

How South Africa Governing Their Services Contract in Public Private Partnership: A Systemic Review Study

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ABSTRACT

Governance is very important in the commitment to continue cooperation in the public-private partnership (PPP). By using the literature study method, this research tries to explain the forms of partnerships that exist in the South African country. Based on research with the theme of PPP in the South African country. Based on the information gathered in this article, there are 3 issues found in PPP in South Africa: health, food security, and public services. This study also explains the variables that exist in PPP management such as actors, regulations, and service arrangements. In general, the government still plays an important role in partnerships with the private sector, so it is still difficult to clarify the pattern of work contracts.

ABSTRAK

Tata kelola menjadi sangat penting dalam komitmen untuk melanjutkan kerjasama dalam Public-Private Partnership (PPP). Dengan menggunakan metode studi literatur penelitian ini mencoba menjelaskan bentuk kemitraan yang ada di negara Afrika Selatan secara khusus. Berdasarkan penelitian yang bertema PPP di negara Afrika Selatan. Berdasarkan informasi yang dikumpulkan dalam artikel ini, ada 3 isu yang ditemukan dalam PPP di Afrika Selatan, kesehatan, ketahanan pangan, dan layanan publik. Penelitian ini juga menjelaskan variabel-variabel yang ada dalam pengelolaan PPP seperti aktor, regulasi, dan pengaturan layanan. Secara umum, pemerintah masih berperan penting dalam kemitraan dengan pihak swasta, sehingga masih mengalami kesulitan dalam kejelasan pola kontrak kerja.

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INTRODUCTION

This article discusses the public and private sector partnership, which is an approach to managing a policy program involving the government and the private sector. The government has an important role in managing partnership programs that have an impact on citizens. Self-governance in Ostrom's world is described as a framework or rules designed to govern individuals or groups (Ostrom, 1990). In fact, PPP is a form of collaborative governance that has a regulatory framework and a framework for a policy program. The partnerships discussed in this article are focused on the South African country. As one of the developing countries, South Africa has implemented a partnership between the public and private sectors in managing a policy program.

There have been many studies that discuss public-private sector partnerships in South Africa such as partnership research in the health sector, regarding the provision of treatment services for tuberculosis patients involving private hospitals belonging to the mining industry as

providers of medical services other than the government (Sinanovic & Kumaranayake, 2010). Another partnership carried out is in the food security program, providing food bank services through the Agri-food Bank program (Warshawsky, 2016). Finally, research on partnerships used to achieve service effectiveness for the public by government agencies (Clementine, 2016).

Partnership activities between the public and private sectors in the South African country have been established and regulated in the nation's Treasury regulations. This article attempts to dissect management in South African countries' public-private partnerships. Based on research related to the PPP theme in the South African country, the government becomes a partnership in public services in the fields of health, food security, and public services in agencies. Management of cooperation will be well established if there are regulations and monitoring and evaluation systems as revealed in research on PPP cooperation in the field of public services (Clementine, 2016). The partnership that has been built certainly needs government intervention as the owner of the program and the main service for the people of South Africa. This government intervention is in terms of providing services with adequate capacity to support the continuity of cooperation in PPP.

The next thing that can make the sustainability of PPP cooperation in South Africa well established is the need to have actors who specifically carry out partnerships. Chords also need to be seen in their interaction patterns in partnership cooperation. On the other hand, harmony between sectors needs to be established because the programs carried out in partnership have a wider impact on the community than just benefiting one sector. Based on existing research, the government is a major pioneer in the public sector.

In the private sector, it was found variously, such as in the treatment of TB patients (Sinanovic & Kumaranayake, 2010) the mining industry became a partner in services through the hospitals they owned, then in the Agri-food Bank program (Warshawsky, 2016) Technoserve as a private party that established service partnerships, lastly in the effectiveness of government public services encouraging collaboration with Non-Government Organizations (NGOs) (Clementine, 2016).

Public-Private Partnership (PPP), if interpreted in Indonesian, refers to the form of cooperation between two sectors, namely public and private, in partnership to resolve the affairs of public needs and services (Clementine, 2016). Using the term in (Burger, 2009) provides a definition of PPP as a service carried out by the government and the private sector as partners and facilitated by funds and an operational framework (Clementine, 2016; Ijeoma & Ike, 2019). Flinders (2005) narrates that all types of PPP are an extension of the form of privatization (Burger, 2009), but in this paper the issue of privatization will not be discussed in depth but only as an introduction to the definition of PPP. If we examine the definition of PPP in general, it is an equal partnership between two public and private stakeholders with a clear and mutually beneficial regulatory framework.

After looking at the definition of PPP, it is legitimate to express the purpose of PPP in this paper. Revealing the purpose of this partnership, the author takes the appropriate idea, according to Ogebeide. The broad goal of PPP is to bring together the best strengths of the public and private sectors to create accountability and mutual benefit (M. Fombad, 2013; M. C. Fombad, 2019; Vian et al., 2015). The forms of cooperation found in the Public Private Partnership (PPP) are found in various forms in joint risk management (Clementine, 2016). The model of cooperation carried out will depend on the specific needs of the government as the leading sector and institution that has the authority. In general, the cooperation model in PPP is related to service contracts, management contracts, concessions, affirmations, and Build own Operated and Transfer (BOOT) (Clementine, 2016).

Literature Review

Before discussing the topic, here are article review result as follows:

Table 1.
Article Review Result Matrix

| No | Title | Author | Year | Journal | Objective |
|----|---|---|------|-----------------------------|--|
| 1 | Civil society and public-private partnerships: case study of the Agri-FoodBank in South Africa | Daniel N. Warshawsky | 2015 | Social & Cultural Geography | Cooperation in providing food banks for the community in the district and food distribution for the community |
| 2 | The motivations for participation in publicprivate partnerships for the provision of tuberculosis treatment in South Africa | Edina Sinanovica and Lilani Kumaranayakeb | 2010 | Global Public Health | Provision of treatment services for patients with tuberculosis (TB) |
| 3 | Towards The Implementation of Public-PrivatePartnerships (PPPs) for Efficient Service Delivery in Public Institutions in South Africa | Maramura Tafadzwa Clementine | 2017 | Journal of Human Ecology | Efficiency and effectiveness of public services by government institutions through cooperation in the private sector |

Source: Taylor & Francis Online (2019)

First, the article entitled "Civil society and public-private partnerships: a case study of the Agri-FoodBank in South Africa" was written by Daniel N. Warshawsky in 2015. The background for his research is that AFB has emerged to reduce rural and urban food insecurity. Building on a national system of food banks, the AFB aims to train small-scale rural farmers to sell their produce to a network of local food bank food organizations who then feed the urban poor. The results of this study show that the cooperation carried out in dealing with food security issues requires strong legitimacy and a clear commitment to maintain the continuity of the cooperation. The South African government did not provide clarity regarding the duration of the cooperation carried out. There were also some concerns regarding the sustainability of the program when the cooperation ended. private sector.

Second, the article entitled "The Motivations for Participation in Public-Private Partnerships for the Provision of Tuberculosis Treatment in South Africa" by Edina Sinanovica and Lilani Kumaranayakeb in 2010. The background of the research is that South Africa is experiencing an epidemic of tuberculosis (TB) and human immunodeficiency virus (HIV). HIV is growing rapidly, which has serious implications for health system resources. Since 1998, there has been a general increase in the incidence of TB because of advocacy, better case detection rates, and increased rates of HIV infection (World Health Organization 2007). The incidence of TB increased from 338 per 100,000 in 1998 (Ministry of Health 2002) to 600 per 100,000 in 2005 (World Health

Organization 2007). The results of his research show that the private sector is felt to have motivation in implementing cooperation in PPP; motivation in the form of financial and non-financial motivation is an important element that needs to be present in the framework of PPP cooperation. Regulatory frameworks and social and political awareness are becoming increasingly important. PPP in South Africa is seen as one component of an overall public sector strategy for public service delivery. This does not imply that PPP is the preferred option for improving service efficiency but is one of a range of service delivery options that may be available to governments.

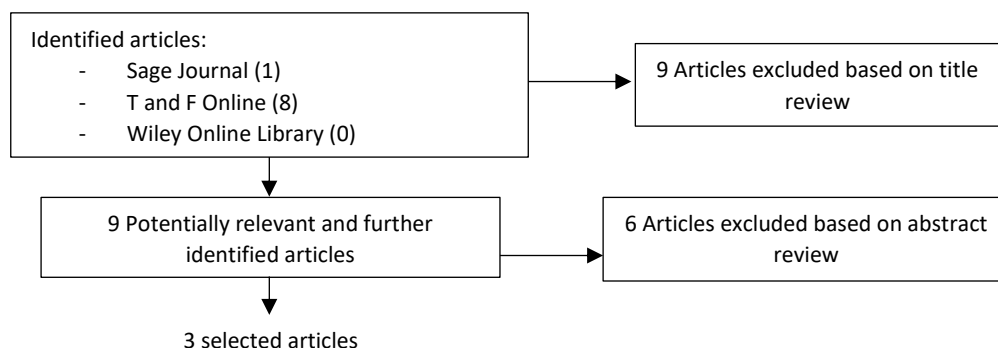
Third, the article entitled "Towards the Implementation of Public-Private Partnerships (PPPs) for Efficient Service Delivery in Public Institutions in South Africa" by Maramura Tafadzwa Clementine in 2017. The research background is that the Department of Public Service Commission develops a framework to improve service delivery, and this framework emphasizes PPP as a strategy for better service delivery. The National Treasury (2009) acknowledged that in April 1997, the South African Cabinet approved the appointment of an interdepartmental task team to develop a package of policy, legislative and institutional reforms to create an enabling environment for PPPs. The result of the study is that the government plays a very important role in the PPP process by providing the necessary political, regulatory, and legislative support to ensure the confidence of foreign investors. There may have been a time when the private and public sectors were completely independent, but that time has passed. The contribution of the private sector through PPPs cannot be ignored and, if adopted by the public sector, can enable efficient and effective coaching.

Based on the information gathered in this article, there are 3 issues found in PPP in South Africa: health, food security, and public services. This novelty of this research is trying to explain the variables that exist in PPP management such as actors, regulations, and service arrangements.

RESEARCH METHODS

The method used is a systemic literature review. A method that is part of a literature review study through the process of tracing, identifying, assessing, and explaining the overall theme in the study in order to answer the questions posed in the formulation of the problems outlined previously (Kitchenham & Charters, 2007; Xiao & Watson, 2019).

Figure 1.
Systemic Prism Model Review



Source: Processed by Researchers (2019)

The search was conducted online through the Taylor & Francis, Sage Journal, and Wiley Online Library online channel databases. As a guide in searching for relevant literature, the keywords

and titles "public-private partnership" and "South Africa" were chosen. The selected journal publications are limited to the year of publication in the search for authors to limit the publication of journals published between 2010 and 2019 in order to get newness in research.

The next stage, in order to avoid bias and subjectivity of the research, a sorting process is carried out through the Systemic Review Guidelines (Moher et al., 2009). A search of the database of online journal provider sites yielded nine published articles, one in the SAGE Journal, eight in Taylor & Francis, and none in the Wiley Online Library. Then the article was reviewed based on the abstract and found 5 articles that were excluded because of differences in relevance in writing this article. The remaining 4 articles have been reviewed in their entirety. Briefly, the flow in determining the relevant articles based on a systemic review will be described as follows.

RESULTS AND DISCUSSIONS

The cooperation carried out by the government to provide a South African food bank (FBSA) began in 2012, the targeted location was more specifically the KwaZulu-Natal village in the Jozini district (Warshawsky, 2016). In this research conducted by Warshawsky, he explains the cooperative relationship between the private sector and the State Civil Society Organizations (CSOs). Warshawsky also explains the interactions and roles played by stakeholders in cooperation. The government cooperates at the policy stage regarding the food security policy (Warshawsky, 2016). This food security policy is contained in the Integrated Food Safety Strategy Policy (IFSS) in 2002 (Warshawsky, 2016).

The purpose of establishing cooperation with the private sector is to integrate and create the success of the IFSS program. The design of the IFSS is intended to integrate various existing food programs in South Africa. Previously, the South African government already had a method in the food security program through the Zero Hunger Program (ZHP) approach, but this approach was criticized because it did not work and did not have an impact on food security (Warshawsky, 2016). Sharp criticism of the ZHP approach (Drimie & Ruysenaar, 2010) is what later became the basis for cooperation with the private sector as an effort to involve multi-stakeholders in a policy (Warshawsky, 2016).

The AFB program itself is a food storage point in a warehouse that connects farmers as providers and urban communities as the biggest consumers (Warshawsky, 2016). The distribution flow defined in the FBSA is described at three stages after the food is collected at the warehouse (AFB). After the food is collected, it is distributed to soup kitchens, activity centers for youth, the elderly, and the sick. The next stage is divided into government programs aimed at school nutrition programs, hospitals, and health. Finally, the food stock is distributed to existing supermarkets, shops, traders and restaurants (Warshawsky, 2016).

The cooperation that exists is at the stage of implementing policies regarding food security in South Africa (FBSA) in the agri-food bank (AFB) program (Warshawsky, 2016). The network of actors who play a role in the collaboration that occurs (Warshawsky, 2016) between the government through the DAFF government department and the private sector CSO Technoserve. CSO Technoserve itself is an organization that focuses on small-scale agricultural projects spread all over the world (Warshawsky, 2016).

Technoserve as a private sector plays a role in guiding farmers in managing agricultural production, improving infrastructure, ensuring the flow of food distribution (Warshawsky, 2016). The program work carried out by Technoserve is certainly financed by the government in order to create the success of the FBSA policy in the AFB program. Despite the running of the AFB program (Warshawsky, 2016) private sector concerns are found in the literature. Concerns

felt by the private sector include late payment of management fees. Furthermore, the technoserve is concerned that this program will have an impact on the community's dependence on AFB, not independence from the community's mindset (Warshawsky, 2016). On the other hand, the partnership commitment built by the government with the technoserve does not have a clear timeframe for the cooperation. From time to time, the government may break the partnership relationship with the technoserve, even the technoserve is even more worried about the program abandonment and payment of fees to farmers (Warshawsky, 2016).

Cooperation in providing treatment for tuberculosis patients (Sinanovic & Kumaranayake, 2010) explains the need for equal motivation between the private sector and the public sector in this collaboration. Although there are differences in motivation among stakeholders, there is no in-depth data on this statement. In addition to the absence of an in-depth explanation of motivation, the existing cooperation is considered to be more likely to be controlled by the private sector (Sinanovic & Kumaranayake, 2010). Although the public sector has the provision of health services, it has few resources. This makes the public sector depend on resources and management of health services to the private sector (Sinanovic & Kumaranayake, 2010). The cooperation that is established and implemented is also informal, but still through regulations regarding the mechanism and implementation rules (Sinanovic & Kumaranayake, 2010).

South Africa's health system has a strong public and private sector with multiple sources of income. The public sector provides care for the majority of the population (poor and low-income residents), while the private sector serves the more affluent groups who can afford medical scheme coverage. The private sector is an important component of the health care system, which employs an increasing number of actors. Partnerships between the public and private sectors involved in providing treatment for TB sufferers are the private sector, namely entrepreneurs in the mining industry and non-governmental organizations (NGOs) (Sinanovic & Kumaranayake, 2010).

The reason for the collaboration with the private sector is businesspeople, because many TB sufferers are found to be workers in the mining industry. Mining companies have responsibility for their workers in handling TB cases, the industry is given subsidies from the government to provide TB treatment services to their workers. The private sector plays a role in the stage of care to treatment although it continues to coordinate directly with government health service providers at the district level (Sinanovic & Kumaranayake, 2010).

In addition to the mining industry, the government cooperates with NGOs, in terms of supervision and counseling for TB patients. The South African government cooperates with NGOs as the private sector as a controller for TB patients. The motivation of NGOs as private parties in collaboration with the government is to help achieve government programs in eradicating TB disease (Sinanovic & Kumaranayake, 2010).

Research related to public services (Valente, 2010), in general, this study suggests the importance of the framework carried out on PPP cooperation in public services at government institutions to the provincial level. This study provides a framework for understanding PPPs implemented in South African countries. Regulation of the clarity of public and private sector cooperation is emphasized in this study, the PPP framework has actually been disclosed through the National Treasury (Clementine, 2016).

In this discussion, some of the authors' findings regarding PPP cooperation in South African countries will be presented. These findings are based on research in journals related to PPP in the field of food security (Warshawsky, 2016), the provision of drug services for tuberculosis (TB)

patients (Sinanovic & Kumaranayake, 2010), and government public service institutions (Clementine, 2016). The findings in this study will be described in the following sub-chapters.

Management of Service Contracts in Public-Private Partnership (PPP) South Africa

For the continuity of cooperation in the public-private partnership to run well, the management of the cooperation requires several things that need to be presented. From three research data on PPPs in South Africa, it was found that the government's role is very sacred in cooperation. In research on the provision of treatment services for tuberculosis patients (Sinanovic & Kumaranayake, 2010), emphasizes the importance of state intervention in controlling all service activities carried out by the private sector. Even though the service is provided by the industry representing the private sector, the government still intervenes in controlling the quality of treatment services (Sinanovic & Kumaranayake, 2010).

Actor

Interaction between actors is the most important thing in the public and private sector partnership process. There are several things that can be variables for the continuity of cooperation in PPP. Management in PPP in South African countries in the research data obtained emphasizes the interaction of actors and the flow of coordination in the targeted program/policy. The pattern of regulation and interaction that exists in cooperation certainly requires actors as executors in the field.

Table 2.
PPP Actors in South Africa

| Literature | Sector | Actor | |
|----------------------------------|---|------------|--------------------|
| | | Public | Private |
| (Sinanovic & Kumaranayake, 2010) | Health: TB treatment services | Government | NGO, industry |
| (Warshawsky, 2016) | Food resistance: Agri-food bank | Government | CSO Technoserve |
| (Clementine, 2016) | Public service: Public service effectiveness | Government | Private |

Source: Taylor & Francis Online (2019)

In the table 2, we can see Sinanovic's research in 2010, the government's health service provider collaborated with the mining industry in the private sector in dealing with tuberculosis (TB) sufferers (Sinanovic & Kumaranayake, 2010). Warshawsky's next research in 2015, table 2 describes the government as a public actor in collaboration with a civil society organization (CPO) named Technoserve in providing a food bank in order to realize the Food Bank South Africa (FBSA) program. And the last, Clementine's research in terms of public services for government institutions, PPP cooperation is considered to provide effectiveness and efficiency in public services (Clementine, 2016).

Furthermore, the interaction between the actors involved in cooperation certainly requires harmony. Harmony in the partnership relationship is an important requirement that can explain whether the service program carried out will be sustainable or not. As in the program for providing treatment for tuberculosis sufferers, the government and industry establish a

harmonious relationship in an effort to reduce the number of patients with the disease (Sinanovic & Kumaranayake, 2010).

Regulation

In PPP cooperation research in South African countries, regulation becomes a very important point in managing the sustainability of cooperation (Clementine, 2016). Regulation is the pulse point in the paradigm of cooperation established between the government and the private sector in South Africa. As the main pillar of the South African government in solving public service problems, the government regulates PPP in a regulation called the National Treasury (Clementine, 2016).

Table 3.
Governance Variables in Managing South Africa's Public-Private Partnership

| Literature | Service Management | Coordination | Regulation | Intervention | Capacity That Supports Partnership | Monitoring and Evaluation | Supporting | Harmonization | Innovation |
|----------------------------------|--------------------|--------------|------------|--------------|------------------------------------|---------------------------|------------|---------------|------------|
| (Sinanovic & Kumaranayake, 2010) | x | | x | x | | | | | |
| (Warshawsky, 2016) | | | x | | x | x | x | x | x |
| (Clementine, 2016) | x | | x | x | x | x | x | x | x |

Source: Taylor & Francis Online (2019)

Regulations designed to promote collaboration between the public and private sectors, of course, require a mechanism for monitoring and evaluating their activities. Monitoring is carried out in partnership activities, such as research on the provision of TB treatment services, in addition to coordinated activities between stakeholders (Sinanovic & Kumaranayake, 2010). The treatment coordination flow can be referred to government-owned services after being handled by the private sector, and the continuation of treatment will be handled together in accordance with the services that have been provided (Sinanovic & Kumaranayake, 2010).

Service contract

The service contract cooperation model is found in research on the provision of treatment for tuberculosis (TB) patients. The private sector appointed is the mining industry, because the majority of TB sufferers are mining workers (Sinanovic & Kumaranayake, 2010). This service collaboration is proven by the industry as a provider of treatment services for TB sufferers and for providing health referrals. The provision of health services and treatment for TB sufferers in collaboration with the private sector is an effort by the South African government to reduce the number of TB sufferers (Sinanovic & Kumaranayake, 2010).

A service contract in PPP cooperation in the food security program (AFG), with the private sector serving as the program manager (Warshawsky, 2016). Technoserve, as a private sector, plays a role in guiding farmers in managing agricultural production, improving infrastructure, and ensuring the flow of food distribution (Warshawsky, 2016). The private sector's role in carrying out its management and supervision in the AFB program receives funding from the government (Warshawsky, 2016).

Ideally, in public and private sector cooperation, service standards are still determined by the public sector. The public sector remains the service provider in the standard that will be carried out by the private sector in the framework of cooperation. The private sector in terms of providing tuberculosis treatment services only follows the service standards that have been set by the South African government (Sinanovic & Kumaranayake, 2010). In the TB treatment service provider program, apart from the government, the mining industry also has treatment services for mine workers affected by TB (Sinanovic & Kumaranayake, 2010). In the food program, for example, the private sector provides services in providing infrastructure improvements for farmers and the bank itself (Warshawsky, 2016). On the other hand, the government and the private sector partner in formulating the food distribution flow, which is divided into three stages so that the food program is effective (Warshawsky, 2016).

In the study analyzed in this article, the discussion on the clarity of cooperation contracts has not been clearly described. The clarity of the time period in the cooperation contract is a form of high support from the government to the private sector. The clarity of the cooperation contract is the government's commitment in partnership with the private sector. As in the treatment service program for people with tuberculosis, the government does not provide a clear term of service contract for the private sector (Sinanovic & Kumaranayake, 2010). Another study in the Agri-food Bank program stated that Technoserve, as a private party, has great concerns in partnership cooperation with the government (Warshawsky, 2016). The concern arises because the government does not provide a contract for the clarity of the partnership period to the technology service, and at any time the government can, of course, terminate the cooperation unilaterally (Warshawsky, 2016).

CONCLUSIONS

Based on the results of the research conducted, it can be concluded that: *First*, the implementation of the zoning-based PPDB system policy in ensuring the protection of education rights at the Bandung City High School level in terms of organization in terms of the state of human resources working in the implementation of PPDB starting from the level of the West Java Provincial Education Office to the technical implementing committee and other parties. others related to implementing this policy, the units available, and the methods used. In terms of human resources, program implementers in this policy have been adequate in terms of quality and quantity. Likewise, budget resources and facilities and infrastructure resources are claimed to be sufficient to support the implementation of the zoning-based PPDB. *Second*, the implementation of the zoning-based PPDB system policy at the Bandung City Senior High School level in terms of interpretation, that the government apparatus has understood the aims, directions, goals, and objectives of implementing this zoning-based PPDB policy even though it cannot interpret the zoning-based PPDB policy in its entirety then the apparatus the government is still not good at conducting socialization which is proven that the public does not get the appropriate information. And third, the implementation of the zoning-based PPDB system policy at the Bandung City High School level, in terms of application, that PPDB has been implemented in accordance with the applicable directions, goals, and targets which are then proven by the filling of every seat in public schools. However, there is still resistance from the community because people think that the zoning-based PPDB seems forced to be implemented in the city of Bandung when public high schools are not evenly distributed.

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