

# ASSESSING THE EFFECTIVENESS OF COMPLIANCE INSPECTION IN ENSURING THE QUALITY OF ICT PRODUCTS AND SERVICES: A CASE OF THE COMPLIANCE DEPARTMENT AT ICASA

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## Abstract

This study assesses the effectiveness of compliance inspection in ensuring the quality of ICT products and services at the Independent Communications Authority of South Africa (ICASA). The Independent Communications Authority of South Africa (ICASA) is an independent regulatory body of the South African government, established in 2000 by the ICASA Act to regulate both the telecommunications and broadcasting sectors in the public interest. The ICASA approved label, found on internationally manufactured products, implies the products meet quality standards, stipulated by ICASA. A qualitative study using interviews from a sample of 13 participants was carried out. The study found that there are functional integration challenges that are reflected in inspection activities and outcomes, which are not reported to relevant departments, while other supporting activities, such as the provision of security personnel during site inspection, are not made available to support effective compliance inspection activities and effectiveness. The study also found randomized inspections help to cut down on risks. Lastly, the study noted a profound lack of a post-market surveillance in place to continuously ensure that the equipment and the systems, placed in the market, maintain conformance with the applicable technical standards. The study further revealed that licensees lack adequate information and knowledge regarding compliance regulations and acts, which fosters non-compliance and renders compliance inspection ineffective.

**Keywords:** effectiveness, compliance inspection, quality, ICT, products and services.

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## 1. Introduction

Although there is no single universal definition of ICT, the term is generally used to describe devices, networking components, applications, and systems that when combined allow people and organisations to interact in the digital world [1]. The ICT infrastructure encompasses digital telephone networks, mobile phones, internet capability, internet servers, and fixed broadband and other technologies [2]. As technology develops, more systems are added to this list virtually by the day.

A now essential part of our everyday lives, ICT presents us with opportunities to develop a future accessible and beneficial to all. From a South African perspective it is estimated, that there are 100.6 million mobile connections as of January 2021. The figure increased by 817,000 (0.8 %) within 12 months [3]. It is also estimated, that the ICT sector contributes to 3 % of the nations Gross Domestic Product (GDP), a figure worth R93 billion.

ICASA was given the mandate of regulating the intake of companies into the sector as well as ensuring compliance. Since its inception as a regulating body, numerous cases of non-compliance have been issued. In 2020 alone, sixty-two cases were reported [4]. This has provided a premise for assessing the effectiveness of compliance inspection in ensuring the quality of ICT products and services at the compliance department at ICASA.

Because South Africa imports more ICT than it exports, non-compliance amongst ICT products and services has increased. Many products do not meet the ICASA stipulated standards, resulting in more calls for ICASA inspections [5]. Approximately half of ICT imports (47.5 %) consist of radio, television, and communication equipment, while 30.7 % consist of office and computing machinery. This highlights South Africa's reliance on other countries to provide it with ICT equipment as well as the need for a tough regulating body to ensure compliance.

The over-reliance and non-compliance is beginning to affect the reputation of the regulator and the entire industry. According to a recent report by the auditing firm Deloitte (2020) on the South African Telecommunications Sentiment Index, Telecoms is South Africa's most negative industry [6]. This raises concerns as to the effectiveness of regulatory activities, specifically the current compliance inspection activities, to ensure the quality of ICT products and services.

Risk is the occurrence of an event that is uncertain, whose occurrence may result in derailment from a set objective [7]. Risk is measured by combining the probability of a perceived threat or opportunity that occurs and the size of impact it would have on an object and a set objective [8]. ICT Risk Management (ITRM) is seen as a part of enterprise risk management (ERM) [9]. It aims to identify potential events that may affect the entity, manage the risk to be within its limit or tolerance (risk appetite), and provide reasonable assurance about the achievement of the entity's objectives [10]. ICT Compliance (ITC) describes processes to ensure an organisation's ICT adherence to laws, regulations, contracts and other obligations. According to [11], there are various types of risk that ICT products and services post [12]. One for example could be the risk of human exposure to excessive radiation. Another would include the dumping on the South African market of "technology outdated", inferior, as well as cheap devices and equipment. The latter helps to create and sustain poverty as few jobs are created in the country. More so, there is an increase in attention towards the dumping of IT waste, such as the unsafe disposal of non-compliant and redundant electronics equipment and decommissioning of sites.

The above makes the case clear that governance is required to regulate and direct the behavior and activities of ICT. There is a need to better define roles, rules, and processes, which have become vital in today's reality where both organisations and the contemporary world are going through a process of growth, transformation, and complexities [13]. Governance, therefore, plays a vital role in the definition of these roles, rules and processes. However, given that the governance may mean different things to different people, a clarification of the term is required for the sake of this study. [13] describes governance as a result of the corporate society's development, which resulted in the separation of ownership and management. Conflict of interest arose between business owners and managers, employed to oversee the affairs of the companies, resulting in "agency problem." This is a major contributing factor to the emergence of corporate governance [14].

Corporate governance is the system, by which companies and other organisations are managed, monitored and encouraged, involving the relationships between partners, the board of directors, supervisory and control agencies and other stakeholders [15]. While the aforementioned study indicated that corporate governance was birthed out of the evolution in corporate society, an area that has mostly experienced increased levels of transformation has been the ICT sector. This transformation has not only been reflected in the scope but also strategies within the sector. In the absence of a mature ICT organisation that promotes a competitive advantage through its processes, no company will stay competitive in the market [16].

ICT has become vital not only to the growth and sustainability of organisations, but ICT is also influencing the growth and development of economies [17]. Its development and influence have necessitated ICT governance. ICT governance has been defined as the specification of decision rights and the framework of responsibilities to stimulate desirable behaviours in the use of ICT [18]. In a bid to standardise ICT products and services globally, there are diverse standards and models for ensuring a good ICT governance.

Studies suggest that ICT is governed through three main tasks, namely evaluation, management and monitoring [19]. The COBIT- a framework, created by ICASA for IT governance and management, provides standards for control objectives for information and related technology. COBIT is classified into 40 management and governance objectives that are grouped into the following domains: group 1: Evaluate, Direct and Monitor; group 2: Align, Plan and Organise; group 3: Build, Acquire and Implement; group 4: Deliver, Service and Support and group 5: Monitor, Evaluate and Assess [20].

Taking the above into consideration, the study aims to assess the effectiveness of compliance inspection in ensuring the quality of ICT products and services at the compliance department at ICASA. The research is expected to help the compliance department of ICASA to increase the compliance rate of stakeholders through the findings from the study that are expected to uncover the nature and extent of non-compliance as well as any drawbacks in the current compliance strategies that may render the strategies ineffective. The study will also help improve stakeholder and ICASA relationships and engagement that may cause a joint value-added process. The study is important in that it will help ICASA develop policy and further help the research community in areas of ICT regulations, monitoring and evaluation, as well as quality control management.

## 2. Materials and Methods

The research approach method, used for the study, was the qualitative method. This method was chosen because it provided a clear description and translated the phenomenon in the social-economic world based on the exploratory research method for determining the influential factors of ICT growth in South Africa.

An exploratory qualitative research design was used for the study. This choice was because the design allowed for the use of interviews and thematic analysis of data to assess the effectiveness of the compliance inspections at ICASA. It assisted the researchers in addressing the research problem and research objectives.

This study followed a phenomenological philosophy, while implementing this research project. The reason for the choice was embedded because the philosophy was aligned to the qualitative research method, chosen for the study, and the exploratory nature of the study, which sought to assess the effectiveness of compliance inspection in ensuring the quality of ICT products and services at the compliance department at ICASA.

Only 10 participants were chosen for this study, comprising 2 specialists, 2 technical officers, 2 liaison officers, 2 postal inspectors and 2 members of the SAPS Radio Tech Unit. A non probability sampling method was used to select these participants.

A face-to-face interview approach was not adopted for this study because of the coronavirus social distance regulations, considering that South Africa was on a third wave of the virus at the time of the study. However, a telephonic interview was conducted, aided with an audio recorder, used for recording the interview. This was done after the participants had granted permission to participate in the study through the signing of the consent form that was sent to them via email, which detailed the purpose of the study, what was required of them during participation, how their identity and information would be protected and their rights to exit the study at any time. Participants also gave their permission for the recording of the interview. The interviews were then recorded in separate digital audio files and protected by the use of a password. Then, the audio files were downloaded for transcription.

## 3. Results

Table 1 below presents a summary of the demographic information of all the study's participants. The following is a presentation of results from their demographic distribution.

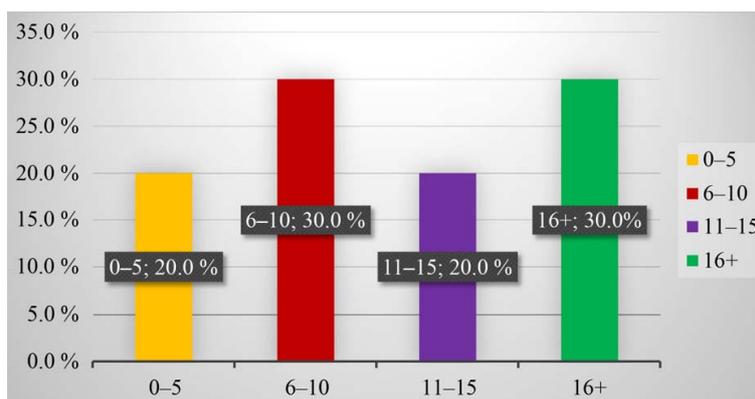
40 % of the participants were between the ages of 26 and 35 years of age, 50 % were between the ages of 36 and 49 years of age and 10 % of the participants were above 50 years of age. Given the size of the sample, nothing further could be inferred from these results, where the age of ICASA's workforce is concerned. However, the result was important in determining any ways, in which the agility that comes with age impacted the effectiveness of inspection activities. The male to female gender ratio was 60:40 %.

**Table 1**  
Summary of participant’s demographics

Participant	Age group	Gender	Years of Experience
A	36–49 yrs.	Male	16 yrs. +
B	26–35 yrs.	Male	6–10 yrs.
C	36–49 yrs.	Male	11–15 yrs.
D	26–35 yrs.	Female	6–10 yrs
E	26–35 yrs.	Female	0–5 yrs.
F	36–49 yrs.	Female	16 yrs. +
G	36–49 yrs.	Female	6–10 yrs.
H	50 yrs.+	Male	16 yrs.+
I	36–49 yrs.	Male	11–15 yrs.
J	26–35 yrs.	Male	0–5 yrs.

**Work experience**

As shown in Fig. 1, 80 % of the participants had been with the organisation for 6 years. This study considered 6 years as a sufficient period for an employee, working at the ICASA’s inspection department and related department, to provide information that could truly reflect the reality of the situation at ICASA where compliance inspection was concerned. This result was also important to the study as it provided validation for the source of data, which provided confidence in the accuracy of findings.



**Fig. 1.** Number of years with the organisation

**Emergent themes from primary data**

Table 2 summarises the emergent themes and sub-themes.

**Table 2**  
Emergent themes and sub-themes from primary data

Objectives	Theme
<b>Objective 1:</b> To establish the effectiveness of the current compliance inspection activities at ICASA.	Theme One: Mandate
	Theme Two: Compliance inspection Sub-Theme One: Functional integration Sub-Theme Two: Strategic objectives
<b>Objective 2:</b> To identify current challenges within the current compliance inspection activities at ICASA.	Theme Three: Product conformity
	Theme Four: Challenges
	Sub-Theme One: Review
	Sub-Theme Two: Knowledge
	Sub-Theme Three: Information
	Sub-Theme Four: Competence
	Sub-Theme Five: Coordination

Objective 1: To establish the effectiveness of the current compliance inspection activities at ICASA.

## Theme One: Mandate

To establish the effectiveness of the current compliance inspection activities at ICASA, it was necessary to evaluate what is expected from the organisation in terms of its mandate. Primary data revealed that ICASA holds a mandate to gather information and statistics on the ICT sector to monitor, report and ensure that regulations are fact-based. Furthermore, in terms of section 36 of the ECA, the authority is mandated to prescribe technical standards for equipment and electronic communication facilities. In addition, ICASA is authorised to receive complaints from the public regarding services, provided by telecommunications, broadcasting, and postal licensees in a manner that ensures that the public has access to ICT products and services that are of quality, easily accessible and affordable. In line with the above, the participants had this to say:

## Participant D

*“ICASA is responsible for regulating the telecommunications, broadcasting and postal sectors in the public interests and ensures affordable services of high quality for all South Africans.”*

## Participant B added:

*“Is to manage and monitor the communication space and make sure that every individual has access to information and/or network coverage.”*

ICASA has been mandated to regulate electronic communications, broadcasting and postal services in South Africa. ICASA’s mandate is founded on South Africa’s constitution and influenced by its APP, which is based on the ICASA Strategic Plan 2020/21–2024/25 and guided by the Government’s Medium Term Strategic Framework (MTSF), which details areas of priority regarding socio-economic service delivery to all South Africans. The thrust is to address challenges, relating to poverty, inequality and unemployment as well as the NDP, which details the desired socio-economic growth and development targets that the country needs to achieve by 2030 [21].

## Theme Two: Compliance inspection

Under its mandate, primary data revealed that ICASA carries out two forms of a compliance inspection, namely the code of conduct compliance inspection and technical compliance inspection. While each compliance inspection has a procedure that is followed to conduct compliance inspections, compliance effectiveness is measured against these compliance forms. Primary data indicated that the code of conduct inspections is informed by the code of conduct regulations that is prescribed to the Telecommunications stores. The inspection is done using a checklist that aligns with the regulations and code of conduct practices that the store adheres to. During inspections, the inspector looks for the code of conduct, displayed in the store, and uses the checklist to ask the store representative questions regarding the code. Regarding the technical compliance inspection, the inspectors check the technical specifications of the electronic device and for service; they check that standard terms and conditions are compliant.

However, primary data revealed an element of the compliant inspection, which impacts the effectiveness of the compliance process. Primary data revealed that participants agreed that a compliance inspection can be ineffective if such inspection is not random with elements of surprise and if inspections, meant to be done physically, are done remotely without the physical presence of the inspector on the actual site. Primary data revealed that a compliance inspection process starts with inspectors looking up a list of ICASA licensees on the ICASA database and calling them, arranging for a compliance inspection. This gives the licensee ample time for them to put things in order as they are aware of the actual time the inspectors would be visiting. Furthermore, an inspection of equipment of the telecommunication companies is not conducted continuously but immediately after the license is granted to the licensee and equipment is installed. This concurs with what participants B and F claim:

## Participant B said:

*“An ineffective compliance inspection is when there are no randomised inspections as the inspector and time of inspections need to vary as much as possible. This helps stop corruption. Another form of ineffective inspection is when an inspection that needs to be done physically is done remotely.”*

Participant F added:

*“Primary data also shows that it is a lack of post-market surveillance in place to continuously ensure that the equipment and systems, placed in the market, maintain conformance with the applicable technical standards.”*

In striving for an effective compliance inspection, the regulator faces a trade-off in limiting the firms’ ability to anticipate inspection timing by increasing inspection frequency as this may improve compliance but is a costly activity [22].

Sub-Theme One: Functional integration

Primary data revealed the lack of functional integration between the inspection and non-inspection function within ICASA, which impacts negatively on the effectiveness of the current compliance inspection activities. The lack of functional integration is reflected in the perception of compliance inspectors, who think ICASA has to provide information regarding compliance to telecommunication companies, while their responsibility starts and ends with compliance inspection. The consequence of such perception is that the telecommunication services and product providers who are unaware of certain compliance regulations, be it the code of conduct or changed technical specifications, will remain in ignorance and inspectors will continue to find them not to comply, possibly not out of a deliberate act of disobedience, but out of lack of information and knowledge. This consequently results in wasteful compliance inspection activity and time, which renders compliance inspection efforts ineffective.

Participant A said:

*“Not all companies have information, but it is ICASA’s responsibility to ensure that all companies in the provision of ICT products and services in South Africa have full information regarding”.*

Participant F said

*“Is mainly guided by LCA and ICASA, act of which is what all inspectors follow by verifying that what is stated in LCA corresponds with what the licensees are doing and if anything, found to be out of rules/act, is rectified.”*

For compliance supervision and monitoring activities effectively, it is essential to recognise that while the function of the compliance officer is autonomous and independent, it is, however, naturally integrated with other business procedures and structures [23]. It is then imperative to ensure the control of compliance is embedded in a wider system to warrant that these checks can be carried out optimally and the compliance function operates effectively; it is essential to coordinate with other areas of the company [24].

Sub-theme Two: a strategic objective

While primary data have revealed that diverse factors impact the compliance inspection effectiveness at ICASA, it also revealed that the compliance process contributes strongly to attaining ICASA’s strategic objective, as the compliance inspection has helped the collection rate of annual regulatory fees that are now improving year after year. While this reveals a positive side of the compliance inspection effectiveness, data revealed that the achievements could be better if licensees were educated about the regulation requirements. This is confirmed in the following excerpt:

Participant E had this to say:

*“if the authority can improve in terms of education of its licensees about the regulatory requirements, the collections of fees towards the National Revenue Fund will improve better than how it is currently improving”.*

Participant H added:

*“Compliance processes contribute very well to the ICASA’s strategic objectives.”*

The importance of having a strategic objective in a business cannot be overemphasized [25]. The same goes with selecting the right strategy as it is vital to the success and survival of all organisations. However, it has been found, that projects fail because of weak strategic objectives, which are often reflected in failing to articulate the organisation, programme and/or project strategic business objectives clearly, failure to obtain agreement on them from requisite stakeholders and failure to continuously communicate the business strategic objective.

## Theme Three: Product conformity

Primary data revealed that ICASA has a conformity assessment framework for equipment authorization, which prescribes how conformity of products is verified, which includes and is not limited to compliance inspections and verification through the Type-approval process. The effectiveness of compliance inspections becomes affected, especially where the use of the framework is concerned, as it is often found, that many non-conforming types of equipment are discovered during Type approval inspections. This raises compliance inspection effectiveness concerns about why such non-conforming equipment was not discovered during pre-installation inspection, especially where primary data reveal that in terms of section 35 [1] of the Electronic Communications Act, “No person may use, supply, sell, offer for sale or lease or hire any type of electronic communications equipment or electronic communications facility, including radio apparatus, used or to be used in connection with the provision of electronic communications, unless such equipment, electronic communications facility or radio apparatus has, subject to subsection [2], been approved by the authority”.

Participant I said:

*“Compliance of the equipment is measured against the prescribed technical standards. The conformity assessment of equipment to ensure compliance with the prescribed technical standards is executed by accredited Conformity Assessment Bodies”.*

Participant G added:

*“In ensuring reliable and traceable measurements, Conformity Assessment Bodies should conform to fit-for-purpose measurement standards and measurements.”*

Participant C noted that:

*“Compliance inspectors are knowledgeable and are given a regulation and are often taken for training”.*

Participant H added:

*“Failure to comply may be because of personnel’s inability to understand the contravention and what could be done to ensure compliance”.*

Objective 2: To identify current challenges within the current compliance inspection activities at ICASA.

## Theme Four: Challenges

Diverse challenges have been revealed by primary data, which exist in the current compliance inspection activities at Icasa. While the challenges may take different forms, they jointly impact the effectiveness of the compliance inspections.

## Sub-Theme One: Review

Results from primary data revealed that lack of revision of equipment classification makes compliance inspection challenging as field inspectors use old classifications or telecommunication companies still holding on to old classification, while review updates are not factored into the implementation of the compliance inspection activities. Furthermore, this lack of update results in confusion. For instance, when old license fees are being used some licensees miscalculate their annual license fees payable.

Participant D highlighted:

*“... with old General License Fee regulations being in use, most licensees with annual revenue lower than R13m are likely to assume that they are exempted from paying the Annual License Fee because the old regulation exempted them”.*

Participant A added:

*“Authority to update the classification of equipment to the public as and when required”.*

## Sub-Theme Two: Knowledge

The lack of knowledge has been found from primary data to be a major factor that is making the current compliance inspection activity ineffective. The lack of knowledge has been found within both compliance inspectors and telecommunication companies taking different forms. While some inspectors have been found not to have complete knowledge of the ICASA regulations, against which compliance inspection is done, some telecommunication companies are unaware of changes in the regulations when they take place. This has contributed to compliance inefficiencies

as those charged with the inspection task sometimes cannot identify deviations from compliance and, therefore, unable to apply the relevant regulations for enforcing compliance. Furthermore, primary data revealed a lack of knowledge sharing across different departments, whose activities bear compliance inspection outcomes. The lack of knowledge has been ascribed to inadequate information and a lack of induction for licensees as soon as they get on board, which further exacerbated the situation of non-compliance, whether deliberately or non-compliance, induced by a lack of knowledge.

Participant B said:

“Some divisions within the corporate, such as compliance division, they do understand and well knowledgeable about ICASA and other divisions are not so well knowledgeable about ICASA”.

Participant J added:

“No, where ICASA gazette publications are numerous and tedious job to go through and the inspectors do not have the time or legal expertise to understand everything that is mentioned within the gazette publication”.

According to [25], there has been the emergence of new reports regarding regulatory compliance, which provide evidence that explains why the level of compliance may be low or high among certain target groups. Reasons for non-compliance have been classified into three: the degree to which the target group knows of and comprehends the rules, the degree, to which the target group will comply either because of economic incentives, positive attitudes, arising from a sense of good citizenship, acceptance of the policy goals, or pressure from enforcement activities and finally, the degree, to which the target group can comply with the rules.

Sub-Theme Three: Information

As mentioned earlier, a lack of information has been found to result in a lack of knowledge. However, primary data revealed that ICASA provides continuous training for its compliance inspectors as well as ensures they have access to the ICASA regulations and relevant legislations that guide the different sectors, which ICASA has been mandated to oversee. Furthermore, the ICASA gazette publication is an open document, demonstrating to the public which anyone can access, thus inspectors have access to the information. However, a lack of initiative on the side of some of the compliance inspectors to ensure that they continue to absorb the relevant regulations and acts that would make their inspection more effective has been a challenge. To exacerbate the problem, some licensees were found not to be aware of the terms and conditions of their license, while this highlights a challenge with licensees not reading their contracts thoroughly. This highlights inadequacy in the licensing process, consequently, impacting the effectiveness of compliance inspection activities.

Participant C said:

“ICASA needs to improve in terms of educating its licensees about the regulatory requirements because currently, there is a high number of licensees that seem not to be aware of the compliance requirements.”

Participant D added:

“Companies, engaged in the provision of ICT products and services in South Africa, do not have full information as per ICASA’s compliance requirement and regulations”.

Sub-Theme Four: Competence

While most of the participants agreed that ICASA’s compliance inspectors are competent and well-trained, especially where regulations and related acts are concerned, primary data revealed that ICASA regulations and relevant acts, guiding different sectors, are numerous, and thus require continuous referencing and mastering over time. The reluctance of compliance officers to continue to learn these regulations and relevant changes constitute a challenge of time.

Participant J added:

“Inspectors are competent; the challenge is equipping the inspectors with updated equipment to ensure they execute their tasks efficiently”.

Participant E added:

“Compliance inspectors receive lots of training”.

Competency relates to a person's basic characteristics, which include a person's skills, knowledge, and attitude that relate to their performance [24]. An employee that has competency sticks to his/her job and performs it well. Competency also influences organisational commitment.

#### Sub-Theme Five: Coordination

Primary data revealed that a lack of proper coordination, which reflects in a lack of functional integration and a lack of shared knowledge, is one of the current challenges of the ICASA's compliance inspection activities. Primary data revealed that in most cases, regions (inspectors) are not involved in the review or development of rules and regulations and this makes them be sometimes left behind in terms of development, resulting in critical challenges of inter-departmental coordination. Primary data further highlighted that poor intra-departmental coordination results in situations, such as inspectors' reports, not reaching the respective units regarding the alleged contraventions, picked up during the inspection processes, a lack of provision of security personnel during site inspections and a lack of training of inspectors about processes; all contribute to the weakening of compliance inspection effectiveness, creating ripple effects across the planned compliance activities and overall outcomes.

Participant G said:

"Some divisions within the corporate, such as compliance division of that corporate, are well knowledgeable about ICASA and other divisions are not so well knowledgeable of ICASA"

Participant D said:

"Not all customers react in the same way to dissatisfaction, while some are willing to negotiate to resolve the matters, others negative reactions go as far as asking for a refund and a threat of litigation."

Effective linkages of internal and external components of an organisation help to reduce internal and external complexities [26].

#### 4. Discussion

The study revealed that ICASA has the mandate to license and carry out compliance inspection activities, related to the code of conduct of the ICT infrastructure. They also ensure that equipment, used or sold, meets technical specifications based on setting out ICASA standards, regulations and relevant acts. While no external influence was found in the study to impact the effectiveness of its compliance inspections activities, diverse internal related issues and challenges were found to be impacting the effectiveness of compliance inspection activities as well as posing a challenge to compliance inspection at ICASA.

Findings from the study revealed that certain tasks and how they are initiated in the compliance inspection process impact the effectiveness of the compliance activity. For instance, the element of surprise is compromised in the inspection initiation process as licensees are called by the inspectors to arrange an inspection date, which gives them ample time to cover up things that may not be in the best interest of the regulator or other stakeholders.

Further study findings revealed that licensees lack adequate information and knowledge regarding compliance regulations and acts, which fosters non-compliance and renders compliance inspection ineffective. In addition, it was also found, that some compliance inspectors are not well knowledgeable in the relevant regulations, which sometimes results in their inability to identify digression from compliance, with the inability to proffer the right compliance enforcement solution. Findings from the study also revealed that there are functional integration challenges that are reflected in inspection activities and outcomes are not reported to relevant departments, while other supporting activities, such as the provision of security personnel during site inspection, are not made available to support effective compliance inspection activities and effectiveness. Other challenges include inadequate and advanced inspection technologies for carrying out effective inspection. Another challenge, found in the study, is a lack of adequate punitive measures for non-compliance, which encourages non-compliance and increases the need for duplicate compliance inspection activities as nothing serves to deter the actions of transgressors.

Based on findings and opinions participants had on the effectiveness of the current compliance inspection activities and the challenges of the current inspection activities, employees offered

their opinions on how to achieve a more effective compliance inspection and ways of addressing the current challenges of the compliance inspection activities.

While some participants advised that ICASA should communicate more and sign a memorandum of understanding, others in the same vein advised that ICASA should continuously communicate with ICT products and service providers to ensure they fully understand the act and legislation. It was also recommended, that inspectors have an ongoing engagement with the regulator, making sure they submit to the regulatory making process.

Inspectors should make sure that licensees follow correct standards and not cut corners in productions and get relevant information before producing and perform more consultation with the bodies responsible for that product. Some participants recommended that ICASA needs to take stricter actions against non-compliance, while others believed that ICASA should continue to collaborate with key stakeholders to ensure the effectiveness of the Conformity Assessment Framework.

**Study Limitations.** The limitations of the study are related to the study budget and time constraints, which were reflected in the sample's size, chosen for the study. The size of the pool, from which a sample of the study is taken, affects the time, needed for data collection [27]. To cut down on the budget of a large study, which might have resulted in the collection of data from all ICASA employees, the study was contained to accommodate the budget and to ensure the accuracy of the finding.

**Prospects for further research.** While this study has viewed the effectiveness of ICASA's compliance inspection from the viewpoint of ICASA employees, further studies are required to capture the perception of licensees of the effectiveness of the compliance inspection activities. This may help determine why some licensees have difficulty complying.

## 5. Conclusion

In conclusion, the following has been recommended by this study:

Develop an application downloadable by the licensee. To overcome the challenge, created by a lack of adequate information, ICASA should put regulations at the fingertips of both compliance inspectors and telecommunication companies, by providing an application, which they can download, in different languages options. This 'APP' should also serve as a forum where licensees can communicate with other licensees and provide feedback on challenges they may face during inspection visits by compliance officers.

Invest in advanced inspection technologies. Advance data capturing and analytics and signal testing equipment may help reduce manual methods of inspection. ICASA should consider investing in high-tech equipment for a compliance inspection, which can help in making its compliance inspection more effective.

Ensure the effective implementation of the existing compliance framework. While the study reveals few problems in inspection planning, most of the found challenges have been with the compliance inspection processes and implementation. ICASA should ensure the effective implementation of the relevant framework and such framework should be revised based on environmental changes, to maintain the relevance of such framework over time. This can be done by ensuring that inspectors understand the framework and are using them appropriately.

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