

Summary of Methodology Paper

Taking Stock - How to make Sense of Progressive Realisation of Socio-Economic Rights and Evaluate Progress made over Time

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Project made possible with funding from the



Introduction – the case for the realisation of socio-economic rights¹

Few people would disagree that the realisation of socio-economic rights is key for overcoming South Africa's persistent struggle with poverty and inequality. However, when resource constraints and the sheer size of the problem get discussed people typically say one of two things – either that the progress made around the delivery of houses, social grants or education – to name just a few – is a huge achievement and shouldn't be belittled merely because backlogs or problems in delivery continue to exist, or that progress is too slow for a comparatively rich middle income country. Very little overt consensus exists around what to deliver, by when and how. The aim of this project undertaken by the Studies in Poverty and Inequality Institute (SPII), with support from the Ford Foundation, is to provide a methodology for assessing and analysing the progressive realisation of socio-economic rights in South Africa specifically, but which would also have traction internationally.

There are many ways of thinking about socio-economic rights, as set out in a mix of inter-generational international instruments, norms and standards and national constitutional obligations. The methodology presented below seeks to draw on international best practices, and yet also pay particular attention to the country specific context and peculiarities of South African.

This project set out to develop a tool with which to monitor and evaluate the progressive realisation of socio-economic rights in South Africa. The aim is twofold: firstly, to move towards an agreement on what progressive realisation of socio-economic rights means in South Africa – to what end and over what time span – and secondly, to develop a method of monitoring and evaluating progress made to date and in the future. The former is important in order to ensure conceptual consensus on the progressive realisation on socio-economic rights in South Africa. The latter is important in order to ensure that progress is indeed made. The latter objective also seeks to tie resources spent to outcomes achieved on the realisation of the right in order to assess whether increased spending also leads to improved outcomes.

Theory of Change – how socio-economic rights transform society

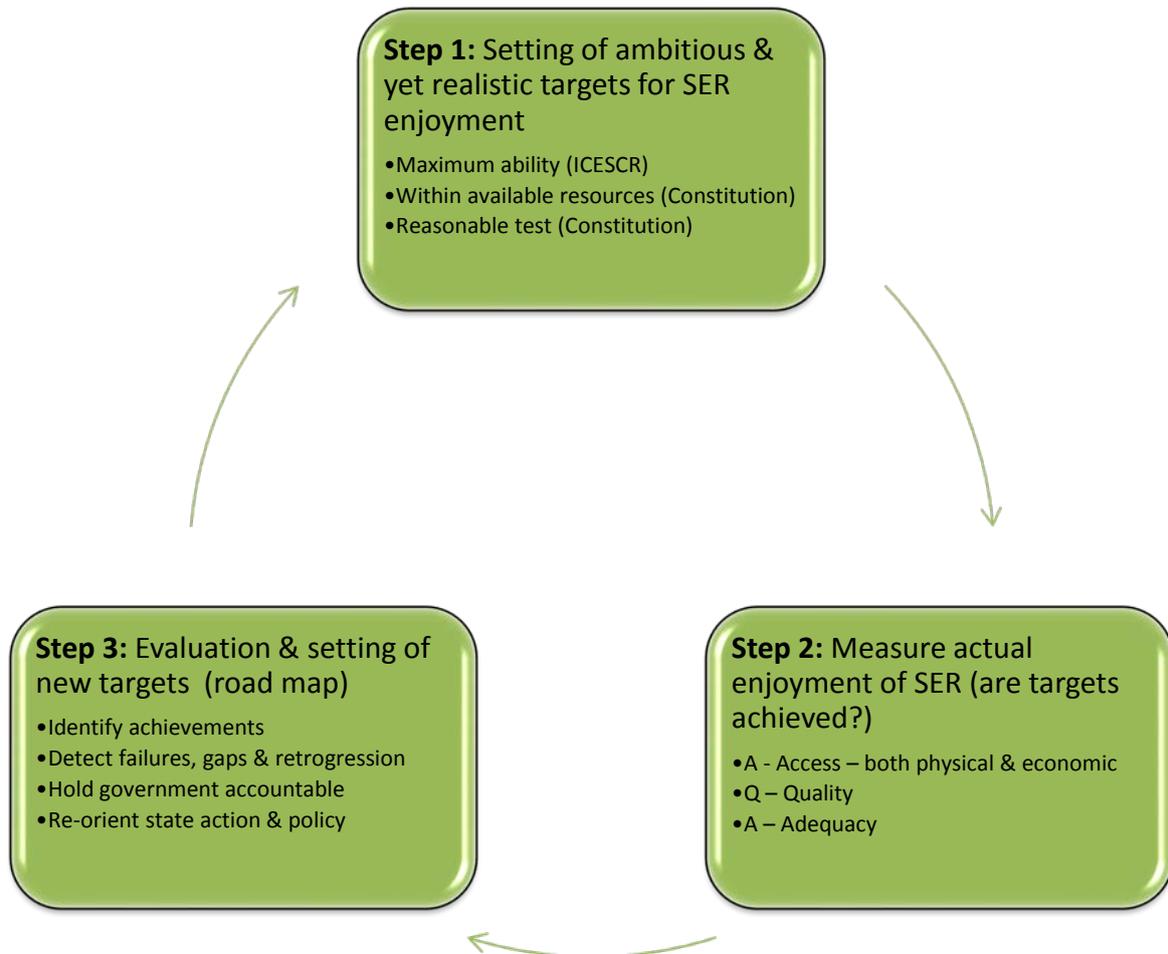
Given the caveat contained in the Constitution that socio-economic rights are to be realised progressively and within the resources available to government, how should this be best conceptualised for both policy makers and for those that wish to hold the executive to account? Figure 1 below outlines the cycle through which the realisation of socio-economic rights can transform society over time.

This is a dynamic cycle, and the goal posts for access to socio-economic rights should shift over time as a country gets richer (or poorer). Set minimum standards of rights enjoyment deemed adequate at a certain point in time and resource availability, should shift once the country gets richer and the targets for rights enjoyment get more ambitious. In other words, the standards for rights enjoyment

¹ The case for the development of a monitoring tool and a snapshot of the socio-economic context in South Africa is provided in the paper "A Monitoring Tool for Socio-Economic Rights in South Africa" which is available online at www.spii.org.za.

set in 2013 should not be the same as those set in 2020, if GDP grows and the resources available to the state expand. As a country gets richer its targets for rights enjoyment should get more ambitious in line with the increased available resources.

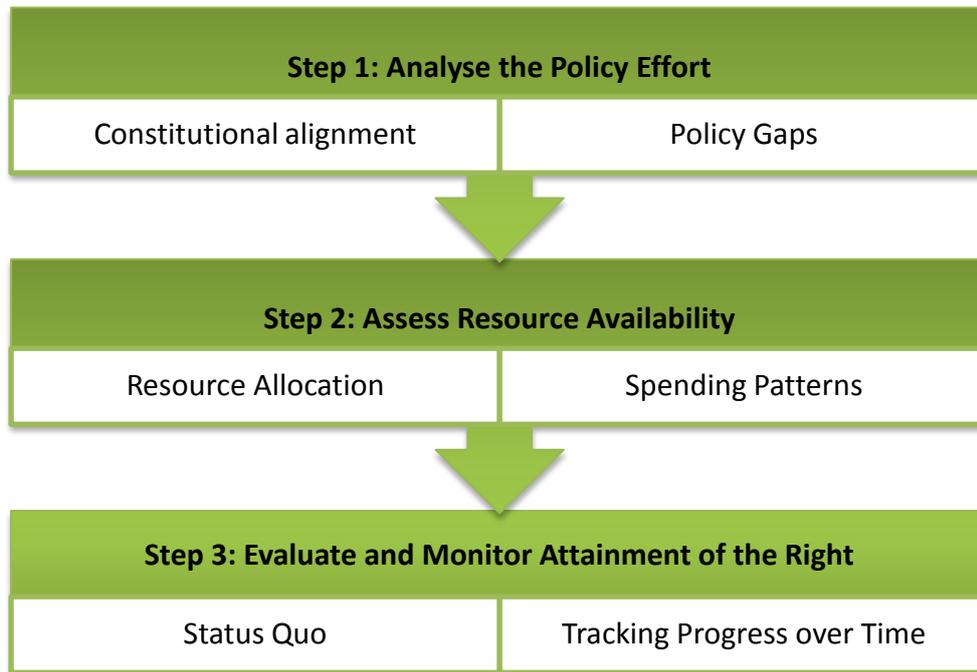
Figure 1: Transforming Society through the Progressive Realisation of Socio-economic Rights



How to evaluate and monitor the progressive realisation of SERs over time

SPII has developed a methodology for monitoring and evaluating progress made with the realisation of socio-economic rights in South Africa that is based on three distinct steps (see figure 2 below).

Figure 2: How to evaluate and monitor SERs



Step 1: Analysing the policy effort²

The first step of the analysis takes a closer look at the underlying policies and legislation guiding the realisation of socio-economic rights. Two things ought to be taken into consideration: firstly, does legislation adequately reflect the Constitution and international treaty obligations, and secondly, what policy gaps exist in the existing legislation?

Step 2: Assess Resource Availability³

The second step focuses on analysing budget and expenditure allocations at both national and provincial level to assess reasonableness of amounts for key sectors and population groups. Things that ought to be born in mind are: Is spending pro-poor? Is the relevant government Department tasked with the delivery provided with adequate funds? Where does under spending occur? Are resource allocations increasing or decreasing and why?

Step 3: Evaluate and Monitor Attainment of SERs

The third step focuses on evaluating and monitoring the attainment of socio-economic rights with reference to the three dimensions of access (physical and economic), quality and adequacy over time. This requires quantifiable and replicable indicators (proxies for the different dimensions of SER) to be developed along with agreed benchmarks and targets. The indicators need to be aligned to data available in annual surveys, and be capable of being decomposed by region, race, gender and

² SPII has conducted a review of social security, education, housing and health care policies and legislation. The findings of these reviews are available at www.spji.org.za.

³ SPII conducted an analysis of National Departments Budgets (Viz. Basic education, Health and Social Security) and Provincial budgets in order to investigate some of these problems. The finding of this analysis is available at www.spji.org.za.

age – where- ever possible and useful. However, it is of crucial importance to check this quantitative assessment of the status of socio-economic rights with qualitative research.

To date SPII has developed indicators for two SERs, namely social security and health. Even though we refer to this step as the development of *indicators* for the individual rights, the use of this term is slightly misleading. At this stage of the research project we are presenting *outcomes for various important data points* over time. Whether we will weigh the different data points or even dimensions and compile an aggregated index has yet to be decided. Tables 1 and 2 below present the quantitative data used to evaluate and monitor the progressive realisation of social security and health care in South Africa.

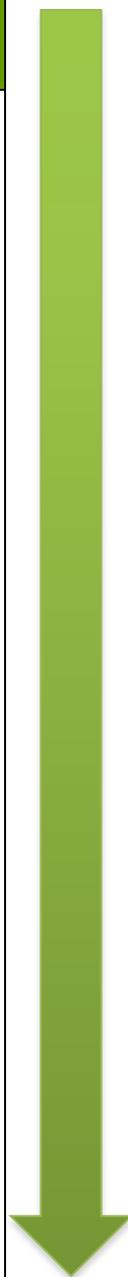
Table 1: Social security indicators

ACCESS	ADEQUACY	QUALITY
<ul style="list-style-type: none"> • % of HH receiving grant income by income decile and province - (IES, QLFS) • Grant recipients by gender and province (%) – (SASSA) • % of 18 to 59 year old able bodied men and women receiving grant income (not CSG, CGG, DG etc) –(SASSA, QLFS) • % of child headed households not receiving grants - (Child Gauge, Children’s Institute) • % of grants accessible to migrants and refugees - (SASSA) • % of migrants receiving grants –(SASSA statistical report) • % increase in FCG (until the orphan crisis abides) – (SASSA statistical report, NT budget review) 	<ul style="list-style-type: none"> • % of HH at risk of poverty (below poverty line) after social transfer by province – (IES, QLFS, StatsSA) • SASSA budget as percentage of GDP (sustainability) - (NT Budget review) • % increase of grant value in Budget Review (compare to inflation and inflation for bottom income deciles) – (Budget Review) • % increase of income threshold (compare to inflation and inflation for bottom income deciles) – (Budget Review, SASSA) 	<ul style="list-style-type: none"> • % of grants processed in the target turnaround time set by SASSA (21 days) - (SASSA annual report) • Backlogs as percentage of total – (SASSA annual report) • % of recipients receiving grants through the different distribution channels – (SASSA statistical reports) • SASSA administrative costs as % of cost of social assistance - (NT Budget Review, budget vote) • % of appeals adjudicated within target period of 90 days - (Budget vote social development, SASSA) • % of identified fraud cases referred to law enforcement agencies - (SASSA annual report) • % reduction in irregular expenditure at SASSA - (SASSA annual report)
ENJOYMENT		



Table 2: Health care indicators

ACCESS	ADEQUACY	QUALITY
<ul style="list-style-type: none"> • Time it takes to get to the nearest public health care facility (GHS) • Average waiting times (GHS) • % of patients that rely on out of pocket funding to finance health care (medication) (GHS) 	<ul style="list-style-type: none"> • Number of health facilities (DHIS - 2012, NDoH - AHS) • Useable beds per 1 000 population (DHIS - 2011) • Medical practitioners per 100 000 population (PERSAL) • Professional nurses per 100 000 population (PERSAL) • Dental practitioners per 100 000 population (PERSAL) • Psychologists (as opposed to psychiatrists) per 100 000 population (PERSAL) • % of PHC facilities with one or more nurses trained in Integrated Management of Childhood Illness (IMCI) (NDoH – AR) • % of users that do not use the nearest health facility due to lack of adequate medication (GHS) • Doctor clinical workload (DHIS - 2007) • Nurse clinical workload (DHIS - 2010) • % of Professional Nurse posts vacant (PERSAL) • % of Medical Practitioner posts vacant (PERSAL) 	<ul style="list-style-type: none"> • % of stillbirths per 1000 of live births (DHIS – 2011) • % of neonatal mortality per 1000 births (DHIS – 2011) • % of perinatal mortality per 1000 births (DHIS – 2011) • % of maternal mortality per 100 000 live births (maternal mortality ratio) (DHIS – 2011) • Crude death rate (deaths per 1000 population) (StatsSA) • Infant mortality rate (deaths under 1 year per 1 000 live births) • % of new TB cases that are HIV positive (WHO) • % of population (age 15-49) estimated to be HIV positive (StatsSA) • % of total deaths attributed to AIDS related causes (StatsSA, ASSA) • % of users of public health services highly satisfied with the service received (GHS) • Utilisation rate Primary Health Care (DHIS – 2011)
<p>ENJOYMENT</p>		



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Data source	Quarterly	Annual
IES- Income and Expenditure Survey 2010/2011		√
QLFS- Quarterly Labour Force Survey, Quarter 4, 2012	√	
SASSA- South African Social Services Agency, Annual Report 2011/2012		√
SASSA- South African Social Services Agency, Statistical Report Fact Sheet: Issue 2 of 2013		√
Child Gauge- South African Child Gauge 2012		√
NT- National Treasury Budget Review 2013		√
GHS - General Household Survey 2011, (StatsSA)		√
DHIS - District Health Information System Database 2007, 2010, 2011, 2012		√
NDoH – National Department of Health, Annual Health Statistics 2012; Annual Report 2009/10		√
PERSAL - Personnel Administration System 2012		√
StatSA – Statistics South Africa, Mid-year estimates 2011		√
WHO – World Health Organisation, Global TB Control 2012: Global tuberculosis control: WHO report 2012		√
ASSA – Actuarial Society of South Africa, ASSA2008 Model		varies

Conclusion

This paper outlines the approach taken by SPII to monitoring socio-economic rights in South Africa. The analysis builds on an investigation of the policy and legislative frameworks and the delivery backlogs, resource availability and allocation and an assessment of achievements and outcomes.

The methodology that informs this approach bears many similarities with the OPERA methodology developed by the Centre for Social and Economic Rights (CESR) in New York which analyses Outcomes, Policy Efforts, Resources and Assessment. This may allow for possible international comparative studies in future once our indicators have been fully developed.

It should be noted that this project continues to be ‘work in progress’. Throughout the course of this project, we have been engaging with stakeholders in government, MPs, CSOs and the South African Human Rights Commission, in partnership with whom these indicators are being developed⁴.

The ultimate aim is to develop a methodology for thinking about the progressive realisation of socio-economic rights in South Africa that truly furthers the policy discourse around SERs in the country and moves all actors towards thinking about how to develop a roadmap and time frames for how and by when to achieve universal access for all citizens.

⁴ Section 184 of the Constitution places on the SAHRC the obligation to monitor the realization of the socio-economic rights in the Constitution and to require annual reporting by the executive of their progress in this regard.