pensions Administration Agency
	GP	Gauteng Province
H	HoC	Head of Communication
I	ICOAF	International Conference of Ombuds Institutions for the Armed Forces
	ICT	Information, Communication and Technology
	IOE	International Ombud Expo
J	JOps	Joint Operations Division
K	KZN	Kwa-Zulu Natal Province
L	LP	Limpopo Province
	Lt	Lieutenant
	Lt Gen	Lieutenant General



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

M	MANCO	Management Committee
	MO	Military Ombud
	MOD&MV	Minister of Defence and Military Veterans
	MoU	Memorandum of Understanding
	MP	Mpumalanga Province
	MSDS	Military Skills Development System
	MTT	Ministerial Task Team
N	NC	Northern Cape Province
	NCO	Non-Commission Officer
	NT	National Treasury
	NW	North West Province
O	OC	Officer Commanding
P	PERSOL	Personnel Administration Information Technology System
	PPSA	Public Protector South Africa
	PRO	Public Relations Officer
	PSC	Public Service Commission
R	Ret	Retired
	RSA	Republic of South Africa
S	SA	Service Agreement
	SAAF	South African Air Force
	SA Army	South African Army
	SA Army Sup Fmn	South African Army Support Formation
	SADC	South African Development Community
	SADF	South African Defence Force
	SAHRC	South African Human Rights Commission
	SAMHS	South African Military Health Services
	SALGA	South African Local Government Association
	SAMVA	South African Military Veterans Association
	SA Navy	South African Navy



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

S	SANDF	South African National Defence Force
	SANDFO	South African Defence Force Order
	SAQA	South African Qualifications Authority
	SecDef	Secretary for Defence
	SIGLA	South African Institute for Governance and Leadership in Africa
	SLA	Service Level Agreement
	SSgt	Staff Sargent
	SSR	Security Sector Reform
U	UN	United Nations
W	WC	Western Cape Province
	WO1	Warrant Officer Class One
	WO2	Warrant Officer Class Two



Military Ombud Swearing in Ceremony





PART A: STRATEGIC OVERVIEW

The following information provides a strategic overview of the Office of the Military Ombud. The strategy is aimed at ensuring that the Office is recognised and respected by our stakeholders, including our peers and complainants. Specifically, the Office will focus on the efficient investigation and speedy resolution of complaints as mandated by the Military Ombud Act.

Mandate. The mandate of the Office as captured in the Military Ombud Act No 4 of 2012 is to investigate complaints lodged in writing by –

- A member regarding his or her conditions of service;
- A former member regarding his or her conditions of service;
- A member of the public regarding the official conduct of a member of the Defence Force; or
- A person acting on behalf of a member.

Key Mandate Areas. The key mandate areas as per the Military Ombud Act, Section 6(4) states that the “*Ombud must investigate a complaint fairly and expeditiously without fear, favour or prejudice*”.

Table 1: Key Mandate Areas

Section 7. Limitations and Regulations: The Ombud may not investigate a complaint unless the Ombud -	For the purpose of subsection 1 the Ombud -
<ul style="list-style-type: none"> • Has in writing informed every other interested party to the complaint of the receipt thereof; 	<ul style="list-style-type: none"> • May summon any person to submit an affidavit or affirmed declaration or to appear before him or her to give evidence or produce any document that has a bearing on the matter before him or her;
<ul style="list-style-type: none"> • Is satisfied that all interested parties have been provided with such particulars that will enable the parties to respond to the complaint; 	
<ul style="list-style-type: none"> • Has afforded all interested parties the opportunity to submit a response to the complaint; 	<ul style="list-style-type: none"> • May resolve any dispute by means of mediation, conciliation or negotiations, in any other expedient manner; and
<ul style="list-style-type: none"> • The matter is before a military or civilian court; 	<ul style="list-style-type: none"> • Must promote the observance of the fundamental rights of the members of the Defence Force.
<ul style="list-style-type: none"> • Complaint may undermine channels of command; 	
<ul style="list-style-type: none"> • Member has not exhausted the Individual Grievance Remedies; 	
<ul style="list-style-type: none"> • Complaints is frivolous and vexatious; 	
<ul style="list-style-type: none"> • Another forum is dealing with it. 	



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Vision. To be “A world leading, independent and impartial Military Ombud Institution”.

Mission. “To provide an independent, impartial and expeditious complaints resolution process for serving and former members of the SANDF and the Public to promote good governance”.

Values. The values identified below are the fundamental beliefs of the Office. They are the guiding principles dictating behaviour and can help employees to understand the difference between right and wrong.

The values furthermore help the Office to determine whether we are on the right path and fulfilling our goals by creating an unwavering guide.

Anchored in the pursuit of appropriate conduct and “Batho Pele” principles we, as the Office of the Military Ombud, seek to uphold and promote the principles of:

- Accountability;
- Integrity; and
- Responsiveness.

Organisational Values. The Office of the Military Ombud aspires to adhere to the highest standards of ethical behaviour, integrity and the continuous application of our values. The following values as captured in figure 1, are the core from which the Office of the Military Ombud operate and respond.

Figure 1: Office of the Military Ombud Organisational Values



Supporting Values. In support of the above mentioned organisational values the following supporting values as illustrated in fig 2, have been developed.

Figure 2: Office of the Military Ombud Supporting Values



Strategic Objectives are long-term organisational goals that assist the Office to convert the mission statement from a broad vision into more specific plans and projects.

Since the Office was established, internal processes, performance instruments and policies were refined to ensure success in the delivery of services and alignment to the legislative framework.

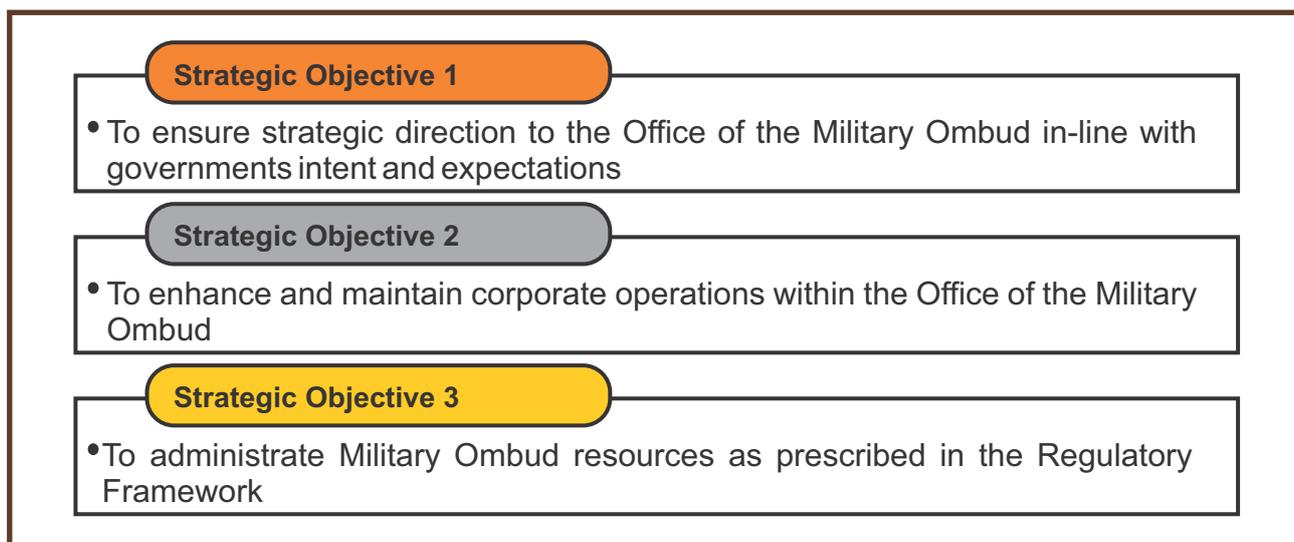
The Office remains committed to strengthening its dispute resolution process through improving the turnaround time for the resolution of complaints. Every available resource will be used to meet these objectives.

The Office strives to function as a modern organisation using existing resources, technologies and modern ways to expedite resolution of cases. Operationally, the Office remains committed to strengthening its dispute resolution process through improving the turnaround times for the resolution of complaints.

The following three (3) strategic objectives constitute the pillars which the Office focuses all organisation energies, decisions and performance on:



Figure 3. Office of the Military Ombud Strategic Objectives.



Legislative Mandate. The Office of the Military Ombud derives its mandate from the Military Ombud Act, Act 4 of 2012 and is reflected in the table below:

Table 2. Legislative Mandate

Legislative/ Other Mandates Description	Key Responsibilities Imposed by Legislative Mandate
a.	b.
Military Ombud Act 4 of 2012	<ul style="list-style-type: none"> • The Ombud must investigate complaints lodged with the Office. • The Ombud must investigate a complaint economically, fairly and expeditiously without fear, favour or prejudice. • The Ombud may resolve any dispute by means of mediation, conciliation, negotiations or in any other expedient manner. • The Ombud must promote the observance of the fundamental rights of the members of the Defence Force. • Establishment and maintenance of an appropriate Office Human Resource function. • Establishment and maintenance of an appropriate Office Financial Management function. • Establishment and maintenance of an appropriate Reporting function. • Development and implementation of policy in support of the Office mandate.

Organisational Structure. The organisational structure is informed by the current mandate, vision, outputs and processes. The current organisational structure comprises two (2) functional lines and was created based on the requirements as indicated in the Military Ombud Act.

The Military Ombud organisational structure was approved during June 2012. The approved organisational structure of the Office has never been fully funded, which hampers its ability to pursue the mandate. The situation is further exacerbated by the fact that the Office, has limited resources whilst performing a wide range of activities.

OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

The intent of the Office of the Military Ombud is to seek institutional independence in terms of the most appropriate institutional form for the Office after consultation with National Treasury (NT), Department of Public Service and Administration (DPSA) and the DOD which will have an impact on the current structure as additional functions and responsibilities (e.g. Chief Financial Officer, Governance, Risk and Compliance and Supply Chain Management), will be added thus impacting on the organisational structure. The current approved organisational structure of the Office of the Military Ombud consists of 89 posts of which 66% focus on the execution of the core business namely Operations. Of the total structure only 67% is funded.

Figure 4. Structural Position of the Office within the Ministry of Defence

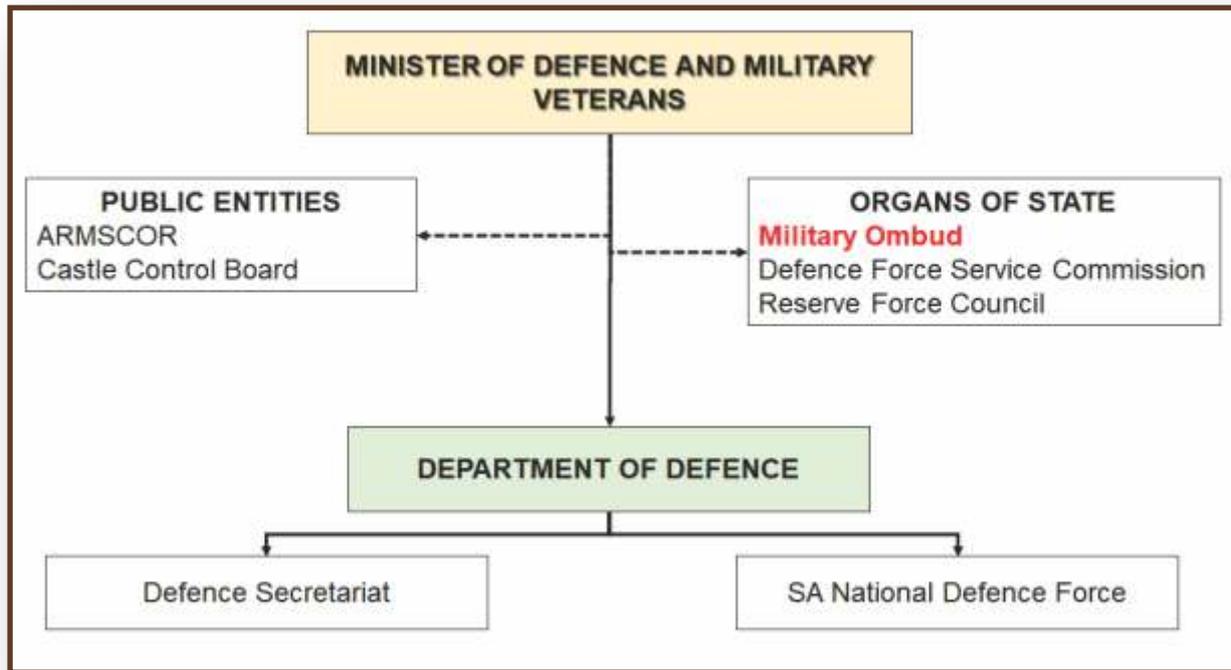
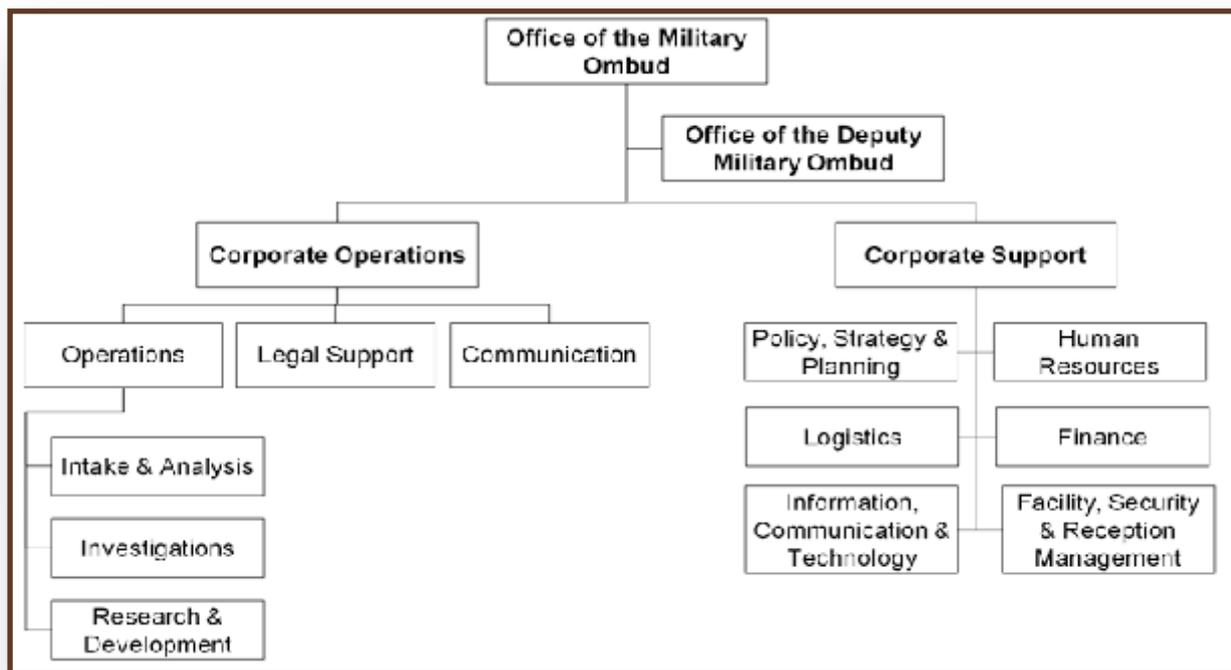
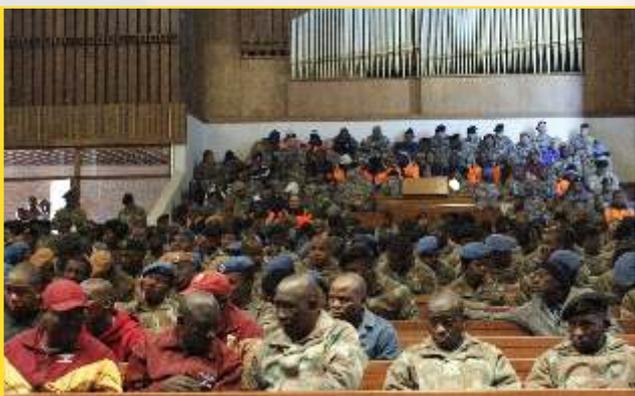


Figure 5. Organisation Structure of the Office of the Military Ombud



Outreach Programme



Outreach Programme



PART B: OPERATIONS

Complaints Overview. Since the establishment of the Office of the Military Ombud in May 2012 a total number of **2752** complaints have been registered with the Office, of these **2604** have been finalised leaving **148** active cases at the end of March 2020. To maintain the operational edge and encourage innovation one of the key priorities within the Office is to ensure that all energy and focus is directed towards the expeditious resolution of complaints.

Table 3. Eight Year Statistical Overview of Cases

Financial Year	Total Carried Over Cases	Total Cases Received in the FY	Total Caseload	Total Finalised	Active Cases at FY End
a.	b.	c.	d.	e.	f.
FY2012/13	0	307	307	117	190
FY2013/14	190	301	491	219	272
FY2014/15	272	279	551	318	233
FY2015/16	233	250	483	365	118
FY2016/17	118	310	428	236	192
FY2017/18	192	607	799	664	135
FY2018/19	135	390	525	246	279
FY2019/20	279	308	587	439	148

Complaints Were Finalised in 2019. The finalisation rate was at **75%** with a total caseload of **587** of which **439** was finalised. The average turn-around time for finalisation of complaints is **247** days which is approximately 8 months.

Table 4. Complaints Finalised in 2019

Reason for Finalisation	Number of Complaints Finalised
a.	b.
Complaint dismissed	107
Complaint upheld	67
Complaint withdrawn by Complainant	2
Condonation declined	6
Complaint undermine channel of command	5
Did not follow grievance procedure	58
Mediation, Conciliation, Negotiation	24
Matter referred to appropriate public institution	71
Matter pending before civilian court	6
Not a condition of service	5
Similar Complaints/Collective Investigation	87
Duplicate complaint	1
Grand Total	439

OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Table 5. Age Analysis of Active Complaints¹

FY 19/20	FY18/19	FY17/18	FY16/17	Total
71	64	12	1	148

Number of Complaints Submitted as per the Mandate of the Office. During the year under review, the Office of the Military Ombud received a total of **308** new complaints. A total of **306** complaints related to service conditions of members of the SANDF which amounts to **99%** of the new complaints received. Only **2** complaints were received with regards to the official conduct of a member.

Figure 6. Nature of Complaint

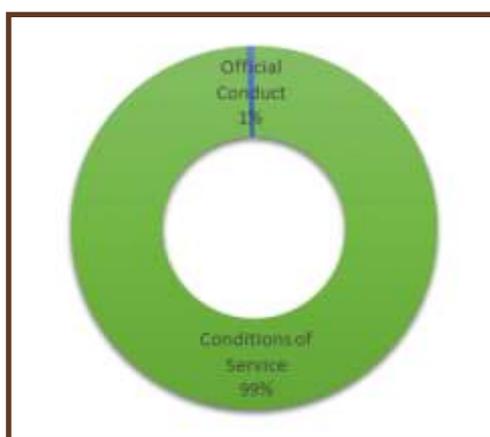


Table 6. Category of Complaints

Category	Received in FY2019/20
a.	b.
Promotion, Demotion and Career Intervention	61
Service Benefits and Working Environment	58
Remuneration	52
Service Termination	45
Utilisation and Placement	19
Grievance / Discipline Procedures	18
Education, Training and Development	7
Official Conduct of Member of SANDF	2
Other ²	46
Total	308

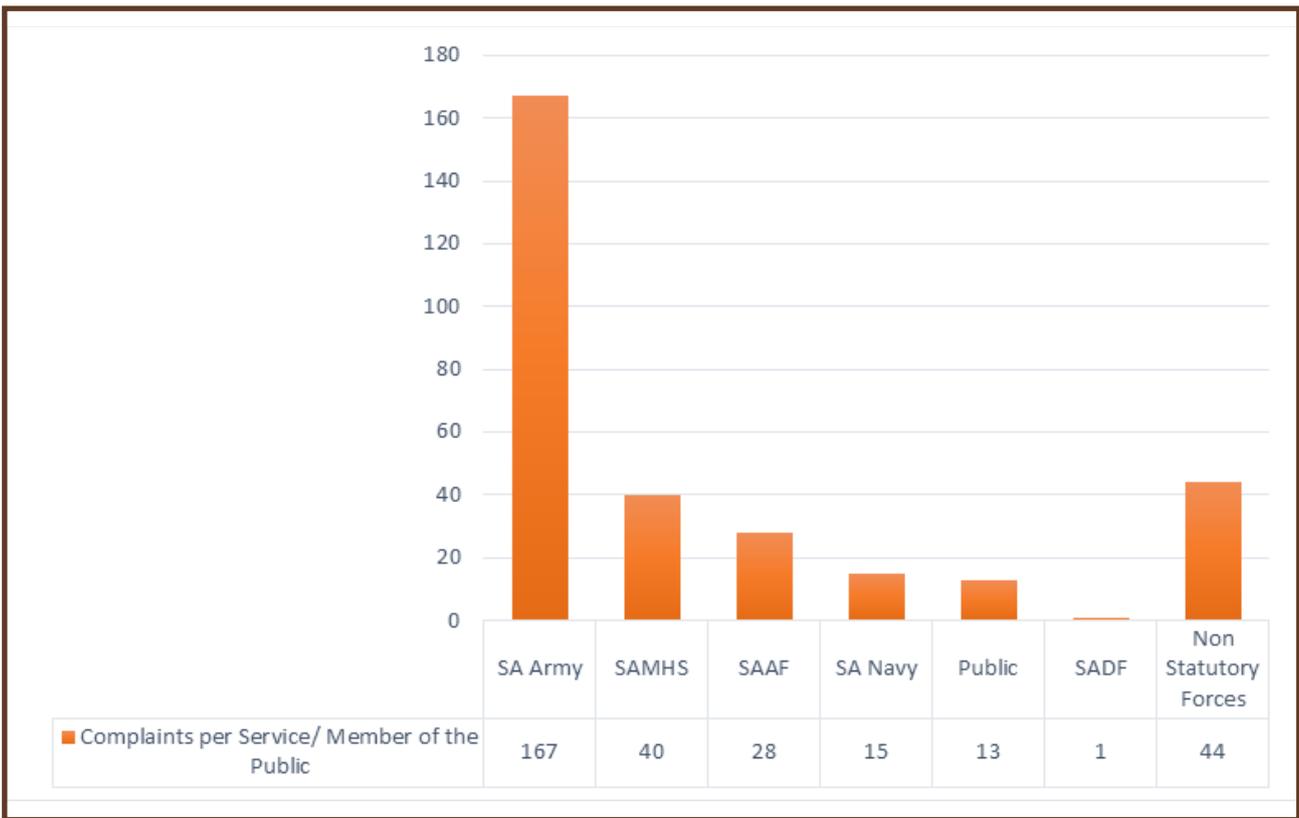
Number of Complaints per Service / Members of the Public for FY2019/20. The majority of complaints received during this Financial Year were against the SA Army at **167** which is **54%** of the total new complaints received during the year. Complaints from members of the public were only **13** of which only **2** related to the official conduct of a member. Majority of complaints from members of the public were those who complained on behalf of members. This year the office also saw an influx of complaints from members of former Non-Statutory Forces who required assistance with accessing military veteran’s benefits. These complaints were referred to the Department of Military Veterans for assistance.

¹ Majority of the old cases are at finalisation stage

² The Complaints recorded under “other” range from complaints relating to military veteran benefits of which the Military Ombud does not have a mandate as well as those from members relating to incorrect capturing of reason for exiting the SANDF

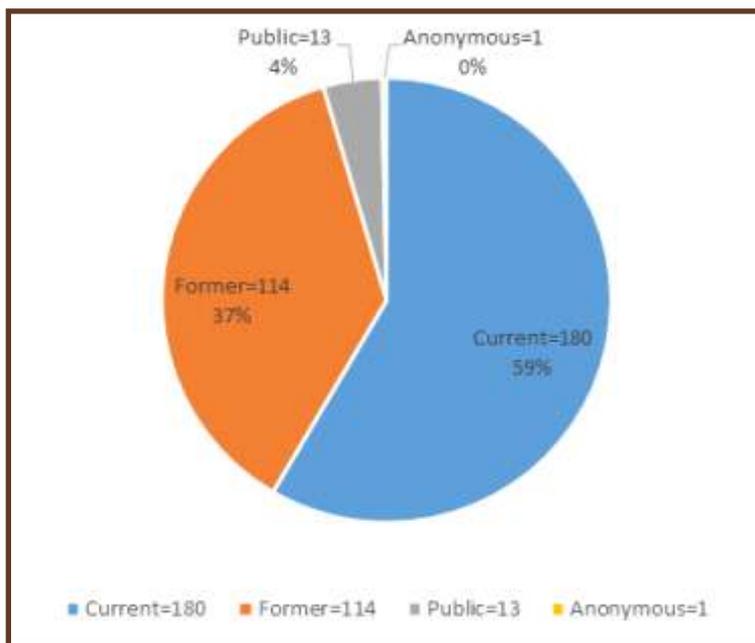


Figure 7. Complaints per Service / Members of the Public



Complaints from Current, Former and Members of the Public. Complaints from current serving members of the SANDF totalled **180** of the new complaints received. This constitutes **59%**. This is followed by **114** complaints received from former members. Complaints from members of the public were **13** which amounted to **4%** of the total number of complaints received. **1** complainant did not state their category.

Figure 8. Complaints from Current, Former and Members of the Public



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Table 8. Number of Complaints by Current Members of the Defence Force

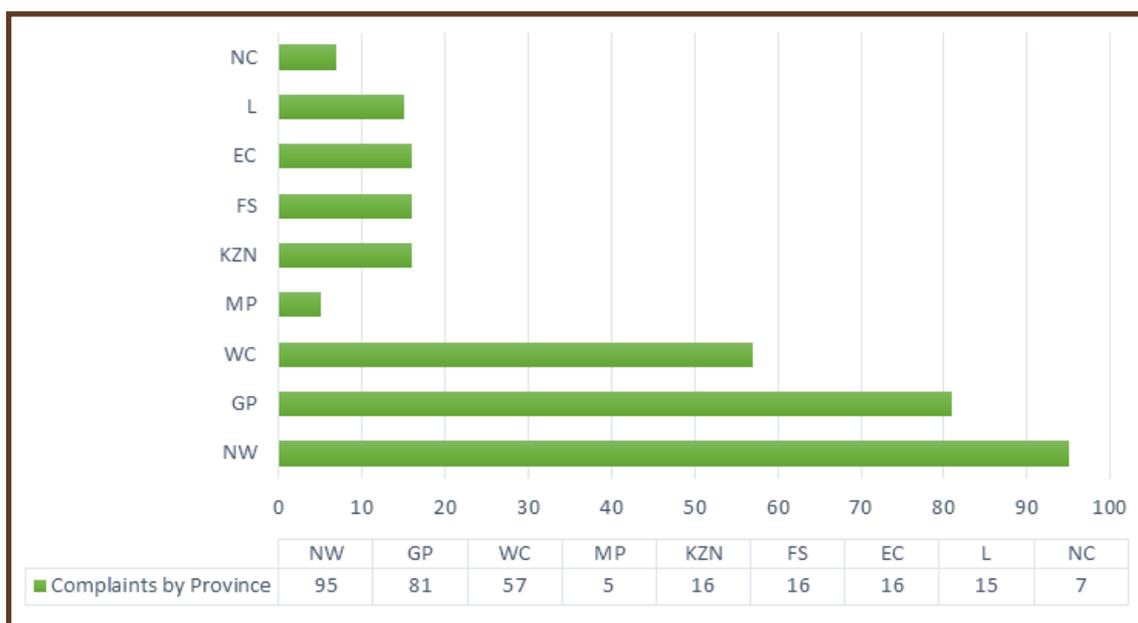
Rank Levels	Number
a.	b.
Generals/ Flag Officers	2
Senior Officers	24
Officers	18
Candidate Officers	4
Warrant Officers	10
NCO's	81
Other Ranks	41
Total	180

Table 9. Number of Complaints by Former Members of the Defence Force

Rank Levels	Number
a.	b.
Generals/ Flag Officers	1
Senior Officers	8
Officers	4
Candidate Officers	2
Warrant Officers	4
NCO's	15
Other Ranks	80
Total	114

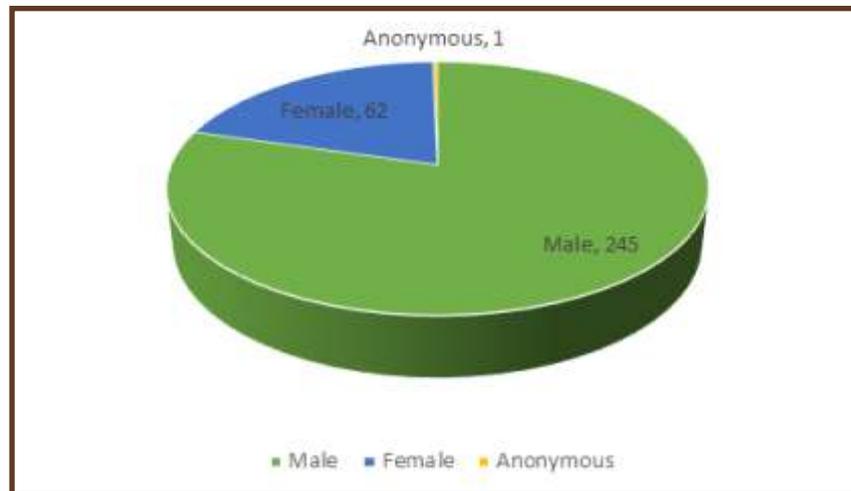
Complaints by Each Province. This year the Office of the Military Ombud saw an increase in the number of complaints that were lodged from North West. This was as a result of a targeted outreach that was held in that province. Complaints from Gauteng were the second highest whereas Mpumalanga registered the lowest.

Figure 9. Complaints by Province



Complaints by Gender. The large percentage of complaints that were lodged with the Office of the Military Ombud this Financial Year were from males at **245** which constitutes **80%** of the total complaints received. Complaints from females were **62** which amounted to **20%**. **1** complainant preferred to remain anonymous.

Figure 10. Complaints by Gender



Implementation and Non-Implementation of Recommendations. The number of recommendations that are awaiting implementation comprise those that have been accepted by the Minister of Defence and Military Veterans and has issued a directive for the CSANDF to implement. It also consists of those that the Minister has not accepted and has directed that the reports be reviewed. There were also complaints that were resolved with the SANDF of which the Defence Force will be implementing the recommendations that were issued as a result of the amicable resolution.

Table 10. Implementation and Non-Implementation of Recommendations

Number of Recommendations Implemented	Number of Recommendations Awaiting Implementation	Number of Recommendations not Accepted by MOD&MV	Number of Complaints Resolved with the SANDF
a.	b.	c.	d.
10	14	4	14

Liaison Forum Meetings. A total of 10 Monthly Liaison Forum Meetings with the CSANDF and Services were held. The purpose of this Forum is to track and follow up on non-responses to investigations and preliminary reports as well as monitor progress on the recommendations that are awaiting implementation. The meetings are held in accordance with the Memorandum of Understanding between the Military Ombud and the CSANDF.

Table 11. Liaison Forum Meetings

Month	Achieved / Not Achieved		If Achieved Date
	Not Achieved	Achieved	
a.	b.	c.	d.
April	X	-	-
May	X	-	-
June	X	-	-
July	-	X	15 July 2019
August	-	X	18 August 2019
September	-	X	2 September 2019
October	-	X	3 October 2019 21 October 2019
November	X	-	-
December	-	X	9 December 2019
January	-	X	27 January 2020
February	-	X	20 February 2020
March	-	X	16 March 2020 ³ 19 March 2020

Stakeholder Relations Management. Stakeholder collaboration has indeed bolstered the profile of the Office in a positive light. The Office represents a link for the public, current and former members of the SANDF to lodge complaints that relate to conditions of service. It is also essential to work with other human rights organisations and collaborate with other government institutions in order for us to reach a broader diverse audience.

The Office aims to strengthen relations between the Office and the Department of Defence, Military Veterans and the public in order to reinforce the mutual understanding and co-operation. Furthermore, the Office aims to expand awareness of its mandate by augmenting the existing outreach programme by more proactively reaching out to the members of the public.

Table 12. Internal Stakeholder Interaction Planned versus Achieved FY2019/20

Stakeholder	Date	Event	Outcome
a.	b.	c.	d.
Woman's Day Celebration	31 August 2019	A motivational speaker Ndivhuho Maphwanya was invited to speak about issues on gender equality and women empowerment.	Achieved
Heritage Day Celebration	20 September 2019	Staff members cooked and shared various dishes depicting South African cultures. Speakers who specialise in indigenous plants were also invited to exhibit and speak to staff about indigenous knowledge.	Achieved

³ Grievance Board Secretariat meeting (linked to Liaison Forum issues)



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Stakeholder	Date	Event	Outcome
a.	b.	c.	d.
Annual Military Ombud Employee Recognition Awards with all the staff members	05 December 2019	<p>The Military Ombud, Lt Gen (Ret) Masondo joined the Deputy Military Ombud and staff members on his first event in Office, after his Inaugural Swearing -in ceremony held on 8 November 2019.</p> <p>Employee Recognition Awards were held in December 2019. The event celebrated employees who went beyond the call of duty and achieved exceptional performance in the following key aspects:</p> <ul style="list-style-type: none"> • High standards of work performance • Excellent client relations • Living by the values of the Office. • Noteworthy operation or support efforts • Walking an extra mile <p>In his closing remarks, the Military Ombud congratulated employees who received Recognition Awards, and encouraged all staff members on the significance of service excellence and upholding Batho Pele Principles in the execution of official duties.</p> <p>Employee Recognition Awards is an important aspect of any organisation, celebrating and rewarding those employees who have gone the extra mile, goes a long way in promoting team work and a culture of service excellence.</p> <p>The Military Ombud encouraged all employees to work with dedication and commitment as public servants. Every employee must know the importance of the value they add in the Office, irrespective of rank.</p>	Achieved
Military Ombud Welcome to 2020 Breakfast.	17 January 2020	This is an event led by the Social Committee to welcome members in the Office of the Military Ombud and to enable the Military Ombud to set the tone for the new year.	Achieved
Human Rights Day.	20 March 2020	An event aimed at commemorating human rights of South Africans in our democratic state.	Achieved



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Table 13. External Stakeholder Interaction Planned versus Achieved FY2019/20

Stakeholder a.	Date b.	Event c.	Outcome d.
King Sabata Dalinyebo Local Municipality Mayor's Office	04 April 2019	To discuss community outreach collaboration.	Achieved
TISO Blackstar	08 April 2020	Annual Military Ombud Symposium briefing on logistics and planning.	Achieved
Mail and Guardian	09 April 2020	Annual Military Ombud Symposium briefing on logistics and planning.	Achieved
Tsalena Media	24 April 2020	Seven Year Review Book Launch briefing on the logistics and planning.	Achieved
Annual Military Ombud Symposium	26 April 2019	The objective of this critical dialogue was to facilitate discussions between private sector, military and security industry, captains of industry as well as other stakeholders.	Achieved
Seven Year Review Book Launch and Gala Dinner	10 May 2019	This event celebrated seven years of the existence of the Office and bid farewell to Lt Gen (Ret) T.T. Matanzima as his seven year term as the first Military Ombud came to an end.	Achieved
Government Pensions Administration Agency (GPAA).	27 May 2019	Bilateral meeting to discuss working relationship or collaboration in terms of the outreach programme.	Achieved
Health Ombud	28 May 2019	Bilateral meeting to discuss working relationship or collaboration in terms of the outreach programme.	Achieved
Public Service Commission (PSC)	28 May 2019	Bilateral meeting to discuss working relationship or collaboration in terms of the outreach programme.	Achieved
Old Mutual	05 June 2020	Briefing on logistics and planning pertaining to the Annual Military Golf Day.	Achieved
Health Ombud	06 June 2019	Follow -up outreach planning meeting	Achieved
Western Cape Police Ombud	28 June 2019	To discuss community outreach programme collaboration.	Achieved
Phoenix Aviation Mamelodi	30 July 2019	Nelson Mandela Day was commemorated with the handing over of non-perishable goods to Phoenix Aviation from Mamelodi, Pretoria East.	Achieved
Annual Military Ombud Golf Day	23 August 2019	The objective of this event was to interact with stakeholders from the Military and Civil society in a relaxed environment. This event was also used as a platform to present the mandate of the Office of the Military Ombud to participants.	Achieved



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Stakeholder	Date	Event	Outcome
a.	b.	c.	d.
South African Military Veterans Association (SAMVA) .	12 September 2019	A meeting was held with members of SAMVA to discuss some of their frustrations regarding Military Veterans benefits.	Achieved
Joint Operations.	04 October 2019	A meeting was held to discuss the outreach programme to border posts.	Achieved
Military Ombud Inauguration.	12 November 2019	<p>The South African Military Ombud Office welcomed its newly appointed Military Ombud, Lt Gen (Ret) Vusumuzi Masondo at a swearing in ceremony that took place on Friday, 08 November 2019, at SAMHS Training Formation in Thaba Tshwane.</p> <p>General Masondo has replaced Lt Gen (Ret) Temba Matanzima who served in the position for a period of 7 years.</p> <p>Lt Gen (Ret) Masondo ascended into the position after his appointment by the President of the Republic of South Africa Mr Cyril Matamela Ramaphosa, and will serve in the position for a period of 7 Years.</p> <p>The swearing in ceremony was officiated by the High Court Judge Lettie Molopa-Sethosa and the Minister of Defence and Military Veterans Ms Nosiviwe Mapisa-Nqakula gave the keynote address.</p> <p>Speaking at the swearing in ceremony Minister Nosiviwe Mapisa-Nqakula told those in attendance that the new Military Ombud has got a task in ensuring that the Office enforces its mandate.</p> <p>“Most important thing is the protection of the fundamental rights and freedom of members of the Armed Forces, and ensuring that there is minimisation of the violation of human rights,” said th Minister.</p> <p>She said to Lt Gen (Ret) Masondo as he takes over the role of the Military Ombud, he must remain ever cognisant of the institution’s independence and impartiality, and ensuring that justice is delivered to serving or retired members, as well as the South Africa’s public</p>	Achieved



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Stakeholder	Date	Event	Outcome
a.	b.	c.	d.
		<p>Lt Gen (Ret) Masondo said he is ready to take the leadership role in the Office and will make sure that all the cases in the Office will be dealt with without fear, favour or prejudice. "The prevention of maladministration and human rights violations is essential in a democratic society. This prevention relies, in part, on the existence of a security sector that is both transparent and accountable."</p> <p>He said the Office has been given sufficient mandate by the Military Ombud Act, and it is upon him and the staff to carry out the mandate with due diligence.</p>	
Log Support Formation.	04 December 2019	A meeting to discuss logistics pertaining to the Annual Military Ombud Employee Recognition Awards and Gala Dinner.	Achieved
SALGA Western Cape Provincial Office.	11 December 2019	To discuss a working relationship to access local government structures.	Achieved
Caroline Peters founder of 1000 Women One Voice.	11 December 2019	A meeting was held to discuss the Outreach Programme in communities around the Cape Flats.	Achieved
Ministerial Task Team (MTT).	16 January 2020	A presentation was conducted to the Military Ombud on the findings of the MTT wrt prevalent sexual harassment in the Defence Force from the time of appointment by the Minister of Defence and Military Veterans. The MTT was also looking at ways of collaborating with the Office of the Military Ombud to publicise the Call Centre.	Achieved
Joint Operations.	17 January 2020	A meeting was held to discuss logistics pertaining to the planned Eco Origin internal Outreach Programme target Military Units within the Business Park and those on Witch-Hazel Avenue as well as organisations operating within who form part of the mandate of the Military Ombud.	Achieved
Defence Force Service Commission (DFSC).	3 February 2020	Meeting to strengthen bilateral relations and the existing MOU.	Achieved
Brand Conglomerate.	04 February 2020	A meeting to discuss elements of the new Office of the Military Ombud website and its design.	Achieved
SALGA Western Cape Speakers Forum.	06 February 2020	A delegation led by the Military Ombud presented the mandate of the Office to Members of the Speakers Forum.	Achieved



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Stakeholder	Date	Event	Outcome
a.	b.	c.	d.
SALGA National Office, Pretoria.	02 March 2020	A delegation led by the Military Ombud presented the mandate of the Office to SALGA officials and also discussed possible areas of collaboration country wide.	Achieved
2020 Military Ombud Symposium Potential Bidders (event Coordinators).	17 March 2020	An information sharing session was held to brief potential bidders about the mandate of the Office and logistics pertaining to the event.	Achieved

International Relations. An effective and efficient International Relations Service is vital for any organisation, small or large in particular one which is in the security sector. The intention of the Office of the Military Ombud is to build enhanced and fruitful relationships with international stakeholders. The aim is to increase the understanding of what we do and where possible encourage them to promote the Office on an international level.

International relations collaboration has indeed bolstered the profile of the Office in a positive way. The Office represents a link for the public, current and former members of the SANDF to lodge complaints that relate to conditions of service and it's essential to work with other human rights organisations. We have also collaborated with other international institutions such as African Ombudsman and Mediators Association (AOMA) and Democratic Control of Armed Forces Council (DCAF) in order for the Office to reach a broader audience.

The South African Military Ombud continues to be a member of AOMA as well the DCAF. The mandate of these two organisations continue to enhance joint efforts to promote good governance, rule of law and human rights as a collective in Africa and globally through knowledge sharing and conferences.

Military Ombud African Footprint Project. The Military Ombud African Footprint Project was established to build and enhance stakeholder relations in the continent, sharing knowledge and expertise on the establishment and mandate of the Military Ombud, promoting good governance and fruitful relations with international bodies and Ombuds Institutions in the continent. The outcome for the African Footprint project is to increase the understanding of what we do and where possible encourage them to advocate for us as we promote the Office internationally.

The Office has a profound interest in Human Rights and plays a fundamental role in promoting the rights of serving and former members of the SANDF with regards to their service conditions. Through the African Footprint project the Office continues to enhance relations with other related institutions in the Southern African Development Community (SADC) region and shared experiences and promote the understanding of the Military Ombud Model, good governance and fundamental rights for members of the Defence Force.

The Office's participation in the International Ombud Expo in Abuja, Nigeria and at the AOMA Southern Africa Regional meeting in Botswana, was evidence of our commitment to being part of the African Agenda and to establish similar independent oversight institutions in the continent.



The office attended and participated in the following international engagements during the financial year:

11ICOAF preparatory meeting held in Sarajevo, Bosnia and Herzegovina on 11-12 June 2019. The Office was represented by Adv D. Dube, Chief Director Operations (CD Ops) and Ms C.N. Pillay, Director Legal Services (DLS) for members to discuss and give input into the conference programme as well as discuss the administrative and logistical organisation of the conference.

AOMA Southern African Regional Meeting Gaborone, Botswana, 5th - 8th August 2019. The Deputy Military Ombud led a team to attend the Southern African Regional Meeting held in Gaborone, Botswana, 5th - 8th August 2019. Furthermore, the Deputy Military Ombud paid a courtesy visit whilst in Botswana and met with the RSA High Commissioner accredited to Botswana. The AOMA meeting was held under the theme: *“Re-energising the Ombudsman Institution in Southern Africa”*.

The Southern African Development Community (SADC) Regional members that attended comprised Ombuds and representatives from Botswana, Angola, Lesotho, Malawi, Mozambique, Namibia, South Africa, Zambia and Zimbabwe.

Southern African Ombudsman institutions are constitutional offices whose independence is guaranteed under the respective Constitutions and legislative framework of their respective countries. Most of these Ombuds Institutions are multifunctional offices; that are traditional Ombudsmanship with additional mandates.

The various additional mandates of some extend to oversight of the Armed Forces, whilst others are the receiving and investigation of complaints relating to maladministration, violation of human rights, misappropriation of public monies amongst others.

11ICOAF 27-29 October 2019 Bosnia and Herzegovina. The Deputy Military Ombud led a team to attend the 11th ICOAF, 27-29 October 2019, Bosnia and Herzegovina. The 11th ICOAF was co-hosted by DCAF and the Parliamentary Military Commissioner of Bosnia and Herzegovina. The Office was invited to share best practice and presented a paper titled: *“What are resilient and sustainable Ombuds Institutions?”*

Ombuds institutions for the Armed Forces are independent and impartial oversight bodies, which prevent and respond to both maladministration and human rights abuses within or by the Armed Forces by receiving and investigating complaints. ICOAF, established in 2009, aims to establish good practices and lessons learned related to the mandate, powers and functioning of these institutions. To date, representatives of ombuds institutions from over 60 countries have participated in ICOAF.

The 11ICOAF conference topic *“Building Resilient and Sustainable Ombuds Institutions”*, examined how ombuds institutions can develop stronger internal capacities, strengthen the continuity of the institution and adapt to changing and challenging environments. In many countries, ombuds institutions are increasingly targeted and criticised by those they are mandated to oversee but also other actors. The conference outcomes explored, *“How can Ombuds Institutions avoid politicisation and attacks against their impartiality and credibility, without compromising their mandate?”*



OFFICE OF THE MILITARY OMBUD Annual Activity Report for FY2019

International Ombudsman Expo in Abuja Nigeria from 28 – 31 October 2019. The Chief Director Operations led a delegation to attend the International Ombud Expo convened under the theme, “*Extending the Ombud Frontiers: Better Governance, Enhanced Performance*”.

The first-ever International Ombud Expo included, dedicated sessions for discussions on the Work of Military Ombudsmen facilitating better governance and driving performance in governments and organisations across the world. Given the unique mandate of the Office in the continent, the Office was invited to share insights and experience on the topic: “*The Importance of the Military Ombudsman in Africa*”. The topic was in recognition that political, social and economic development is impossible without sustainable peace and security in the continent.

The International Ombud Expo (IOE) was unprecedented in the over 200 years’ history of the modern ombudsman institution. The overriding objective was to bring together Ombud Institutions, Grievance handlers and similar complaints bodies from over 100 countries to participate in a major international exhibition of their role, operations and performance impact. The IOE held exhibitions of the work of different Ombud Offices in attendance from around the world.

The Office of the Military Ombud received during the IOE event an Award for the most outstanding and resourced Exhibition stand and the retired Military Ombud, Lt. Gen (Ret) T.T. Matanzima, received a Special Commemorative Award in recognition of his extensive background in the military and stature in the establishment of the first African Military Ombud Institution.

DCAF Foundation Council Meeting 26-29 November 2019, Zurich, Switzerland. The Deputy Military Ombud led a delegation to attend the DCAF Foundation Council 39th meeting and related meetings from 26-29 November 2019, Geneva, Switzerland.

The pertinent issues of the DCAF Foundation Council 39th meeting was the DCAF Director’s Report, approval of DCAF’s Bylaws and approval of DCAF’s Work Plan and Budget 2020.

Furthermore, DCAF held a separate briefing and discussion sessions where DCAF presented one of its initiatives to integrate Security Sector Reform (SSR) into stabilisation efforts. The briefing session was held just before the Foundation Council meeting in the WMO building.

The briefing session and discussions were facilitated by: Ambassador Thomas Guerber, DCAF Director. The purpose of the briefing was to provide participants with the presentation of:

An update on the current challenges, progress and needs in terms of support to the Security Sector Reform (SSR) process in Gambia.

Emerging findings from DCAF’s engagement, including lessons which have relevance to other regional SSR processes.

The Deputy Military Ombud paid a courtesy visit to the South African Ambassador accredited to South African Permanent Mission to the United Nations, Geneva.

OFFICE OF THE MILITARY OMBUD Annual Activity Report for FY2019

12ICOAF preparatory meeting held in Vienna, Austria on 26 to 27 February 2020. The Deputy Military Ombud led a delegation attending the 12ICOAF preparatory meeting from 26-28 February, 2020, in Vienna, Austria. The 12ICOAF was co-hosted by DCAF and the Austrian Parliamentary Commission for the Federal Armed Forces. The purpose of the 12ICOAF preparatory meeting was for ICOAF members and previous host members to meet and share their experiences and lessons learnt from hosting and attending ICOAF events.

The sharing of best practice during the 12ICOAF preparatory meeting contributed immensely towards the discussions of the 12ICOAF conference topic *“International Missions: Contributing to Security and Development”*.

12ICOAF preparatory meeting participants were well received in Vienna and an Address of welcome was conducted by the Executive Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces, MP Dr. Reinhard Bösch, and by the Chairman of the Austrian Parliamentary Commission; former MP Otto Pendl and MP Mag. Michael Hammer.

The Deputy Military Ombud whilst in Vienna, attended a meeting hosted by the DCAF, Mr Hans Born – Head of the Policy and Research Division and Mr William McDermott – Project Officer in the Policy and Research Division on the topic of regional Military Ombud African Footprint cooperation/work in the South African Region.

International Event Hosted. The Office of the Military Ombud conducted training for 35 team members offered by Governance and Management Services International (GMSI). The theme for the training was *“Developing Speciality Ombudsman-Roles, Services, Performance”* over the period 16 -20 September 2019.

The training was informed by a needs assessment Operations conducted with a view to bridge skills gaps that were identified within the organisation to carry out the mandate.

For this reason GMSI was identified as an institution of choice to conduct the training to ensure that capacity challenges are bridged to improve strategic focus, maximum output and capability of employees.

The training was offered and facilitated by Professor Victor Ayeni, Director GMSI, London, United Kingdom. Key highlights and lessons learnt for the GMSI training were as follows:

- Focus more on conciliation and consensus building in complaints handling;
- Be more client focused & create a conducive environment for both internal & external clients to thrive;
- Increase accessibility, advocacy & outreach programmes;
- Improve on product offerings such as the promotion of human rights, research & knowledge management & more system-wide interventions;
- Review Complaints Handling Approach to build in quick resolution mechanism; and
- Review organisational design focusing on promotion of human rights, research and knowledge management, accessibility and advocacy.



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Outreach Programme. The Office continued with the outreach programme to interact with members of the SANDF, general public and former members of the SANDF to promote the mandate of the Office, thus ensuring that all stakeholders are aware of the mandate and when they can approach the Office for assistance.

Table 14. Number of Military Units Visited per Province/ Public Engagements

Province	Number of Outreaches
a.	b.
Gauteng	6
Eastern Cape	5
Limpopo	9
Western Cape	15
North West	1
Kwa-Zulu Natal	4
Free State	9
Northern Cape	3
Total	52

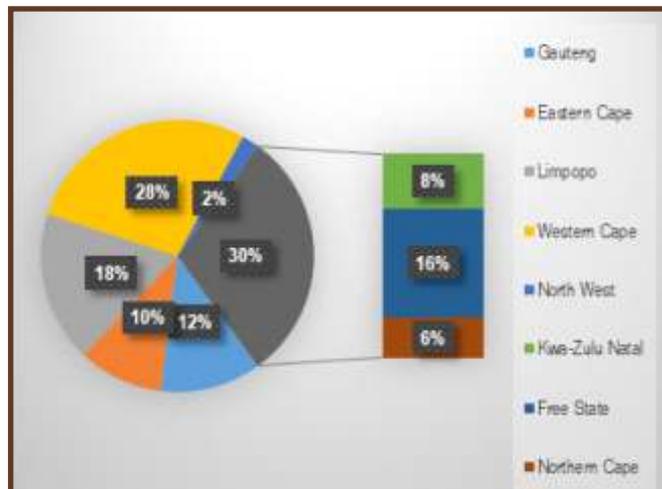


Table 15. Outreach Programme per Province

Province	Base/Unit	Planned As Per Outreach Programme				Date Visited
		Qtr 1	Qtr 2	Qtr 3	Qtr 4	
a.	b.	c.	d.	e.	f.	g.
Gauteng	Public Engagement /Activation Checkers Valhalla		1			19 July 2019
	SA War College Presentation		1			15 August 2019
	Public Engagement/Activation SAFI			1		03 October 2019
	Joint Ops Presentation			1		08 November 2019
	National SALGA Presentation				1	02 March 2020
	Joint Ops Presentation			1		08 November 2019
Kwa-Zulu Natal	ASB Durban – RFMCF partnership (Presentation to Reserve Forces)			1		11 July 2019
	5 SAI BN, Ladysmith		1			20 August 2019
	121 SAI BN, Mtubatuba		1			21 August 2019
	Public Engagement/Activation National Reconciliation Day exhibition, Okhahlamba Municipality, Bergville.			1		16 December 2019

OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Province	Base/Unit	Planned As Per Outreach Programme				Date Visited	
		Qtr 1	Qtr 2	Qtr 3	Qtr 4		
a.	b.	c.	d.	e.	f.	g.	
Northern Cape	Lohatlha Military Base, Postmasburg		1			28 August 2019	
	Presentation to Mayor's Office, Ntsatsabane Municipality. Postmansburg			1		28 August 2019	
	DOD Ammunition Depot		1			29 August 2019	
Western Cape	TFDC – Bredasdorp, Air Force Base Overberg	1				24 June 2019	
	SAS Wingfield, Goodwood	1				25 June 2019	
	South African Naval College, Gordons Bay	1				25 June 2019	
	SAS Wingfield, Naval Stores Depot Goodwood	1(2)				26 June 2019	
	Maritime Warfare School, NBCD School	1(2)				27 June 2019	
	Regional Works Unit WC	1				28 June 2019	
	Public Engagement/Activation – In partnership with the Office of the Health Ombud and Health Standards Compliance Veldrift Community Hall, Redelinguys Community Hall Aurora Community Hall Piketberg Community Hall Eendekuil Community Hall				5		08-10 October 2019
	Public Engagement/Activation - Western Cape GCIS Provincial Office coordination - Community Outreach in Western Cape presentations Diazville Primary School (Youth safety programme), Saldahna Bay Fisantekraal Community Hall (DOJ programme) Men's Indaba, Guga Sthebe Tourism Centre, Langa				3		09-10 December 2019
	Presentation to SALGA Western Cape Speakers Forum					1	06 January 2020



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Province	Base/Unit	Planned As Per Outreach Programme				Date Visited
		Qtr 1	Qtr 2	Qtr 3	Qtr 4	
a.	b.	c.	d.	e.	f.	g.
Eastern Cape	Port Elizabeth - ASB EC, Area Military Health, Air Force Station, LEGSATO, Military Policy Agency, FASC PE, SITA, Internal Auditors, Labour Relations	1				03 April 2019
	14 SAI Battalion, uMthatha	1(11)				04 April 2019
	Regiment Umzimvubu	1				25 June 2019
	In Partnership with RFMCF - Port Elizabeth - ASB EC (Presentation to Reserve Forces)		1			22 August 2019
	In Partnership with RFMCF – uMthatha, 14 SAI Battalion (Presentation to Reserve Forces)		1			23 August 2019
Free State	OCs /Officers, Bloemfontein	1				28 May 2019
	Army Support Base Bloemfontein, AMHU FS, J TAC HQ FS, SSB Military Medical Clinic, 3 Military Hospital, 4 Engineer Regt, 44 Brigade, 7 Mobilization Centre, 7 SA Tank Regt, FS Artillery Rgt, Shooting Range de Brug, 1 SAI Bn, 1 SA Tank Regt, 1 Special Service BN, School of Armour Bloemfontein	1(14)				29 May 2019
	School of Engineer, Army Band Kroonstad, Vrystaat Artillery Regiment, Regiment De Wet Kroonstad	1(4)				04 June 2019
	2 Field Engineer Rgt, Regt Louw Wepener, Bethlehem	1(2)				05 June 2019
	Public Engagement/Activation - Community Outreach in partnership with Health Ombud & OHSC in Maluti a Phofung Municipality. Senegal Community Hall, Clocolan Community Hall, Marquard Community Hall, Clarens Community Hall, Fouriesburg Community Hall				6	18-20 February 2020



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Province	Base/Unit	Planned As Per Outreach Programme				Date Visited
		Qtr 1	Qtr 2	Qtr 3	Qtr 4	
a.	b.	c.	d.	e.	f.	g.
North West	SANMVA Klerksdorp		1			04 September 2019
Limpopo	Public Engagement/Activation - Community Outreach in partnership with Health Ombud & OHSC in Lephalale Municipality, Limpopo Marapong Community Hall Ga-Seleka Community Hall Witpoort Community Hall Lamplaas Community Hall Abbotspoort Community Hall Ga-Monyeki Community Hall				6	11-13 February 2020
	SAHMS, Lephalale				1	14 February 2020
	SAAF, Lephalale				1	14 February 2020
	Public Engagement/Activation - Armed Forces Day exhibition				1	15-19 February 2020

Research and Development. A number of key research activities were carried out during the reporting year which include:

Annual Military Ombud Symposium, April 2019 was successfully hosted under the theme “*The Role of Oversight over the Armed Forces in the Contemporary African Context*”. The event was attended by the Deputy Minister of Defence and Military Veterans who delivered a Keynote Address, representatives from the African Union, Lesotho, Botswana, Mozambique and Defence Attachés for Nigeria, Mozambique and Namibia, Chiefs of Services and Divisions from the SANDF, and Academics amongst others.

The annual symposium hosted by the Office was one of the platforms where our influential stakeholders and decision makers from different sectors came together to engage on pertinent issues to enhance the functionality of ombud institutions.

The Symposium discussions were led by high level panellist, namely:

- Adv. Vasu Gounden, Executive Director, ACCORD,
- Adv. Kevin Malunga, Deputy Public Protector,
- Prof Sandy Africa, University of Pretoria,
- Prof Thomas Mandrup, SIGLA,
- Dr Ishmael Theletsane, Chair, School of Defence Organisation, Stellenbosch University and
- Dr Michelle Nel, Vice Dean, Military Academy

DCAF Preparatory Meetings. Attendance and participation at the DCAF preparatory meetings and the International Ombudsman Expo held in Abuja, Nigeria.



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Mail & Guardian Critical Thinking Forum. Attendance and participation at the Mail & Guardian Critical Thinking Forum in association with the Office of the Tax Ombudsman.

Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment as well as oversee the establishment of the National Preventive Mechanism. Participation in a number of meetings with the South African Human Rights Commission (SAHRC) which is tasked with the implementation of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment as well as oversee the establishment of the National Preventive Mechanism.

Stakeholder Perception Survey. The Office of the Military Ombud engaged the services of the Security Institute for Governance and Leadership in Africa (SIGLA), a research institute based at Stellenbosch University to conduct a stakeholder perception survey. The key purpose of the Perception Survey is to gauge the perception of our stakeholders on the effectiveness, independence and their level of trust and confidence in our services. The survey commenced during March 2020 and is expected to run for a period of 6 months ending August 2020.

Legal Services. The legal services environment continued to make a meaningful contribution and impact on the service delivery and performance of the Office by providing effective and efficient legal services. This environment has experienced another successful year, characterised by good performance across all areas of work which, includes reviewing and drafting legislation and legal documents, rendering legal support, providing legal advice and opinions, conducting reviews of all investigation reports and ensuring the effective management of all litigation. Some of the highlights achieved within legal services are:

Ministerial Directive on the Authority of the Military Ombud. The Ministerial Directive on the authority of the Military Ombud for the purposes of enhancing the independence of the Office was approved and signed by the Minister on 25 October 2018 and during the FY19/20 rigorous steps were taken with the Office of the Secretary for Defence to ensure the implementation thereof.

Litigation. Litigation matters managed in this FY ranged from applications instituted by complainants in the High Court either seeking orders against the MOD&MV for the implementation of the Military Ombud's findings and recommendations or applications to review and set aside the Military Ombud's findings and recommendations.

Legal Advisory Services. In this financial year legal advisory services were continually provided, to ensure the Office rigorously complied with the regulatory and good governance framework.

Memoranda of Understanding and Service Level Agreements. This environment has continuously contributed to the enhancement of complaints handling through the management of stakeholder relations by ensuring effective implementation of Memoranda of Understanding (MOU) and Service Level Agreements (SLA) that were signed in the previous and current financial year. While these MOU's and SLA's are being continuously reviewed for effectiveness and efficiency, new agreements were developed and signed to ensure significant stakeholder relationships are formalised and sustained.

MOU's with Other Ombud Institutions and Public Entities:

- Chief of the South African National Defence Force (CSANDF) and the Secretary for Defence (SecDef);
- Military Academy / University of Stellenbosch;
- Department of Military Veterans;
- Public Service Commission;
- The Health Ombud;
- The Public Protector of South Africa (PPSA);
- South African Human Rights Commission (SAHRC);
- Defence Force Service Commission (DFSC); and the
- Western Cape Police Ombud.

GMSI Training



7 Year Book Review





PART C: CASE STUDIES

Placement / Utilisation / Appointment.

The Office of the Military Ombud received a complaint from a serving member alleging that he completed his Officers Formative Course in 2011, followed by a degree in Engineering in 2016. He indicated that he was due for appointment as an Officer on 02 December 2016, however the latter did not happen despite submitting numerous enquiring letters regarding same.

He further indicated that, to speed up his appointment, he applied for the verification of his results from the South African Qualification Authority (SAQA), however his Unit rejected it citing that they have to use their own verification format. He mentions that his Officer Commanding (OC) informed them that the verification of all degrees were on hold due to the money owed to SAQA by the Department, and until the outstanding invoice is paid, SAQA is refusing to process the verifications.

The Complainant was not satisfied with the above and as a result lodged a formal grievance. The Formation failed to respond to the grievance of the Complainant within the stipulated time frame, failed to request for an extension, nor submitted reasons for the delay to him as provided for by the Individual Grievance Regulations, 2016. Regulation 5 (b) of the Individual Grievance Regulations, 2016 stipulates that a Formation Officer Commanding must finalise a grievance and inform the aggrieved person of the decision and the reasons for the decision within 10 working days after it was received, or within the extended period consented to by the Secretariat, after consultation with the aggrieved person.

Section 7(2)(d) of the Military Ombud Act of 2012, provides that the Ombud may refuse to investigate a complaint if a member has not first used the mechanisms available under the Individual Grievance Regulations, unless the complaint relates to problems inherent in the system which bring about an adverse result to the Complainant.

Failure by the Formation to address the Complainant's grievance as prescribed by law can be deemed as a problem inherent in the system, thereby providing the Ombud with jurisdiction to investigate the complaint. The complaint was therefore accepted for further investigation.

Non-Renewal of CSS Contract.

The Complainant lodged a complaint with the Office of the Military Ombud alleging that his CSS contract was not renewed.

He alleged that he is a former member of the SA Army, and on 15 November 2017 he was informed in writing that his CSS contract will not be renewed when it expired and he was not given reasons for this. He was then given ten (10) working days to appeal the decision of non-renewal of contract.

He alleges that he unsuccessfully wrote a letter requesting for his contract to be extended. He further states that at unit level, his request for further utilisation was approved and recommended. He felt that the SA Army failed to follow the correct procedure for renewal of CSS contract. The relief that the Complainant sought was for the Office to investigate his unfair non-renewal of contract and if found that the process was unfair, he requested to be awarded compensation.



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

The matter was investigated and it was found that the Complainant was informed about the intention of non-renewal of contract, and that the SA Army had complied with the South African National Defence Force Order (SANDFO) Pers No. 2 of 2016 policy when terminating his employment.

This complaint was therefore dismissed.

Non-Payment of Resettlement Allowance

The Complainant was transferred from Langebaanweg to Youngsfield. She alleged that she applied for resettlement allowance in Feb 2016 and that she was not provided with military accommodation which resulted in her renting accommodation from her brother's house. She was however unable to provide SAMHS with her brother's title deed to the house when it was required in order for her resettlement allowance to be processed. As a result, she was not paid a resettlement allowance.

She lodged a complaint with the Office of the Military Ombud seeking investigation into the matter. During investigation, the Complainant was advised by SAHMS to submit an affidavit stating that she is renting accommodation.

As a result of the intervention by the Office, the Complainant's application for resettlement allowance in the amount of R 26 378.86 was approved and was paid in April 2019 salary.

Pension Benefits

On 03 April 2019, the Office received a complaint from a retired Warrant Officer Class One (Wo1) regarding pension benefits against the Human Resources Division: Human Resources Pension Administration Section. On 28 May 2018, he tendered his resignation and authority was created on PERSOL (Personnel Administration Information Technology System). On 31 May 2018 his former Unit, the Army Support Base Limpopo (ASB LP) received an instruction from the SA Army Support Formation (SA Army Sup Fmn) to withdraw the Complainant's resignation authority on PERSOL due to a pending disciplinary case before a Court of Military Judge (CMJ). The CMJ finalised its case on 29 May 2018, however a new resignation authority was only issued on 28 December 2018.

He states that he made several enquiries pertaining to his pension pay-out from ASB LP but only to be informed that the matter was in process. On 03 March 2019, he met with the Officer Commanding Army Support Base Limpopo (OC ASB LP) and the Chief Personnel Clerk whom informed him that there was a problem pertaining to his termination reason code and it needed to be corrected by the SITA (State Information Technology Agency) office in Pretoria and the SA Army Sup Fmn. The OC ASB LP instructed the Chief Personnel Clerk to travel to Pretoria to seek assistance for the Complainant.



On 16 May 2019, the Investigator visited the HR Pension Administration Section where it was confirmed that the file was returned from Directorate Personnel Payments (DPP) to HR Pension Administration and it will be forwarded to the GEPF by 24 May 2019.

On 11 June 2019, the CD HRM: D HR Maintenance responded by stating that the termination reason code was rectified, the ASB LP has completed the service termination phases as required and that the Complainant's file was received back from DPP for submission to the GEPF. The Complainant was provided with feedback, he further confirmed with the GEPF that his file was received from the Department and his pension was ultimately paid out in July 2019.

Cancellation of CSS Contract

The members in this matter joined the SA Army in 2017, they did the basic MSDS training until August 2017, and then they were informed by SANDF official that they will be going to Cuba for Foreign Learning Opportunity Training.

They alleged that in November 2017, they were taken to SA Army Gym for Officer's Formative Course selection. They attended the course from 15 January 2016 to 15 June 2018. While they were still at the SA Army Gym they were informed by their Career Manager, that some of them will not be going to Cuba.

They further alleged that on 20 August 2018, three SANDF officials informed them that they will be appointed on a 10 year Core Service System (CSS) contract. They accepted and signed the 10 year CSS contract, but were not given a copy each thereof. On 28 November 2018, they were visited by two SANDF officials from the SA Army Support Formation to inform them that their 10 year CSS contract will be rescinded on the ground that there were no posts available for Officers. At that stage some of their colleagues had already left for Cuba and upon enquiring as to what is going to happen to those that were in Cuba, they were told that they will be translated to the rank of Corporal.

The Complainants were told to sign up for the Reserve component of the SA Army. They felt that the cancellation of their 10 year CSS contract amounted to unfair termination of service.

They approached this Office seeking for the reinstatement of their 10 year CSS contract with effect from 01 January 2019 and to be paid the MSDS bonus which was due on 31 December 2018. The complaint was investigated and it was found that the SA Army had committed a breach of contract by rescinding the 10 year CSS contract.

As a result of the intervention of this Office, Chief of the SA Army, reinstated the 10 year Core Service System contract of the Complainants and they were paid their MSDS service bonus.





Non Payment of Technical Allowance

The Complainant alleged that in 2013 he was transferred to the School of Ammunition as a Warrant Officer Instructor (Wo2). That in 2015 he was staffed and placed in a Training Officer's post at DoD School of Ammunition. He further alleged that he was appointed to the rank of a Lieutenant (Lt) in September 2018 which was backdated from December 2014. He was again in May 2019 appointed to a rank of Captain which was backdated to January 2018. He alleged that following the developments he was supposed to receive level 4 Technical Allowance which was the allowance for Officers.

According to the Complainant, on the system he was still S/Sgt from 2014 to 2019 and his rank only changed in May 2019 when he was promoted to the rank of Captain hence he never received the level 4 allowance. The Complainant felt unfairly treated by the Defence Force and requested the Military Ombud to investigate and to assist him to be upgraded to level 4 Technical Allowance backdated to January 2015.

During investigation by the Office of the Military Ombud it was found that the Technical Allowance was not paid and that this was unfair to the Complainant. Due to the intervention of the Office the Complainant was paid an amount of R142 000 from January 2015 to March 2020.

This complaint was resolved in terms of section 6(6)(b) of the Military Ombud Act.



Termination of Service

The Complainant is a former member of the South African National Defence Force (SANDF). He alleges that in 2006 while he was serving his two-year Military Skills Development System (MSDS) contract he was charged for arson and damage to state property. He was arrested by the Military Police and detained for two days at Voortrekker Detention Barracks. On the third day, he was released from custody by the Military Police without appearing before a Military Court.

In February 2007, he appeared on Office Orders. Consequently, he was provided with a letter from the Chief of the South African National Defence Force (CSANDF) informing him that he was suspended with pay pending the outcome of the investigation, and should he be found guilty he will have to reimburse the state for the period of suspension. In December 2007 he was offered a 1-year Core Service System (CSS) contract and it was renewed annually until April 2012.

In March 2011 Complainant received a letter of notice regarding the intended non-renewal of contract due to misconduct and in terms of the audi alteram partem-rule he was granted an opportunity to submit a written representation (appeal) against the intended non-renewal of contract within 10 working days, however, he did not submit a representation. The Complainant further alleges that he was never provided with the outcome of the investigation into his alleged misconduct. In April 2012, he received a letter from the Chief Career Planner Protection Services stating that he was discharged from the SANDF due to misconduct and the decision was based on non-adherence to the Military Code of Conduct.

Furthermore, in May 2016 after his service termination, he was convicted and sentenced to thirty-three (33) years imprisonment by Estcourt Regional Court Kwa-Zulu Natal for murder, unlawful possession of a firearm and ammunition however, he appealed the conviction, and he was released on appeal in October 2018. He was subsequently acquitted. The Complainant would like to be re-instated because he is of the view that he was discharged from the SANDF without following proper procedures.

The issues in the complaint were assessed and analysed and the following was established that the Complainant's CSS contract expired on 30 April 2012 and it was not renewed due to misconduct. In March 2011, the Complainant received a letter of notice regarding the intended non-renewal of contract due to misconduct and in terms of the audi alteram partem-rule he was granted an opportunity to submit written representation (appeal) against the intended non-renewal of contract within 10 working days, however, he did not make a representation against the non-renewal of his contract.

The Ombud declined to investigate the complaint, as Complainant could approach the Chief of the South African National Defence Force for re-instatement.

Working Environment - Injury On Duty

The Complainant is a member of the South African National Defence Force (SANDF), complaining about benefits relating to an Injury on Duty. The Complainant states that he was injured whilst on deployment in Sudan in 2010. He alleges that in the early hours of the morning of 5 November 2010 while on duty, he and his colleague were attacked by rebels. He alleges that he was shot in the left leg and in the left shoulder.

The Complainant further states that in January 2012, his superiors informed him that his bank account was credited with an amount of R50 000.00 from the United Nations (UN) as compensation for injuries he sustained whilst on duty. The Complainant is of the view that the amount he received is not a reflection of what the UN paid him as the Department of Defence (DOD) failed to provide him with documentation which shows how much the UN paid him.

Furthermore, he states that in 2013 he received an amount of R78 359.68 from the Compensation Commissioner as further compensation for Occupational Injuries and Diseases and states that the amounts are insufficient. He is requesting the Military Ombud to assist him to obtain additional compensation from the Compensation Commissioner and to establish out how much money the UN actually paid the DOD.

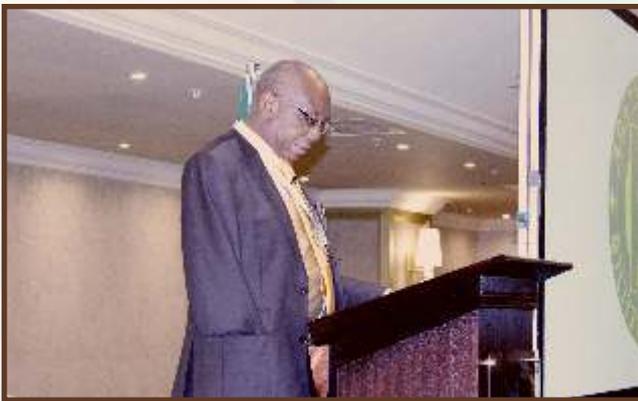
The issues raised in the complaint were assessed and it was revealed that the Complainant received payment from the Compensation Fund for injuries sustained in a shooting incident whilst on duty in 2010. The Military Ombud does not have jurisdiction over the Compensation Commissioner, nor the UN.

The Office of the Military Ombud communicated with Department of Defence's (DOD) Joint Operations Division (JOPS) on 05 August 2019 to which they responded on 13 August 2019. In their response it was confirmed that the Complainant's bank account was credited with an amount of R50 526.00 equivalent of USD 6300.33 on 18 January 2012 from the United Nations (UN).

The Military Ombud advised the Complainant to register an objection against the decision of the Commissioner in terms of the prevailing provisions for such objections.



Annual Military Ombud Symposium



PART D: GOVERNANCE

The MOD&MV as the Executive Authority (EA) is responsible for oversight, however, the Military Ombud is responsible for monitoring standards of sound corporate governance and fully endorses the application of the recommendations of the King Report on Good Governance.

The Office is committed to good governance principles and processes that give assurance to stakeholders that the operations (financial and resource administration) of the Office of the Military Ombud are conducted, managed and maintained effectively, efficiently, transparently and ethically within prudent risk parameters in pursuit of best practices to ensure optimised utilisation of the Office resources.

The Office continually strives to enhance its internal controls and to be more effective and efficient in the application of management practices and adherence to the regulatory framework. The internal controls are continuously monitored and reviewed in order to ensure timely mitigation of emerging risks.

Governance Structures. Good Governance promotes timely, efficient and cost effective delivery of complaints handling services to complainants and it is being increasingly recognised as an important aspect for the management of the investigation of complaints.

Figure 11. Corporate Governance High Level Model



The Good Governance structures and principles of the Office identify the distribution of rights and responsibilities among different participants in the organisation and includes the rules and procedures for making decisions.

The governance mechanisms in place include monitoring actions, policies, practices, and decisions of the Office. Mechanisms are also in place to regulate formal and informal relationships between the Office and its stakeholders and in embracing good corporate governance the Office seeks to align its own goals with those of its stakeholders in order to strengthen cohesion and synergy. The Office has taken steps to address its own internal governance structures and requirements and has made significant progress in this regard. The Office has implemented a Fraud and Corruption Prevention Strategy which is aimed at anti-corruption awareness. In addition the steps taken encompass the implementation of risk management and compliance mechanisms and the development and improvement of policies and procedures.



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

The Office institutionalised a governance structure approach to enhance accountability, ensure timely and accurate disclosure, deal fairly with stakeholder interests and maintain a high standard of business ethics and integrity.

The governance structures institutionalised in the Office of the Military Ombud are:

Table 16. Military Ombud Governance Structure

Governance Structure	Function/Aim	Frequency	Chairperson	Number of Meetings Planned versus Achieved	
				Planned	Achieved
a.	b.	c.	d.	e.	f.
Executive Meeting (EXCO)	To provide strategic direction to the Office of the Military Ombud	Quarterly	Military Ombud	4	4
Management Committee (MANCO)	To ensure oversight over the administrative functions within the Office of the Military Ombud.	Monthly	Deputy Military Ombud	12	11
Military Ombud Dashboard	To act as an oversight body ensuring standardisation compliance to service delivery standards.	Quarterly	Military Ombud	4	6
Operations Complaints Assessment Meetings	To assess newly received complaints.	Weekly	Chief Director Operations	52	22
Operations Quality Assurance Dashboard	To provide guidance wrt the standardisation of complaints handling and investigation approach.	Monthly	Chief Director Operations	12	14
Corporate Support Management Meeting	The management and co-ordination of the Corporate Support environments daily activities.	Twice a Month	Chief Corporate Support (CCS)	20	14

Risk Management. The responsibility for maintaining effective risk management and control processes lies with management and all members of the Office of the Military Ombud. The management responsibilities relating to risks management include ensuring that risks are identified, assessed and prioritised, and are complete, accurate and appropriate.

The key to an economical and efficient risk program is control over the risk management functions with assurance that actions performed are desirable, necessary and effective to reduce the overall cost of operational risk. Although accidental losses are unforeseen and unplanned, there are methods which can make events more predictable. The more predictable an event, the less risk is involved since the occurrence can be prevented or mitigated; or, at minimum, expenses can be estimated and budgeted for.

OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

During the year under review the Office continued to dedicate and commit its efforts towards an improved and effective enterprise risk management approach. The transversal enterprise risks impact on the Office from the strategic output and outcome perspective, continued to be subjected to regular monitoring and scrutiny by the Management Forums and oversight governance structures such as MANCO and EXCO.

The risk management process is aligned to the planning, budgeting and reporting process of the Office, striving towards the optimal achievement of its outputs. Regular risk assessments are planned for whereby strategic and operational risk registers are maintained and monitored.

The table below reflects the risks, responses and progress made aligned to the strategic objectives of the Office.

Table 17. Strategic Risk

Strategic Objective	Military Ombud Delivery (Aligned with Military Ombud Strategy Map)	Risk Description	Risk Response
	a.	b.	c.
To ensure strategic direction to the Office of the Military Ombud in-line with governments intent and expectations.	D4 – Ensure Military Ombud Services in compliance with Regulatory Framework	The Military Ombud Act does not address the governance and accountability framework hampering the Office in obtaining institutional and financial independence.	<ul style="list-style-type: none"> • Updating of the Military Ombud Act and Regulations.
To ensure strategic direction to the Office of the Military Ombud in-line with governments intent and expectations.	D1 – Govern Military Ombud commitments in accordance with government policy and strategy	Independence is at risk.	<ul style="list-style-type: none"> • Updating of the Military Ombud Act and Regulations. • Conducting of a public perception survey and the intensifying of stakeholder engagements, education, awareness and outreach programmes on the mandate of the Office.
To administrate Military Ombud’s resources as prescribed in the regulatory framework.	D4 – Ensure Military Ombud Services in compliance with Regulatory Framework	The credibility, integrity and provision of management reports of complaints lodged and captured/registered are unreliable due to the limited availability of information.	<ul style="list-style-type: none"> • Development of a Case and Matter Management System. • Complaints Handling Manual was reviewed and updated.

Corruption and Fraud Prevention. Fraud and corruption represent potential risks to the Office of the Military Ombud assets, service delivery, efficiency and reputation. The Military Ombud does not tolerate corrupt or fraudulent activities whether internal or external.



Fraud results from a combination of opportunity, need/greed and attitude/culture. Three elements are common to all fraud perpetrators.

Opportunity. Research has shown the opportunity to commit fraud results from the perpetrator having access to the assets at the point in time that the fraud is committed. Opportunity usually results from a lack of proper internal controls.

Need/Greed. Results also show that fraud motivated by need is the highest when the economy is in a slump and greed when the economy is booming.

Organisational Culture. Organisations that expect unreasonable performance standards, have little respect for controls, are not sensitised as to how serious fraud is, allow an employee to reason that it is his/her right to do the deed to have a higher incidence of fraud.

In order to enforce a zero tolerance attitude to corruption and fraud the Office continues to strengthen internal controls, drafted and institutionalised a corruption and fraud prevention strategy allocating roles and responsibilities to a number of employees within the Office.

Code of Conduct. The code of conduct exists to provide direction to employees with regards to their relationship with the legislature, political and executive office-bearers, other employees and the public to indicate the spirit in which employees should perform their duties.

The code of conduct is communicated to all staff and every employee is required to sign the code of conduct as part of their appointment conditions. Non-adherence to the code of conduct may attract disciplinary action.

Employee Awards



PART E: PERFORMANCE INFORMATION

The Strategic Planning Framework, has been developed, and implemented, as a comprehensive framework within which the outcomes-based planning, budgeting, reporting and risk management processes are executed in the realisation of the Military Ombud mandate.

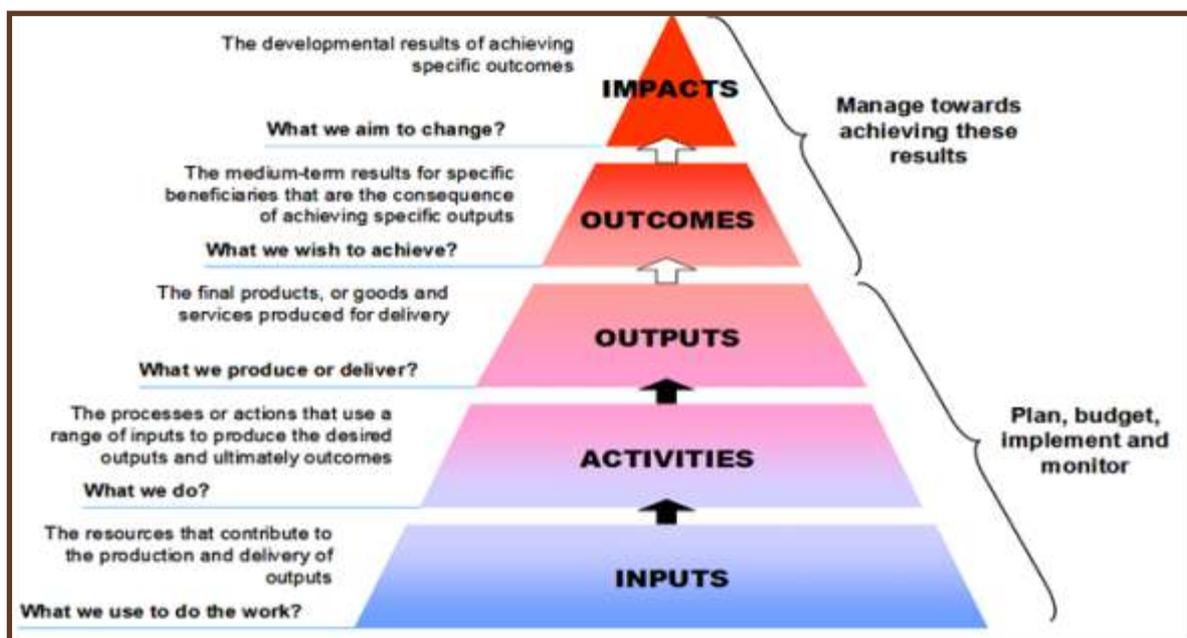
The outputs of the framework continue to provide the norms and standards within which the following are undertaken:

- The implementation of the outcomes-based (logical model) planning in the Office of the Military Ombud (Figure 12).
- The alignment of planning, budgeting, monitoring and evaluation (reporting) processes and risk management of the Office within the requirements of National legislation and the National Treasury (NT) framework for strategic plans and annual performance plans (Figure 13).
- Improved output delivery accountability.
- Performance information management focused strategically on meeting the Military Ombud mandate as aligned with Government Imperatives and MOD&MV priorities.

The Office of the Military Ombud continues to grow in its pursuit to fulfil the mandate as prescribed in the Military Ombud Act, Act 4 of 2012. The progress is confirmed in the deepened understanding, application and internalisation of the legislative mandate by the Senior Management and the employees within the Office.

The table 18 below is a detailed report of what has been achieved by the Office during the reporting year.

Figure 12. Logic Result Based Model



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Figure 13. Military Ombud Planning, Budgeting and Reporting Cycle

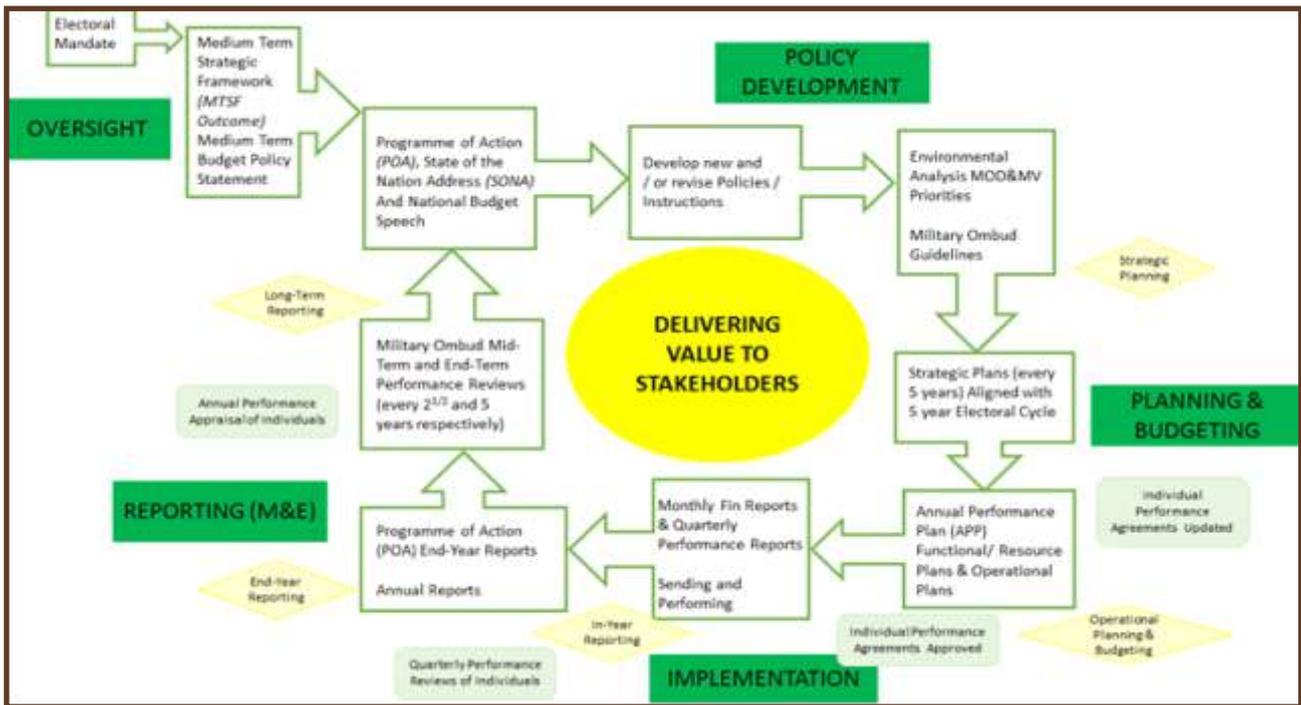


Table 18. Overview of Performance

Ser No	Performance Indicator	Annual Target as per APP	Performance												Achievement / Reason for Deviation / Corrective Action / Planned Management Intervention										
			Quarter 1			Quarter 2			Quarter 3			Quarter 4				Annual Performance Pre-Audited									
			APP	Validated	d.	APP	Validated	e.	APP	Validated	f.	APP	Validated	g.			APP	Validated	h.	APP	Validated	i.	APP	Validated	j.
Strategic Objective 1: To ensure direction to the Office of the Military Ombud in-line with Government's intent and expectations																									
1.	Percentage compliance to the Policy on Policy.	80%	80%	60%	80%	80%	60%	80%	80%	60%	80%	80%	100%	80%	100%	80%	100%	80%	100%	80%	100%	80%	100%	80%	Achieved
2.	Percentage compliance with submission dates of Military Ombud accountability documents.	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	80%	Due to Covid-19 and the lockdown period. The Office did not table the AAR as per the set date in the Military Ombud Act.
3.	Percentage compliance to organisational requirements.	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	Achieved
Strategic Objective 2: To enhance and maintain corporate operations within the Office of the Military Ombud																									
4.	Percentage of written complaints finalised within the Office of the Military Ombud.	75%	18.75%	22.19%	37.5%	43.5%	56.25%	54.4%	75%	74.78%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	Achieved
5.	Percentage of timely, effective and efficient legal services provided.	70%	70%	61%	70%	54%	70%	70%	70%	70%	70%	70%	80%	70%	90%	70%	70%	70%	70%	70%	70%	90%	71.3%	Achieved	
6.	Percentage compliance to the R&D plan.	80%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	80%	Achieved
Strategic Objective 3: To administer Military Ombud resources, as prescribed in the regulatory framework																									
7.	Status of stakeholder opinion of the Office of the Military Ombud.	90%	90%	100%	90%	84%	90%	90%	90%	84%	90%	90%	100%	90%	87%	90%	90%	90%	90%	90%	90%	87%	92.8%	Achieved	
8.	Percentage compliance with HR Plan.	95%	95%	89%	95%	86%	95%	95%	95%	86%	95%	95%	68%	95%	78%	95%	95%	95%	95%	95%	95%	78%	80.3%	The deviation on both strength and expenditure is due to attrition. The Military Ombud will address the shortage on the COE with the Secretary for Defence.	
9.	Percentage compliance with allocated budget.	95%	95%	97%	95%	102%	95%	95%	95%	102%	95%	95%	84%	95%	97%	95%	95%	95%	95%	95%	95%	97%	95%	Achieved	
10.	Percentage compliance with allocated logistic budget.	95%	95%	81%	95%	79%	95%	95%	95%	79%	95%	95%	66%	95%	67%	95%	95%	95%	95%	95%	95%	67%	73.3%	The Office will commence the procurement process earlier than anticipated to ensure that the timely delivery of goods/services takes place.	
11.	Percentage compliance to the ICT plan.	95%	95%	70%	95%	75%	95%	95%	95%	75%	95%	95%	71%	95%	75%	95%	95%	95%	95%	95%	95%	75%	72.8%	New internal procurement process will be initiated in the next financial year.	
12.	Percentage compliance to the security policy.	75%	75%	70%	75%	72%	75%	75%	75%	72%	75%	75%	65%	75%	50%	75%	75%	75%	75%	75%	75%	50%	64.3%	<ul style="list-style-type: none"> Will initiate a new approach with Defence Intelligence (DI) to speed-up the security clearances of members. Will ensure more awareness programmes wrt security and security awareness within the Office. 	

International Visits



International Visits



PART F: CORPORATE SUPPORT

The purpose and core mandate of the corporate support environment stream is to give support to all stakeholders internally within areas of Human Resources, Information, Communication Technology, Financial Management, Safety and Security, Reception Management and Transport and Logistics through provision of systems, policies and processes that enable and facilitate service provision in the most effective, efficient and professional manner.

The programme also interacts and works with external stakeholders in varied ways that all seek to strengthen provision of such support to stakeholders with the ultimate aim of contributing to compliance, oversight and the fulfillment of the mandate.

Human Resource Management. The Office planned to remain within the current strength of 63. Although the current strength were underfunded in the FY2019/20, the strength could not be reduced as this is the minimum strength that the Office can function within.

Table 19. Planned versus Actual Strength as at 31 March 2020

Environment	Planned Strength	Actual Strength
a.	b.	c.
Executive Office	7	7
Corporate Operations	36	36
Corporate Support	20	18

The structure of the Office was designed to satisfy all business elements that an organisation requires to function optimally. However, the Office has been unable to fully staff the structure due to historic underfunding of Compensation of Employees (CoE).

Table 20. Employment and Vacancies per Environment as at 31 March 2020

Environment	Approved Posts	Staffed Posts	Vacant Posts
a.	b.	c.	d.
Executive Office	9	7	2
Corporate Operations	59	36	23
Corporate Support	21	20	1

The total CoE expenditure was R41,513,828 as opposed to the vote of R40,579,000.

Table 21. Personnel Cost

Expenditure	Number of Approved Posts	Number of Staffed Posts	R-Value
a.	b.	c.	d.
Total Expenditure	89	61	Rm 41,513,828

Only one member left the Office in the FY2019/20. The 1st Military Ombud contract expired in May 2019.



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Table 22. Reasons Why Staff Left the Organisation

Environment	Number
a.	b.
Death	0
Resignation	0
Expiry of Contract	1
Dismissal - Operational Charges	0
Dismissal – Misconduct	0
Dismissal – Inefficiency	0
Discharged due to Ill Health	0
Retirement	0
Transfers to Other Organisations	0
Other	0
Total	1

The Office afforded its employees a total of 61 skills development opportunities in the year. These included short courses, seminars and workshops.

Table 23. Number of Skills Development Opportunities as at 31 March 2019

Short Courses	Symposia/Seminar
a.	b.
50	11

The table below indicates equity status of the Office. The areas where discrepancies are visible is gender where there is 9 females more than males. The Office set 50/50 gender representative target. It is also noteworthy that, the numbers of white employees is lower than the prescribed national target.

Table 24. Employment Equity Figures as at 31 March 2019

Environment	Male				Female			
	African	Asian	Coloured	White	African	Asian	Coloured	White
a.	b.	c.	d.	e.	f.	g.	h.	i.
Office of Military Ombud	24	00	00	02	31	01	01	02

As indicated above, the rate of attrition has visibly reduced in the financial year with only one contract expiring in May 2019.

Financial Management. The current economy and the strain that there is on the fiscus with reduced allocations means that the Office has to be efficient and effective with resources allocated to it to ensure that the Office is able to meet its mandate and the expectations of its clients to resolve complaints lodged with it. In its endeavour to perform optimally the Office continuously evaluates its performance and the use of the resources allocated to it. The Office is, however, still affected by the Compensation of Employees ceiling that is placed on the DOD and this has been addressed with the SecDef.

OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Expenditure Analysis. The vote for the Office for the 2019/20FY was Rm54,505. The Office had a total expenditure of Rm53,080 of which Rm41,514 was spent on Compensation of Employees and Rm11,566 was spent on Operating costs. The allocation for Compensation of Employees was 74% of the vote while 26% of the vote was available for operating costs.

Plans to Address Future Financial Challenges. The Office is engaging the SecDef to have the allocation of the Office adjusted to cater for Compensation of Employees that is not fully funded.

The Expenditure Report of the Office of the Military Ombud is as reflected, on the Financial Management System, 31 March 2020. The figures in the table 25 below could still change during the process of the DOD finalising the books of the Department as the Office has no control over the process that is ongoing after the finalisation of this report.



OFFICE OF THE MILITARY OMBUD
Annual Activity Report for FY2019

Table 25. Expenditure Report of the Office of the Military Ombud

Standard Chart of Accounts Level 3	Standard Chart of Accounts Level 4	Vote 2019 R'000	Final Appropriation R'000	Amount Paid R'000
a.	b.	c.	d.	e.
COMPENSATION OF EMPLOYEES	SALARIES AND WAGES	36,545	35,839	36,774
	SOCIAL CONTRIBUTIONS	4,034	4,740	4,740
COMPENSATION OF EMPLOYEES Total		40,579	40,579	41,514
GOODS AND SERVICES	ADMINISTRATIVE FEES:PAYMENTS	0	50	37
	ADVERTISING	617	314	314
	AGENCY&SUPRT/OUTSOURCED SERVICES	0	0	0
	CATERING:DEPARTML ACTIVITIES	187	138	138
	COMMUNICATION	1,134	1,109	1,109
	COMPUTER SERVICES	2,379	2,313	1,895
	CONS SUPPLIES	198	367	367
	CONS:STA_PRINT&OFF SUP	319	226	226
	CONSULT:BUSINESS&ADVISORY SERV	19	5	5
	CONTRACTORS	0	807	807
	ENTERTAINMENT	20	20	14
	FLEET SERVICES(F/SER)	302	265	243
	INV:CHEMS FUEL OIL GAS WOOD&COAL	103	15	9
	INV:CLOTH MAT&ACCESSORIES	0	0	0
	INV:FOOD & FOOD SUPPLIES	33	37	37
	INV:MATERIALS & SUPPLIES	14	104	101
	INV:MEDICAL SUPPLIES	0	2	0
	LEGAL SERVICES	0	0	0
	MINOR ASSETS	257	68	51
	OPERATING LEASES	0	21	13
	OPERATING PAYMENTS	1,524	918	716
	PROPERTY PAYMENTS	974	793	665
	SCIENCE&TECH SERVICES	0	515	515
	TRAINING & DEVELOPMENT	1,330	1,189	1,042
	TRAVEL AND SUBSISTENCE	3,788	3,002	1,604
	VENUES AND FACILITIES	247	296	224
GOODS AND SERVICES Total		13,447	12,574	10,131
DEPARTMENTAL AGENCIES & ACCOUNT	TRNSF&SUB:DEPARTMENTAL AGENCIES	1	1	1
DEPARTMENTAL AGENCIES & ACCOUNT Total		1	1	1
PROVINCIAL AND LOCAL GOVERNMENT	TRNSF&SUB:MUNICIPALITIES	7	8	8
PROVINCIAL AND LOCAL GOVERNMENT Total		7	8	8
HOUSEHOLDS (HH)	H/H:EMPLOYEE SOCIAL BENEFITS	40	40	728
	H/H:OTHER TRANSFERS(CASH)	0	0	0
HOUSEHOLDS (HH) Total		40	40	728
MACHINERY AND EQUIPMENT	OTHER MACHINERY & EQUIPMENT	431	913	699
	TRANSPORT EQUIPMENT	0	0	0
MACHINERY AND EQUIPMENT Total		431	913	699
SOFTWARE & INTANGIBLE ASSETS	SOFTW & OTHER INTANGIBLE ASSETS	0	390	0
SOFTWARE & INTANGIBLE ASSETS Total		0	390	0
Grand Total		54,505	54,505	53,080



Office of the Military Ombud Commemorations



Office of the Military Ombud Commemorations



Enquiries can be forwarded to: Ms A. Welgemoed / Ms N. Ndlazulwana
Tel: +27 (0) 12 676 3848 • Fax: +27 (0) 86 523 2377
E-mail: WelgemoedA@milombud.org • NdlazulwanaN@milombud.org