POLICY FOR THE DEPARTMENT OF ENERGY

Policy No. 03 of 2016

POLICY FRAMEWORK FOR WOMEN EMPOWERMENT AND GENDER EQUALITY

1. The parties hereby agree to the adoption of the attached policy.

2. This policy binds:
   a) The employer;
   b) The employees of the employer who are members of the trade union parties to this policy; and
   c) The employees of the employer who are not members of any trade union parties to this policy, but who fall within the scope of the GPSSBC's Chamber for the Department of Energy.

3. This policy will replace any former policy in this regard in existence within or applicable to the Department of Energy before the adoption of this policy.

4. This policy shall come into effect from the date of adoption by parties to the chamber.

5. Any future amendments to this policy will be subjected to consultation in the Chamber for the Department of Energy and no amendment to this policy shall be in force or in effect unless reduced to writing and adoption by all parties represented in the said Chamber.

6. The chamber for the Department of Energy will monitor the implementation of this policy.

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THIS DONE AND AGREED AT THE CHAMBER AT Pretoria ON THIS 3rd DAY OF November 2016 BY:

ON BEHALF OF THE EMPLOYER PARTY

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ON BEHALF OF TRADE UNION PARTIES

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DEPARTMENT OF ENERGY POLICY FRAMEWORK FOR WOMEN EMPOWERMENT AND GENDER EQUALITY
# TABLE OF CONTENTS

1. PREAMBLE .................................................................................................................. 2
2. ACRONYMS .................................................................................................................. 3
3. DEFINITION OF TERMS ............................................................................................. 4
4. PURPOSE ..................................................................................................................... 7
5. LEGISLATIVE FRAMEWORK ....................................................................................... 8
6. SCOPE OF APPLICATION ............................................................................................ 9
7. POLICY FORMULATION .............................................................................................. 9
8. POLICY PROVISIONS .................................................................................................. 10
9. GUIDING PRINCIPLES ............................................................................................... 10
10. IMPLEMENTATION .................................................................................................... 12
11. MONITORING, EVALUATION AND REPORTING ...................................................... 12
1. PREAMBLE

In terms of Chapter 2 of the Constitution Act of 108 of 1996, Section 9 “Everyone is equal before the law and has the right to equal protection and benefit of the law.”

"The presence of so many women from so many parts of our land underlines the weight of the pledge for women of South Africa to join hands with government for Unity, Peace and Development. That is a daunting task. The legacy of oppression weighs heavily on women. As long as women are bound by poverty and as long as they are looked down upon, human rights will lack substance. As long as outmoded ways of thinking prevent women from making a meaningful contribution to society, progress will be slow. As long as the nation refuses to acknowledge the equal role of more than half of itself, it is doomed to failure” (Speech by President Mandela on South African Women’s day Pretoria, 9 August 1996).

1.1 In compliance with the Constitution provisions, South African Government developed a South African National Framework for Women Empowerment and Gender Equality (referred herein as National Gender Policy Framework), which serves as guidelines in developing sectoral and departmental gender policies, which will be applicable to the department and its State Owned Entities (SoEs, hence the Department of Energy (DoE) Policy Framework for Women Empowerment and Gender Equality.

1.2 The National Policy Framework for Women’s Empowerment and Gender Equality outlines South Africa’s vision on gender equality. It provides a framework for the design of sector policies, procedures and practices.

1.3 Women’s inequality is mainly due to lack of economic empowerment, education, skills and access to resources.
1.4 The National Gender Policy Framework establishes guidelines to take action to remedy the historical legacy by defining new terms of reference, proposing and recommending an institutional framework for equal access to goods and services for both women and men.

1.5 Department of Energy Policy Framework for Women Empowerment and Gender Equality (referred herein as DoE Gender Policy) will give effect to the National Gender Policy Framework in the following ways:

1.5.1 Ensuring facilitation of the processes that incorporates a gender perspective and effective ways to integrate gender mainstreaming in all aspects of DoE’s, legislation and programmes and projects.

1.5.2 Advocating the process and strategies that would instil good values, a change of attitudes and culture that promotes and protects the right of women and respect for all human beings.

2. ACRONYMS

AU  African Union
BPA  Beijing Platform of Action
CEDAW  Convention on the Elimination of All Forms of Discrimination against Women
DDG  Deputy Director General
DG  Director General
DoE  Department of Energy
DoW  Department of Women
DPSA  Department of Public Service and Administration
GFP  Gender Focal Point
GM  Gender Mainstreaming
GRB  Gender Responsive Budgeting
3. DEFINITION OF TERMS

EMPOWERMENT: Refers to the process of "conscientisation" which builds critical analytical skills for an individual to gain self-confidence in order to take control of her or his life. Empowerment of women is an essential process in the transformation of gender relations because it addresses the structural and underlying causes of subordination and discrimination.

EQUALITY OF OPPORTUNITY: Refers to a fundamental human right embedded in the Constitution of South Africa. This Gender Policy Framework aims towards the achievement of equality of opportunity, in access to and share of employment opportunities, services and resources as well as in equality of treatment by employers and service providers.

EQUALITY OF TREATMENT: Refers to meeting the specific and distinct needs of different social categories of women and men. This can often involve special programmes and the commitment of additional resources, for example in the case of women and men with disabilities.

GENDER: In this policy framework document, refers to the social roles allocated respectively to women and to men in particular societies and at particular times. Such roles, and the differences between them, are conditioned by a variety of political, economic, ideological and cultural factors and are characterised in most societies by unequal power relations. Gender is distinguished from sex which is biologically determined.
GENDER ANALYSIS: This involves the collection and analysis of sex-disaggregated data which reveals the differential impact of development activities on women and men, and the effect gender roles and responsibilities have on development efforts. It also involves qualitative analyses that help to clarify how and why these differential roles responsibilities and impacts have come about.

GENDER AUDIT: Evaluates how gender considerations are being integrated into programs and policies by an organization, department or office. Wide in scope, audits assess gender approaches and policies, staff capacity, tools and resources, gender mainstreaming in programs and projects, organizational culture and workplace issues. Overall, an audit will monitor relative progress made in mainstreaming and identify successes as well as critical gaps.

GENDER AWARENESS: Refers to a state of knowledge of the differences in roles and relations of women and men and how this results in differences in power relations, status, privileges and needs.

GENDER EQUALITY: Refers to a situation where women and men have equal conditions for realizing their full human rights and potential; are able to contribute equally to national political, economic, social and cultural development; and benefit equally from the results. Gender Equality entails that the underlying causes of discrimination are systematically identified and removed in order to give women and men equal opportunities. The concept of Gender Equality, as used in this policy framework, takes into account women’s existing subordinate positions within social relations and aims at the restructuring of society. Therefore, equality is understood to include both formal equality and substantive equality.

GENDER EQUITY: Refers to the fair and just distribution of all means of opportunities and resources between women and men.
GENDER INDICATORS: Gender indicators can refer to quantitative indicators based on sex disaggregated statistical data - which provides separate measures for men and women on literacy, for example. Gender indicators can also capture qualitative changes – for example, increases in women’s levels of empowerment or in attitude changes about gender equality. Measurements of gender equality might address changes in the relations between men and women, the outcomes of a particular policy, programme or activity for women and men, or changes in the status or situation of men and women, for example levels of poverty or participation.

GENDER ISSUES: Arise when the relationships between women and men, their roles, privileges, status and positions are identified and analysed. Gender issues arise where inequalities and inequities are shown to exist between people purely on the basis of their being female or male. The fact that gender and gender differences are socially constructed is itself a primary issue to deal with.

GENDER MAINSTREAMING (GM): Gender mainstreaming is an approach, or strategy, in policy formulation, legislative drafting, project of programme design and development that has incorporated to its core, the varying attributes and needs of men and women with the objective to ensure that the benefits or impacts of the intervention are not disproportionately felt between the gender groups. The watchword here is equality.

GENDER PERSPECTIVE: Refers to an approach in which the ultimate goal is to create equity and equality between women and men. Such an approach has a set of tools for guidelines on how to identify the impact on development of the relations and roles of women and men.

GENDER RESPONSIVE: Refers to a planning process in which programmes and policy actions are developed to deal with and counteract problems which arise out of socially constructed differences between women and men.

GENDER RESPONSIVE BUDGETING: Gender-responsive budgeting is government planning, programming and budgeting that contributes to the
advancement of gender equality and the fulfilment of women’s rights. It identifies and reflects needed interventions to address gender gaps in sector and local government policies, plans and budgets. GRB also aims to analyse the gender-differentiated impact of revenue-raising policies and the allocation of domestic resources and development assistance.

**GENDER SENSITIVE:** Refers to the state of knowledge of the socially constructed differences between women and men, including differences in their needs, as well as to the use of such knowledge to identify and understand the problems arising from such differences and to act purposefully to address them.

**POLICY:** Refers to guiding principles to a course of action arrived at by decision-makers to address a particular issue or issues.

4. **PURPOSE**

The purpose of the DoE Policy Framework for Women Empowerment and Gender Equality is to establish a clear vision and framework to guide the process of developing policies, procedures and practices which will serve to ensure equal rights and opportunities for women and men in the DoE and Energy Sector and to ensure economic empowerment of South African Women through participation in the energy sector.

**The key principles underlying the vision and framework are:**

3.1 Equality between women and men;
3.2 Recognition of differences and inequalities among women;
3.3 women’s rights are human rights;
3.4 Public and private are not separable spheres of life
3.5 Affirmative action programmes for women;
3.6 Economic empowerment of women;
3.7 Mainstreaming gender equality; and
3.8 Partnership between government and civil society.

5. LEGISLATIVE FRAMEWORK

4.1 Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);
4.2 Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000);
4.3 Labour Relations Act, 1995 (Act No. 66 of 1995 as amended);
4.4 Employment Equity Act, 1998 (Act No. 55 of 1998);
4.5 Domestic Violence Act (No. 116 of 1997);
4.6 Skills Development Act (No. 97 of 1998);
4.7 The National Energy Act (Act No. 34 of 2008),
4.8 South African’s National Policy Framework for Women Empowerment and Gender Equality;
4.9 Gender Equality Strategic Framework for the Public Services; and
4.10 The National Development Plan Vision 2030.

Other regional and international relevant instruments include:

4.11 SADC Declaration on Gender and Development;
4.12 SADC Protocol on Gender and Development;
4.13 AU Protocol to the Charter on Human and People’s Rights on the Rights of Women in Africa;
4.14 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);
4.15 Millennium Development Goals (MDG);

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4.16 World Summit on Sustainable Development; and

4.17 The Beijing Platform of Action (BPA).

6. SCOPE OF APPLICATION

The policy principles, proposals and provisions in this DoE Gender Policy will apply specifically and directly to internal and external stakeholders of the Department of Energy i.e. DoE Officials, affiliated SoEs energy stakeholders and general public. The policy implementation plan shall spell out in details the roles and responsibilities of different stakeholders.

7. POLICY FORMULATION

The DoE has adopted the Mainstreaming approach in the development of the gender policy, i.e. gender issues are incorporated into other policies as part of a broad-based initiative to highlight gender equality.

8. POLICY PROVISIONS

DoE undertakes to:

1. Create an enabling policy environment for translating government commitment to gender equality into a reality;
2. Ensure that policies, programmes, structures and mechanisms to empower women and transform gender relations in all aspects of the department, energy sector and within the broader society is enshrined;
3. Ensure that gender considerations are effectively integrated into all aspects of department and SoE’s policies, programmes and projects;
4. Establish an institutional framework for the advancement of the status of women as well as achievement of gender equality;
5. Ensure women’s economic empowerment and participation in the energy sector;
6. Advocate for the promotion of new attitudes, values and behaviour, and a culture of respect for all human beings in line with the new policy.
7. Work towards achievement of equality of opportunities and treatment within the department, SoEs, energy sector and broader society.

8. GUIDING PRINCIPLES

The following principles should underpin all policies, strategies and programmes in the DoE and the related SoEs in the energy sector:

8.1 TRANSFORMATION FOR NON-SEXISM

8.1.1 Promoting and protecting human dignity and human rights of women, including the right of women with disabilities.

8.2 ESTABLISHING A POLICY ENVIRONMENT

8.2.1 The full implementation of DoE and sectoral policies and implementation guidelines on women's empowerment and gender equality through the development of departmental and sector specific guidelines and standard operating procedures.

8.2.2 Review existing energy policies and integrate women empowerment and gender equality in all programmes of the department and energy sector.

8.3 MEETING EQUITY TARGETS

8.3.1 Ensuring women's full participation in decision making through the employment of 50% women at all levels of the SMS.

8.4 CREATING AN ENABLING ENVIRONMENT

8.4.1 Putting in place departmental and sector gender management system, adequate institutional mechanisms, i.e. gender analysis, gender training and
education, gender management information system and performance appraisal system.

8.4.2 Setting up gender co-ordinating structures such as dedicated gender unit/gender focal point and gender forum;
8.4.3 Developing and implementing gender action plan; and
8.4.4 Application of gender lens to all departmental and sectoral processes.

8.5 GENDER MAINSTREAMING

8.5.1 Incorporating gender perspectives into all work of the department and SoEs and including policies, programmes and strategies, through the following interventions:
8.5.1.1 Promoting women economic empowerment through gender sensitive policies, legislation and processes enacted by DoE;
8.5.1.2 Promoting women’s empowerment and gender equality in their service provision.
8.5.1.3 Raising public awareness about gender in their dealings with clients and stakeholders in the private and community sectors.
8.5.1.4 Promoting women’s empowerment and gender equality in their internal employment policies and practices.

8.6 EMPOWERMENT

8.6.1 Capacity development for women’s advancement and gender equality.
8.6.2 Social empowerment of both men and women towards gender equality.
8.6.3 Economic empowerment of women towards poverty alleviation; and
8.6.4 Full recognition of women’s work and contribution to the national economy, including in the informal sector and subsistence economy.

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8.7 PROVIDING ADEQUATE RESOURCES

8.7.1 Provision of adequate human, physical and financial resources for advancing gender equality.

8.8 ACCOUNTABILITY, MONITORING AND EVALUATION

8.8.1 Ensuring full responsibility, ownership for and reporting on advancing gender equality within the department and energy sector stakeholders.

9. IMPLEMENTATION

This policy will be implemented through the Department of Energy Gender Focal Point, with all employees and various line functions responsible for making sure that the policy is applied at all the times whilst executing their duties and in all policies, programmes and projects of the DoE endorsed within DoE. A Gender Strategy will be developed and will outline focus area and an implementation plan.

10. MONITORING, EVALUATION AND REPORTING

11.1 Monitoring of the DoE Gender Policy will be on annual basis through report to the Chief Director: Programmes and Project Management Office, Deputy Director-General: Energy Programmes and Projects, Director General, Deputy Minister, and the Minister on the gender issues, progress made and identified issues that need management interventions.

11.2 Reports will be forwarded to the Department of Women and Department of Public Service and Administration as per the guidelines.

11.3 The DoE shall identify and provide resources and mechanisms to monitor, evaluate and consult with all stakeholders to assess and report on Gender issues in the Energy Sector.
11.4 The DoE shall comply with reports as required by the DoW, participate and contribute towards the development of International reporting and other relevant stakeholders.

11.5 The DoE Gender Policy is subject to a review to ensure that it remains in keeping with developments and to maintain its relevance to the changing circumstances of the DoE, the Energy Sector and the Country at large.