

Sassa fails to get right the bare necessities

By [Nicole Fritz](#)

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There are probably few things more fearsome than an enraged bear. But that was what the Constitutional Court appeared to be last week in proceedings when the South African Social Security Agency (Sassa) sought a further extension of the unlawful contract given to Cash Paymaster Services for the payment of social grants.



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The court growled that it was "being laughed at" and "blackmailed". Sassa's counsel had no easy time as he admitted there would be chaos if the court did not grant the extension and conceded there was no contingency plan in place should it not be allowed.

Misrepresentation

Yet two days later, at a media briefing held jointly between Sassa and the South African Post Office, the agency's acting CEO, Pearl Bengu, assured the public that there was in fact such a contingency plan.

She did so fairly safe in the assumption that whatever contradictions she offered to Sassa's representations in court, she might safely escape the court's scrutiny. But the court roared its insistence that Sassa explain why information on the contingency plan revealed at the briefing had been withheld from the court.

You could almost feel sympathy for Bengu. In the face of so overwhelming a threat, there was no defensive posture. She cowered, admitting in her affidavit in response to the court that there "is no feasible contingency plan that can guarantee cash payments on April 1 2018".

Almost feel sympathy - because in telling the court that Sassa had not misrepresented itself in its submissions before the court, she disclosed that she had misled the public instead. The media briefing, which she said was called "to primarily allay any fears and concerns that grants will not be paid by April 1", amounted to lies.

But, says Bengu, if you believed those lies you have only yourself to blame because, as she explains to the court, implicit in her explanation is an acknowledgement that the "contingency plan" is not ripe for implementation. A substantial period of time is required to implement the plan.

In other words, what the public were meant to implicitly understand when she said that Sassa did have a contingency plan was that it did not.

Of course any responsible organ of state with a mandate as critical as that of ensuring the livelihood of millions of the poorest and most vulnerable South Africans, and with its past record of humiliation before the court, would have hastened to put a detailed contingency plan in place.

Even if the need for this planning was not obvious to Sassa, the expert panel appointed by the court in 2017 to oversee the agency's performance has repeatedly highlighted the need for such a contingency plan.

Since its appointment, the expert panel has sought to draw attention to the fact that contingency planning - particularly in relation to cash payments - is woefully inadequate.

In its report of 16 November 2017, it recommended that "in respect of the payment of social grant beneficiaries who do not live within 5km from an ATM or POS [point-of-sale] device or facility, Sassa and other relevant role players should carefully evaluate and if possible find solutions making use of new technologies or facilities to be implemented".

It concluded that "there needs to be urgent resolution to the approach to ensure cash payments are made".

Special report

In its special report submitted in February, the panel notes: "Since the submission of the panel's third report to the court, Sassa has not provided the panel with any evidence that it has begun the process of auditing its existing cash payments, a process that the panel has recommended in its previous reports to the court."

Had it taken account of the expert panel's recommendations and conclusions, Sassa would not now be imperilling the receipt of social grants by cash beneficiaries.

Bengu writes in her most recent affidavit to the court that it occurs to her only "now that even though Sassa has embarked on a procurement process to appoint a cash payments service provider to continue with cash payments beyond a six-month extension, it is still important for the long term to develop a contingency plan in case the tender process is challenged". Or, as anyone familiar with Sassa tender processes might say, in case deadlines are not met or the tender is otherwise unsuccessful.

But Sassa's delinquent and obstructive approach means that now, in the face of the court's obvious and entirely justified frustration, it flails about attempting to produce hasty, illconsidered plans that, far from alleviating the plight of social grant beneficiaries, are likely to further compromise them.

For example, in referencing the limited extent of Sassa's planning, Bengu explains to the court that "it has been established that approximately 53% of the cash paypoints are within 5km of a post office outlet".

She goes on that the remaining 47% of grant beneficiaries "will be classified into those who have [an] active PIN and those who utilise only biometrics to access their grants".

But Sassa and Bengu appear to be making an obvious error, conflating the number of actual paypoints that are outside the 5km radius of post offices (47%) with the number of social grant recipients who will not be able to access post offices within 5km of existing cash paypoints.

Sassa and Bengu seem not to appreciate that an audit of the geographical location of post offices is not an audit of the actual number of cash beneficiaries of social grants.

Lacking confidence and skills

The limited planning put before the court by Bengu also fails to take account of the expert panel's observation that "it seems that not all rural post offices [even those in proximity to an existing cash paypoint] are suitable and that the figure of 1-million beneficiaries [of the estimated existing 2.8-million cash recipients] receiving cash payouts at the post office was one of the unrealised heroic assumptions National Treasury had warned of when the service agreement was signed".

These flawed premises inspire no confidence that Sassa's planning in the future is likely to be any better than it has been in the past. And so it is fair to say that no one should be taking any assurance from Sassa or Bengu's representations: not the court, not social grant recipients and not the general public.

Sassa simply does not have the skills or expertise to undertake the planning and logistical arrangements required to transition from dependence on Cash Paymaster Services.

But the court gave it skills and expertise in the form of the expert panel. Time and again, the panel's recommendations, which would have averted this crisis, have been ignored.

That does not just speak to incapacity. It speaks of disdain and contempt.

Source: Business Day

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