



# **Communication policy for the Motheo District Municipality**

**MAY 2004**

## Acronyms

MDM	Motheo District Municipality
ADR	Alternative dispute resolution
CBO	Community based organisation
DPLG	Department of Provincial and Local Government
IDP	Integrated development plan
KPI	Key performance indicator
MEC	Member of the Executive Council
MFMA	Local Government: Municipal Finance Management Act No 56 of 2003
MM	Municipal Manager
OAG	Office of the Auditor-General
PCC	President's Coordinating Committee on Local Government
PMS	Performance management system
PR	Proportional representation
PRC	Presidential Review Commission
RSA	Republic of South Africa
SALGA	South African Local Government Association
SMME	Small, medium and macro enterprise

## Section A: Background

### 1. Introduction

The Motheo District Municipality (MDM) is found in the province of the Free State. It is home to three local municipalities – Mangaung, Mantsopa and Naledi – with whom MDM shares legislative and executive authority.

This document is a communication policy for MDM. It is divided into 6 sections:

**Section A** provides an introduction through an overview of the report, as well as the context.

**Section B** sets out the key pillars of the communication policy. It examines some of the conceptual issues surrounding communication, as well as its importance to local government. The section also sets out the target audience for MDM – both internal and external. Special mention is made of traditional leaders. Lastly the section highlights the array of communication tools that may be used in a municipal communication strategy, both written and oral.

**Section C** focuses on the internal target audience. It sets out recommendations to enhance communication *within* the municipality. It also centres on enhancing communication *amongst* municipalities in the MDM area.

The next two sections look at the external target audience. **Section D** is concerned with promoting cooperative government: it looks at communication with national and provincial government. **Section E** focuses more on promoting good governance: it looks at community participation – and the structures, mechanisms and tools that may be used in this endeavour.

This document concludes with a set of policy recommendations in **Section F**.

In this document the approach is taken that communication is not an end in itself but an important enabling process that will be a determining factor in whether MDM will achieve the objectives it set through its IDP and the objects of local government determined in the Constitution.

### 2. Motheo District Municipality

MDM is found in the province of the Free State. It has three local municipalities within it – Mangaung, Naledi and Mantsopa. It has a total population of 728,263 people and covers an area of 13,996 square kilometres.

The vision of MDM is –

To be the leading district municipality in the provision of effective and efficient service delivery to the community.

## 2.1 Political structure

The MDM council has 41 councillors.

MDM is a municipality with a mayoral executive system. It has an Executive Mayor who is assisted by a Mayoral Committee of eight councillors, including the Executive Mayor.

There are eight portfolio standing committees that correspond to the administrative departments.

## 2.2 Administrative structure

The MDM administrative structure has five directorates, namely –

- ⇒ Office of the Municipal Manager,
- ⇒ Corporate Services,
- ⇒ Financial Services,
- ⇒ Technical Services, and
- ⇒ Community Development Services

## 2.3 Key priorities

Through its Integrated Development Plan (IDP), the Motheo District Municipality identified key needs that the municipality needs to address. These include:

- ★ Economic development
- ★ Improved health services
- ★ Improved development
- ★ Educational facilities
- ★ Improved sports and recreational facilities
- ★ Improved transport services
- ★ Safety and security
- ★ HIV/AIDS

- ★ Improved infrastructure

## 2.4 Existing communication initiatives

Although the MDM doesn't have a formal communication policy, it undertakes the following communication initiatives:

- Road shows
- Print and electronic media
- Brochures
- IDP Representative Forum

## 2.5 Community participation imperatives

Section 195 of the Constitution prescribes that MDM's administration is governed by the democratic values and principles enshrined in the Constitution, including the following principles:

- ✗ People's needs must be responded to, and the public must be encouraged to participate in policy-making.
- ✗ Public administration must be accountable.
- ✗ Transparency must be fostered by providing the public with timely, accessible and accurate information.

In terms of section 19(2) of the Local Government: Municipal Structures Act 1998 (Act No 117 of 1998) MDM must annually review –

- (a) the needs of the community;
- (b) its priorities to meet those needs;

- (c) its processes for involving the community;
- (d) its organisational and delivery mechanisms for meeting the needs of the community; and
- (e) its overall performance in achieving the objectives referred to in subsection (1).

It is further required to develop mechanisms to consult the community and community organisations in performing its functions and exercising its powers in terms of section 19(3) of the Municipal Structures Act. Section 83(3) of this Act requires that MDM must seek to achieve the integrated, sustainable and equitable social and economic development of its area by –

- (a) ensuring integrated development planning for the district as a whole;
- (b) promoting bulk infrastructural development and services for the district as a whole;
- (c) building the capacity of local municipalities in its area to perform their functions and exercise their powers where such capacity is lacking; and
- (d) promoting the equitable distribution of resources between the local municipalities in its area to ensure appropriate levels of municipal services within the area.

In terms of section 56(2) of the Municipal Structures Act the executive mayor must, amongst other things, -

- ⇒ identify the needs of the municipality and rank them in order of priority;

- ⇒ recommend to council strategies, programmes and services to address priority needs by means of the integrated development plan and the annual budget, taking into account any applicable national and provincial development plans; and
  
- ⇒ recommend or determine the best way, including partnership and other approaches, to deliver those strategies, programmes and services to the maximum benefit of the community.
  
- ⇒ annually report on the involvement of communities and community organisations in the affairs of the municipality; and
  
- ⇒ ensure that regard is given to public views and report on the effect of consultation on the decisions of the council.

Section 55(1) of the Local Government: Municipal Systems Act 2000 (Act No 32 of 2000) states that the municipal manager, in his/her capacity as head of administration is, subject to the policy directions of the municipal council, responsible and accountable for, amongst other things –

- ☛ advising the political structures and political office bearers of the municipality;
  
- ☛ managing communications between the municipality's administration and its political structures and political office bearers;

Section 6 of this Act requires that (2) MDM's administration –

- ✓ be responsive to the needs of the local community;
  
- ✓ facilitate a culture of public service and accountability amongst staff;
  
- ✓ take measures to prevent corruption;

- ✓ establish clear relationships, and facilitate co-operation and communication, between it and the local community;
  
- ✓ give members of the local community full and accurate information about the level and standard of municipal services they are entitled to receive; and
  
- ✓ inform the local community how the municipality is managed, of the costs involved and the persons in charge.

All the statutory duties referred to above have one common theme and requirement that they impose on MDM, namely to communicate internally between different structures and persons and to communicate with the local community.

## **Section B: Key pillars of MDM's communication policy**

### **3. Developing a communication policy**

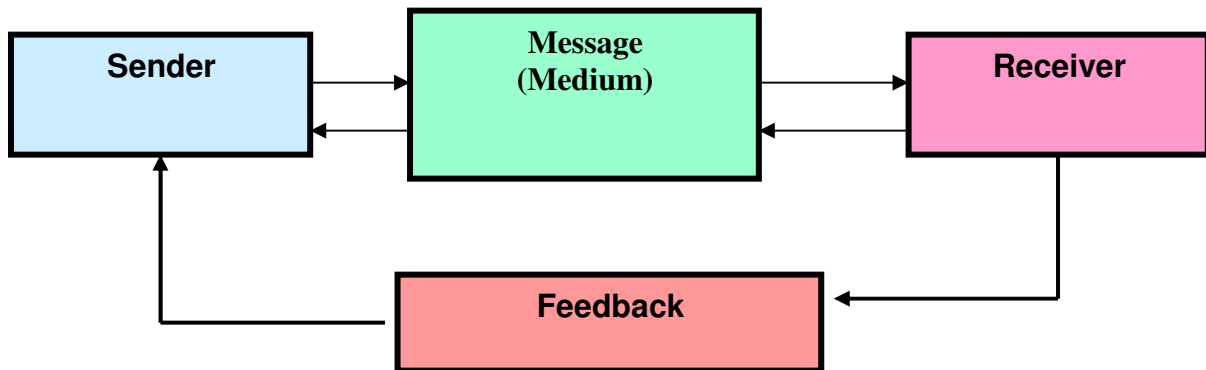
Developing a communication policy requires some understanding of what works and what doesn't. This section provides an overview of some of the conceptual issues within the communication field. As such, it acts as an important precursor to the sections that follow.

#### **3.1 What is communication?**

Communication is the process of exchanging information and transmitting. It involves five steps:

- ✗ *Encoding*: Before a sender can transmit a message to an audience, she/he first encodes the message she/he wants to send. Encoding basically means putting the message in a form in which it can be communicated, i.e. words, in most cases.
  
- ✗ *Sending*: Sending involves transmitting the encoded message to an audience on the receiving end.
  
- ✗ *Transmitting*: The message itself is transmitted through a communication channel/medium (e.g. phone line or personal contact).

- ✘ *Receiving the message:* The receiver hears and interprets (decodes) the message (the communication is now received).
- ✘ *Feedback:* However, receiving a message does not necessarily mean that it has been understood. The receiver must first decode the message. Communication is only successful only when the sender is sure that the receiver has understood the message, i.e. when the sender received feedback from the receiver.



### 3.2 Barriers to communication

Certain barriers may impede or distort communication. It is important for MDM to pay attention to these barriers as they could result in serious governance problems if left unattended – national government may unfairly reject a municipal report, communities may ignore their responsibilities (e.g. to pay rates and taxes) or neighbouring municipalities may misinterpret plans and engage in counterproductive plans of their own.

*Within* MDM councillors and officials may talk past each other, different departments may engage in uncoordinated action and councillors themselves may continuously misinterpret each other’s viewpoints and priorities. In brief, certain barriers impede both internal and external communication efforts. This ultimately hinders good governance.

Communication barriers may include:

- ✓ *Physical setting:* If a public meeting is held in a noisy venue, for example, community members may not accurately hear the message that councillors are trying to convey. This may result in numerous problems later on.
- ✓ *Differences in perceptions:* People with different backgrounds and home languages tend to interpret messages differently from each other. Hence, the same message may

be communicated by the MM to councillors, who may then interpret the message quite differently from each other.

- ✓ *Semantics*: This often happens when people from different professions (e.g. planners, lawyers, engineers) use different terminology or the same terminology but attached different meanings to it. Understanding semantics as a barrier to effective communication is essential for senders of messages during the encoding phase of the communication process.
- ✓ *Filtering*: People often, deliberately or unintentionally, filter or distort messages. Hence, when a message moves down the bureaucratic chain through various layers, it may eventually become something quite different from the original message.
- ✓ *Non-verbal communication*: Research has shown that people form more than 90% of their first impressions of another person from non-verbal communication (body language, gestures, facial expression, tone of voice) rather than what that person actually says. A councillor addressing a public meeting, for example, may be telling the community the truth about the current state of municipal affairs. However, if he/she comes across as uncomfortable (e.g. not making eye contact), his/her audience will not believe anything he/she says

It is evident that all these barriers may impede MDM's ability to govern effectively and with authority. Communication is a crucial managerial skill that councillors and officials must acquire. It is equally important that this set of skills permeate all elements of an organisational communication policy (e.g. the hosting of public meetings, the drafting of unambiguous reports to other spheres of government, the writing of clear press releases, etc.).

### **3.3 Specialised areas of communication**

It is worth briefly noting 3 specialised areas of communication:

- ☛ Marketing
- ☛ Negotiation
- ☛ Public relations

#### **3.3.1 Marketing**

Municipalities across the globe have come under the spotlight in recent years for their role as service providers. Increasingly, municipalities are being benchmarked against the private sector in terms of customer relations. As a result, local government has increasingly begun to adopt a set of tools and aptitudes designed to assess and promote customer satisfaction. Marketing is one such tool.

Successful marketing initiatives usually begin with an identification of market segments. In other words, a municipality must identify the various users (or groups of users) that it services, e.g. large industrial firms, domestic users, SMMEs, etc. Invariably, these different market segments have needs and priorities that differ from each other. Understanding these differences allows a municipality to provide more customised (and therefore more effective) service. Segmentation also allows a municipality to make more informed decisions when developing its IDP.

Market research is another important component. Municipalities should use a range of methodologies – surveys, focus groups or direct interviews – to ascertain how users really feel about the services they receive. This ultimately facilitates customer satisfaction, in line with the Batho Pele principles.

### 3.3.2 Negotiation

Negotiation may be defined as

“a process of interaction between parties directed at reaching some form of agreement that will hold and that is based upon common interests with the purpose of resolving conflict”.

This is usually achieved through the creation of common ground and the establishment of alternatives.

Specific negotiation skills include:

- Understanding the nature of conflict
- Developing objectives for negotiations
- Obtaining relevant information on your opponent, your own situation and on the key issues at stake
- Being sensitive to cultural and other differences between team members

### 3.3.3 Public relations

Public relations is the external, community-orientated role of public servants and office-bearers. It seeks to build mutually beneficial relations with external stakeholders. Managers and councillors chairs are often called upon to play this role, whilst promoting (or defending) a municipality’s plans or projects.

An important aspect of public relations is to involve the community in the internal functioning of public institutions. This notion is also enshrined in local government policy and legislation, including the Municipal Systems Act.

]

### **3.4 The importance of communication in public affairs**

Good communication is not simply a tool that the private sector adopts in its bid to attract and retain customers. Public managers are increasingly being compelled to develop effective communication skills.

Effective communication is an important prerequisite for a range of other public 'goods' – good governance, cooperative government and the deepening of democracy. This has become important within the South African local government sector as well. In November 2001, the President's Coordinating Committee on Local Government (PCC) adopted a set of resolutions aimed at the comprehensive transformation of local government. The PCC resolutions included the imperative to deepen democracy through, inter alia, promoting community participation. DPLG's recent initiatives around the ward committee system, for instance, flow out of that mandate.

Communication is also an important prerequisite for cooperative government. Chapter 3 of the Constitution sets out a number of principles of cooperative government and intergovernmental relations. These include the injunction to cooperate, coordinate, inform and consult.

In brief, developing an effective communication policy is not an unessential add-on, but an inextricable part of a municipality's core business.

Finally, there are two important distinctions that need to be drawn in this communication policy:

- ⇒ The difference between *organisational and individual communication skills*: No communication policy will be truly effective unless its leaders are good communicators.
- ⇒ The difference between *communication within government (internal communication)* and *with the public (external communication)*. External communication is usually articulated as community participation.

### **3.5 The legal imperatives**

The importance of effective communication by the public sector is evidenced by the plethora of policies and legislation that attempt to give expression to it. This includes both internal and external communication initiatives.

#### **3.5.1 The Constitution**

Open communication is a fundamental principle enshrined in the Constitution. Section 1 of the Constitution incorporates the founding principles of the South African state. These principles include the notion of responsive, open and accountable government. The

achievement and maintenance of these founding values are not possible without communication.

Section 32 of the Constitution states that every person has the right of access to all information held by the state if this information is required to exercise or protect his/her rights.

Chapter 3 of the Constitution sets out a number of principles of cooperative government and intergovernmental relations. One of the principles espoused in section 41 of the Constitution states that all spheres and organs of state must cooperate with one another in mutual trust and good faith by:

- Fostering friendly relations
- Assisting and supporting one another
- Informing one another of, and consulting one another on, matters of common interest
- Coordinating their actions and legislation with one another
- Adhering to agreed procedures
- Avoiding legal proceedings against one another

In terms of section 152 of the Constitution a municipality must strive, within its financial and administrative capacity, to achieve amongst others, the following objects –

- ➔ to provide democratic and accountable government for local communities; and
- ➔ to encourage the involvement of communities and community organisations in the matters of local government.

The achievement of these objects is not possible without a sound and comprehensive communication policy.

This is endorsed in the Municipal Systems Act.

### 3.5.2 Municipal Systems Act

The Municipal Systems Act contains a chapter dedicated to community participation. The reason for the inclusion of such a chapter stems from the constitutional imperative that

municipalities must encourage the involvement of communities and their organisations in local government matters. The key obligation on municipalities in this regard is found in section 16 of the Municipal Systems Act. It determines that a municipality must –

“... develop a culture of municipal governance that complements formal representative government with a system of participatory governance ...”

Section 18 of the Municipal Systems Act requires that a municipality must –

“... communicate to its community information concerning-

(a) the available mechanisms, processes and procedures to encourage and facilitate community participation;

(b) the matters with regard to which community participation is encouraged;

(c) the rights and duties of members of the local community; and

(d) municipal governance, management and development.

(2) When communicating the information mentioned ... (above), a municipality must take into account-

(a) language preferences and usage in the municipality; and

(b) the special needs of people who cannot read or write”.

It further requires the following:

“(1) When anything must be notified by a municipality through the media to the local community in terms of this Act or any other applicable legislation, it must be done-

(a) in the local newspaper or newspapers of its area;

(b) in a newspaper or newspapers circulating in its area and determined by the council as a newspaper of record; or

(c) by means of radio broadcasts covering the area of the municipality.

- (2) Any such notification must be in the official languages determined by the council, having regard to language preferences and usage within its area.
- (3) A copy of every notice that must be published in the *Provincial Gazette* or the media in terms of this Act or any other applicable legislation must be displayed at the municipal offices.
- (4) When the municipality invites the local community to submit written comments or representations on any matter before the council, it must be stated in the invitation that any person who cannot write may come during office hours to a place where a staff member of the municipality named in the invitation, will assist that person to transcribe that person's comments or representations.
- (5)(a) When a municipality requires a form to be completed by a member of the local community, a staff member of the municipality must give reasonable assistance to persons who cannot read or write, to enable such persons to understand and complete the form.
- (b) If the form relates to the payment of money to the municipality or to the provision of any service, the assistance must include an explanation of its terms and conditions”.

The Local Government: Municipal Systems Amendment Act 2003 (Act No 49 of 2003) requires the following:

- “21A(1) All documents that must be made public by a municipality in terms of a requirement of this Act, the Municipal Finance Management Act or other applicable legislation, must be conveyed to the local community -
- (a) by displaying the documents at the municipality’s head and satellite offices and libraries;

- (b) by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21B; and
  - (c) by notifying the local community in accordance with section 21 of the place, including the website address where detailed particulars concerning the documents can be obtained.
- (2) If appropriate, any notification in terms of subsection (1)(c) must invite the local community to submit written comments or representations to the municipality in respect of the relevant documents.
- 21B(1) Each municipality must-
- (a) establish its own official website if the municipality decides that it is affordable; and
  - (b) place on that official website information required to be made public in terms of this Act and the Municipal Finance Management Act.
- (2) ...
- (3) The municipal manager must maintain and regularly update the municipality's official website ..."

### 3.5.3 National communication policy

Government's national communication policy calls for a consistent approach to communication across all spheres. It provides the following guidelines in this regard:

- *Policy communication campaigns:* The communication of policy initiatives should be well planned and timed. These campaigns should also be consistent with national objectives
- *Publicity campaigns:* The most cost-effective way of communicating with the public is to use existing mass media. This requires expert liaison with the press and an understanding of news
- *Government communication shouldn't be confined to rhetoric:* Communication opportunities should be used to confirm government's commitment to its national objectives. It should include, for example, news of development projects
- *High-level communication:* Government communicators should be able to communicate at a high level with opinion formers – the media, academic, community

and business leaders, etc. This means that they need to be able to explain the philosophy behind government policy choices

- *Grass-roots communication:* Government should also be able to communicate with the general public, through community liaison and use of the mass media
- *Educational communication:* Government should be in a position to launch educational campaigns on road safety, HIV AIDS, etc.
- *Advertising campaigns:* Advertising campaigns are a very effective means of communication. However, they are expensive and must be professionally managed. They should therefore be used carefully.

### 3.5.4 Presidential Review Commission

The Presidential Review Commission (PRC) of 1998 also made a few recommendations to improve government communication. The PRC's guidelines include:

- The development of guidelines to ensure more effective liaison between departments and the relevant legislative committees
- The development of information management systems within departments to facilitate the effective, timely generation and dissemination of information
- Electronic capturing of public and official data

Many of these principles and policy prescripts may be distilled down into the workings of municipal councils and administrations.

## 3.6 Communication and local government

The four municipalities in the MDM area obviously have a clear mandate to develop and implement a communication policy. Some of the approaches, tools and principles of such a strategy are already laid down in policy and legislation, such as the policy prescripts for community participation contained in the Municipal Systems Act. This document draws on these as far as possible, since they do represent a minimum set of (legal) obligations placed on municipalities.

However, this document also supplements the legislative framework in instances where there are gaps.

What is clear is that municipalities must define their target audience before developing a communication policy. They must also set out the full range of communication tools that have at their disposal. The next two chapters address both these issues.

## 4. Target audience

The MDM municipal area has a range of stakeholders that it considers important. Identifying these stakeholders is important as each group will necessarily have different needs and priorities. The municipality's message must therefore be targeted according to the priorities of each group. It's also quite likely that the municipality may employ different communication tools to reach the various groups contained within its target audience – e.g. a website to provide information to established businesses and information flyers to reach an informal settlement without electricity (and computers).

A convenient way of classifying the target audience is to separate them into internal and external recipients.

### 4.1 Internal target audience

The internal audience of the municipality consists of the following:

- Departments and administrative structures within the municipality
- Political structures within the municipality – portfolio committees, etc.
- Management
- Executive Mayor
- Members of the Mayoral Committee
- Councillors who are not members of the Mayoral Committee
- Officials at all levels
- Representative trade unions
- Municipalities within the district

### 4.2 External target audience

The external audience of MDM consists of the following:

- National government administrative departments (e.g. DPLG, National Treasury)
- National political structures (e.g. Parliament, MinMEC, etc.)
- Provincial government administrative departments
- Provincial political structures
- Organised local government
- The media
- The community

#### 4.2.1 Defining the community

A common governance problem is how to define 'the community.' A useful differentiation to make is that the community consists of both organised and unorganised elements. The unorganised elements of a community are those individuals who haven't

joined any community based organisation. They do, nonetheless, have an interest in municipal affairs and should therefore be part of any communication initiative. In many ways, these individuals are harder to target than the organised elements – and will probably require different communication tools and messages. The mass media – newspapers, radio and television – will prove important tools when communicating with the unorganised sections of the community, mainly because they have greater outreach.

The organised formations within society are generally easier to reach. It is important, however, that municipalities differentiate between the different groups, as they require substantively different types of interaction and information.

Local government policy (and DPLG's recent guidelines on ward committees) tends to suggest that organised groups within a municipal area be differentiated according to:

- Sectors; and
- Geographic areas

Sectors include the following:

- Youth
- Women
- Religious groups
- Sports groups/clubs
- Cultural groups
- Health and welfare groups
- Business, often differentiating between formal and informal business
- Environmental groups
- Educational groups
- Senior citizen organisations
- Community safety forums
- Community based organisations (CBOs)
- Ratepayers associations
- Traditional leaders
- Agricultural associations
- Informal traders' associations
- Groups representing the disabled
- Employment groups
- Farm workers
- Tourism groups

Importantly, local government policy also suggests the classification of special interest groups within the broader sectoral category. The most common special interest groups that municipalities should take note of are:

- Women
- Youth
- Persons with disabilities
- Traditional leaders

Organised elements within the community may also be differentiated according to geographic areas. Hence, a municipal communication policy could target different local municipalities, wards, ratepayers associations or different types of constituencies (farms, informal settlements, CBDs, etc.).

### **4.3 Note on traditional leaders**

The traditional authority of the Barolong Baa Seleka community is an important constituency within the MDM area. As such, it deserves focused attention as a special interest group.

This document therefore recommends that the traditional authority/leaders be invited to development meetings with the municipality's structures. This elevates their status in that they are separated from the more general community meetings.

Bilateral development meetings may be held once every 3 months. Although traditional leaders will not have any voting power, they will receive special attention through these meetings.

## **5. Communication tools**

Government communicates with its public in order to keep citizens informed of its policies and procedures, to comply with citizens' requests and to acquire feedback. Government institutions provide information to its audience through –

- written reports,
- public meetings,
- electronic media (Internet, Intranet, e-mail, etc.),
- press conferences,
- public service announcements,
- newspapers, television and radio (i.e. the media).

The various spheres of government are also required to communicate with each, in line with the notion of cooperative government espoused in the Constitution. Local government, in particular, is legally compelled to provide a continual stream of information – in the form of performance reports, budgets, etc. – to other spheres of government that have a monitoring and oversight role over it.

It's obvious then that the municipality must use a range of communication tools that are appropriate for both the target audience and the occasion. Communication tools may generally be divided into written and oral communication, although this isn't necessarily a neat distinction (a face-to-face media briefing may be preceded by a written press release, for example).

## **5.1 Written communication**

Written communication takes the form of the following tools:

- Formal reports (e.g. annual performance reports to provincial government)
- Accessible publications (e.g. summary of IDP for citizens)
- Glossy publications (e.g. aimed at tourism market)
- Newsletters, brochures, pamphlets and posters
- Press releases and other media briefings
- Electronic media (Internet, e-mails, etc.)

### **5.1.1 Choosing an appropriate tool**

Choosing between these tools obviously requires an assessment of:

- The audience: Are you consulting sophisticated business chambers about your IDP – or largely illiterate community members?
- The occasion: Are you informing your citizens of your progress - or formally reporting to National Treasury on your annual expenditure?
- The communication message: Are you communicating a long-term message about the dangers of HIV AIDS – or informing the public about the next council meeting?

### **5.1.2 Effective communication skills**

Good written communication should:

- Be logical and consistent
- State your arguments and preferences in an unambiguous way
- Be succinct and clear
- Be backed up with facts

## **5.2 Oral communication**

Oral communication includes the following tools:

- Speeches and other oral briefings at public meetings, etc.
- Face-to-face meetings and house visits
- Television and radio appearances/interviews
- Road shows, community theatre and videos

### **5.2.1**      Choosing an appropriate tool

Again, the use of these communication tools depends on the audience, occasion and message.

### **5.2.2**      Effective communication skills

Good oral communication involves a set of skills that may be acquired by anyone over time. They include the following:

- Adapt your speech, in terms of language, to suit your specific target audience
- Adopt positive body language – make eye contact, don't fidget, etc.
- Speak in a clear, well-modulated tone of voice
- Express different ideas logically and clearly
- Remain calm when faced with aggression from the audience
- Use humour
- Be honest and don't evade difficult questions

## **Section C: Internal communication within MDM**

### **6. Communication within the municipality**

MDM does not have a large organisation that consists of a large number of people and specialised structures within it. However, as the organisation grows and the tasks that the municipality is expected to perform grow more complex, it becomes fairly easy for these people and structures to lose sight of each other. Adopting and conscientiously implementing an (internal) communication policy then becomes an important means of keeping the organisation together. This chapter looks at communication *within* the municipality.

One of the strangest phenomena in the public sector, despite numerous constitutional injunctions to the contrary is the virtual obsession with confidentiality and secrecy that permeates public organisations such as municipalities. Too often one read media, see or hear media reports or some or other looming scandal in a municipality on which nobody was able or willing to comment – thereby fuelling a wrong or skewed message to be sent into the world. Once this happens, municipalities are often righteously outraged at the

negative and obstructive reporting of the media. The point is that municipalities can prevent a lot of these wrong and skewed reports by being pro-active and much better communicators.

The age old bureaucratic maxim that still prevails in municipalities dictates that “if it hasn’t been written down it has not happened”. There are sound reasons for important information to be reduced to writing in municipalities, including –

- ★ Promoting accountability by reducing opportunities for denial and creating an audit trail of events;
- ★ Creating an institutional memory;
- ★ Promoting knowledge sharing.

The principal methodology for communication within departments, across departmental boundaries and between the administration and political superstructure of a municipality remains the written report or memorandum. However, it is often found that these reports and memoranda are poorly formulated and does not incorporate sufficient and reliable information.

## **6.1 Inter-departmental communication**

The first layer of intra-municipality communication concerns the different administrative departments. As this is the organisational unit that conducts the real substance of municipal affairs, it is vital that the different departments coordinate their actions. Coordination is not possible without communication. However, organisational units such as departments or directorates operate as isolated chimneys ferociously protecting their turf and do not allow anybody from any other department or directorate to actually make any suggestions as to how to work better. In most municipalities communication and coordination between different organisational units are non-existent or the little coordination and communication that does happen, takes place at the apex of the bureaucratic pyramid – usually through the insistence of the MM.

Within the same organisation unit (department or directorate) one would find that the departmental management and frontline workers do not operate from the same page, i.e. they have different sets of information and knowledge and hugely disparate perceptions of reality. Approaches such as “open door policies”, regular staff meetings and others does not seem to work because management withhold mission critical information and frontline workers find the grapevine much more exciting and reliable than the official communication channels.

Since 1994, a number of structural models have been used throughout government to promote inter-departmental coordination and communication. These include:

- Establishing a coordinating unit within a key department, usually the Municipal Manager's Office;
- Elevating the status of an existing department so that it provides strategic direction to other departments; and
- Establishing a completely new office/department that reports directly to the MM.

These structural options enforce communication by bringing different parts of the organisation together. However, the success of these endeavours has not ever been assessed and it is doubtful whether it really addresses the problem.

There are also a number of non-structural options to promote communication within and amongst departments:

- Intranet
- E-mails
- Information management systems
- Internal newsletters
- Formal meetings
- Informal or less formal information sharing sessions, including regular brainstorming sessions over lunch, etc.
- Establishment of inter-departmental or multi-disciplinary task teams

These can be either regular or ad hoc.

## **6.2 The political-administrative interface**

Councillors and officials have to communicate well if they are to govern effectively. Since 1995, however, these relationships have been far from smooth throughout the country. A communication policy should note these tensions and find rational ways of resolving them. An important first step is to develop overt communication channels between officials and political office-bearers.

The political-administrative interface can occur through both structural and non-structural means. The former include:

- A structural relationship between an administrative department and a related political structure (e.g. a portfolio standing committee, as exists in the MDM today);
- A structural relationship between the Offices of the Executive Mayor and the Municipal Manager (e.g. a coordinating committee);
- A forum of departmental heads and the Mayoral Committee;

- A forum of departmental heads and ward committee chairpersons;
- Ad hoc committees dealing with specific issues, e.g. poor payment of levies.

It should be noted, however, that the municipality should ensure that it doesn't overburden overworked staff or councillors by forcing them into an endless stream of forums and meetings. Generally, the more effective structures are those that come together for a specific purpose and are results-orientated. Structures are not ends in themselves.

For this reason, the municipality should use as many non-structural options as possible. These include:

- E-mail circulation within a predefined distribution list
- Intranet
- Information management systems
- Newsletters
- Oral and written briefings at council meetings
- Informal sessions between councillors and officials (either general or issue-specific)
- Formal meetings
- Joint participation in projects
- Alternative ways of taking complex decisions.

The main mode of communication between the administration and the political superstructure of the municipality remains written reports. These reports form the basis of decision-making at both administrative and political levels. Yet, often important issues are decided on the basis of inadequate reports or oral representations made during a meeting.

### **6.3 Communication amongst political office-bearers**

Finally, councillors do not necessarily always communicate well with each other. This too is an impediment to good governance and destroys the positive energy and enthusiasm that many office-bearers originally bring to the job.

Some of the impediments to good communication amongst political office-bearers include:

- Unwillingness to cooperate outside political party circles and to listen to opposition parties' opinions;
- The exclusion of "ordinary" councillors from real decision-making (which happens within the Executive Mayoral system);

- The exclusion of opposition parties from real decision-making, even if they have valid opinions to offer;
- Tensions between councillors representing local municipalities and directly elected proportional representation (PR) councillors; and
- The lack of real debate at council meetings as councillors merely reiterate (predefined) party lines.

It's important to note that these problems are being experienced by municipalities throughout the country and are, in many ways, the natural teething problems of a new democracy. As democracy (and politics) matures in South Africa, many of these issues will resolve themselves. Nevertheless, it is still important for the municipality to define creative ways for their political office-bearers to communicate with each other. These could include the myriad of options mentioned in this chapter.

## **7. Communication amongst municipalities in the MDM area**

It is a fact that Mangaung local municipality has far more capacity and resources than MDM and any other local municipality within the area. It is also a fact that the Municipal Demarcation Board has labelled Mangaung as an aspirant metropolitan municipality. It is also a fact that Mangaung continues to provide high profile municipal services such as potable water, electricity reticulation, sewage removal and other services. In this context MDM sees itself as “competing” with Mangaung rather than having to cooperate and communicate with it.

Internal communication within the MDM area also involves communication *amongst* MDM, Mantsopa and Naledi. Since the December 2000 elections, many district and local municipalities throughout the country have experienced some tension between them. In addition, many local municipalities that fall within the same district have failed to cooperate – or even communicate – adequately with each other. This chapter examines some of these issues.

### **7.1 Cooperative government within the municipal sphere**

Local government policy prescribes a two-tier system. The inference is that both the district and the local municipalities have a specific, but inter-related, role to play in the area. An additional supposition is that all the local municipalities are inter-connected in some way and should therefore cooperate with each other. Cooperation and coordination require a basic level of communication. This should be done within the spirit of cooperative government.

### **7.2 The relationship between district and local municipalities**

The relationship between district and local municipalities is a cause for concern in many parts of the country. The Municipal Structures Act of 1998 states that:

- District and local municipalities must cooperate with each other by supporting and assisting each other
- If a local municipality requests financial, technical and administrative support services from MDM, MDM has to provide this
- If MDM requests financial, technical and administrative support services from a local municipality, the local municipality has to provide this
- If MDM or a local municipality requests financial, technical and administrative support services from another local municipality, the local municipality that was approached has to provide this

The last 3 prescripts are based on the assumption that the municipality that has been approached has the capacity to accede to the request.

It is generally accepted, however, that national policy and legislation do not provide adequate guidelines on managing the relationship between local and district municipalities. As a result, some provincial governments have begun to issue legislation of their own. For example, the KwaZulu-Natal Department of Traditional and Local Government Affairs (DTLGA) recently issued a draft protocol concerning the relationship between district and local municipalities. Some of its stipulations are:

- A district municipality and the local municipalities within its area are structurally equal to each other although they are functionally different;
- Both PR councillors and councillors representing local municipalities that are members of a district council should be equitably represented on all standing committees of the district council – and be able to participate in all debates of council and committees of which they are members;
- District and local municipalities should enter into formal agreements to regulate institutional and service delivery arrangements;
- A forum of mayors and speakers of the district and local municipalities, which will meet at least every 3 months, should be established;
- A forum of municipal managers of the district and local municipalities, which will meet at least every 2 months, should be established; and
- Mayors, speakers and MMs may attend the meetings of other councils as observers

## **7.3 Communication channels amongst municipalities in the MDM area**

### **7.3.1 Emerging provincial policy**

The DTLGA's draft protocol also sets out a framework for communication. Some of its prescripts are:

- Properly structured and transparent communication channels must be developed between the district and local municipalities within an area
- Agendas and minutes of local municipality meetings must be provided to the MM of the district and vice versa
- The MM of the district should inform the MM of the relevant local municipality of any activity that is planned by the district municipality in the area of the local municipality concerned beforehand
- The MM of the local municipality concerned must ensure that the information is shared with the ward councillor in whose ward the activity will take place
- District municipalities may only establish structures in the area of a local municipality in consultation with the relevant local municipality

### **7.3.2 Communication between communities through ward committees and the district municipality**

There is a notion amongst district municipalities that they do not have to, or cannot communicate directly with the communities within their areas. The argument is that the local municipalities communicate directly with communities within their areas, and that the district communicates with the local municipalities. In this scheme the local municipalities virtually act as agents of the district (without being compensated therefore) and the district is always reliant on second-hand information.

National government is pushing ward committees in local municipalities as the primary channel for communication with and participation of communities in municipal affairs. This would require in the MDM area that every effort must be made to ensure that any ward committees established (see Chapter 10) communicate effectively with both the district and local municipalities. In this way, the voices of communities will be distilled into the plans and policies of both the district and the local municipality.

There are a number of ways to structure the communication between ward committees and municipalities. As Chapter 10 of this document indicates, the thinking behind current guidelines on ward committees is that the relationship between the ward committee and

the local municipality will unfold largely through the relevant ward councillor (who is also chairperson on the ward committee).

Not enough attention is given as to methodologies and models through which district municipalities could tap into the activities of ward committees and the value that it could have for MDM.

Communication could also occur through more formal structural means. A general rule of thumb here is that the MDM desists from establishing too many structures, as this tends to make for confusing institutional arrangements. A more considered approach would be to utilise structures that already exist. For this reason, this document proposes that the current system of IDP Representative Forums be utilised as the basis for community participation for the MDM.

## **7.4 Dispute resolution**

The DTLGA's draft protocol sets out certain prescripts for dispute resolution between district and local municipalities. These are:

- Consideration must be given to the use of alternative dispute resolution (ADR) procedures, which are premised on the principles of negotiation, mediation and arbitration;
- One or both parties must report the dispute to the MEC for Local Government, who may appoint a mediator or facilitator to assist them to reach a mutually acceptable solution;
- Should the parties fail to reach a solution through negotiation and mediation, the matter may be resolved by arbitration;
- The MEC may appoint an arbitrator agreed to by both parties or, failing agreement, by the MEC; and
- Both parties will share the costs of the ADR initiatives, unless the arbitrator decides otherwise

## **Section D: Promoting cooperative government: Communication with national and provincial government**

### **8. Promoting cooperative government: Communication with national and provincial government**

MDM must also communicate with their external target audience. This audience may be divided into two categories: other spheres of government and the community. Community participation is the subject of the next section. This chapter looks at how

cooperative government may be promoted through effective communication with national and provincial government.

## **8.1 Intergovernmental relations**

Communication amongst the different spheres of government in South Africa must be understood against the backdrop of our intergovernmental system. South Africa has three spheres of government – national, provincial and local – which are “distinctive, interdependent and interrelated”. Early constitutional debates were dominated by questions of how to effectively govern a country that covered a fairly large geographical area, and how to bring government closer to a citizenry that had been disenfranchised for years. The result of these policy debates was a fairly decentralised system of government with a relatively powerful local government sphere. South Africa is one of the few countries in the world that enshrines local government in its Constitution.

This fairly progressive and decentralised intergovernmental system, however, had to be balanced with other prescripts that would ensure consistency of policies and governing styles – and that the state as a whole was pulling in the same direction. The notion of cooperative government was born within this context.

Decentralisation also had to be moderated by mechanisms to ensure that organs of state were complying with good governance norms. As a result, the Constitution grants national and provincial government oversight over local government. Provincial government, in particular, is charged with capacitating, monitoring and, in cases of serious maladministration, intervening in local government.

Subsequent legislation has given more substance to this oversight role. The rest of this chapter looks at the legal prescripts for communicating with national and provincial government. In other words, it sets out a *minimum* set of obligations placed upon municipalities in terms of intergovernmental communication.

## **8.2 Communication with national and provincial government**

Municipalities are obliged to communicate with national and provincial government about their core development policies and plans. The most important of these are the:

- Integrated development plan (IDP)
- Municipal budget
- Performance management
- Ad hoc information

### **8.2.1 Integrated development plan**

The Municipal Systems Act requires that a municipality must consult other organs of state during the drafting of the IDP. Once adopted by the council, the MM must submit a copy of the IDP to the MEC for Local Government within 10 days of adoption. This must be accompanied by:

- A summary of the drafting process
- A statement that the process has been complied with
- A copy of the framework established by the district and local municipalities

### **8.2.2 Municipal budget**

The recently enacted Municipal Finance Management Act (MFMA) sets out certain prescripts concerning the communication of information about municipal budgets. The Act states, for instance, that the mayor must consult the provincial Treasury as well as the National Treasury, when requested, when *preparing* the annual budget. During this process, the Mayor may also have to consult certain national or provincial organs of state that may be prescribed. During budget preparation, the Mayor must also provide any budget information to the National Treasury; the national departments responsible for water, sanitation, electricity and any other prescribed service; any prescribed national or provincial organs of state as well as another municipality affected by the budget, if requested to do so.

Once the annual budget (or a subsequent adjustments budget) is *tabled* in a council, the MM must submit this budget to both the National and Provincial Treasury in printed and electronic formats. The MM may also have to submit the budget, either electronically or in printed form, to any prescribed national or provincial organs of state and to other municipalities affected by the budget. Once the budget has been tabled, the council must consider the views of National Treasury, provincial Treasury and any provincial or national organs of state or municipalities that made submissions on the budget. The council must also give the Mayor an opportunity to respond to the submissions and, if necessary, to revise the budget and table amendments. Finally, the MM must submit the approved annual budget (or any adjustments budgets) to National Treasury and Provincial.

The MFMA also places certain oversight responsibilities on the Mayor of a municipality. If the Mayor becomes aware of any impending non-compliance with the MFMA (or related legislation) by the municipality, he/she is obliged to inform the provincial MEC for Finance in writing. If the Mayor becomes aware of any *actual* non-compliance with the MFMA by the municipality, he/she is obliged to inform his council, the MEC for Finance and the National Treasury in writing of such non-compliance, as well as any remedial action the municipality intends to implement to avoid a recurrence.

There are other specific instances when a municipality is obliged to communicate budgetary information to national and provincial government. One such circumstance is when funds are shifted between multi-year appropriations. When this occurs:

- Prior written approval must be obtained from the Mayor for the increase; and
- The MM must certify that actual revenue for the financial year is expected to exceed budgeted revenue – and that sufficient funds are available for the increase without incurring further borrowing beyond the annual budget limit.

In both these instances, the relevant documents must be submitted to the Provincial Treasury and the Auditor-General.

Another instance is in the event of irregular expenditure. If this occurs, the MM is obliged to promptly inform the Mayor, the Local Government MEC and the Auditor-General in writing of any “unauthorised, irregular or fruitless and wasteful expenditure” incurred by the municipality. This must include information about whether any person is responsible or under investigation for this deed, as well as any remedial steps taken or planned.

Finally, a municipality must communicate with national and provincial government when entering into a contract that has future budgetary implications. If a municipality is to enter a contract that will impose financial obligations on it beyond the 3 financial years covered in the annual budget for that financial year, the MM is obliged to solicit the views and recommendations of the National Treasury, Provincial Treasury, the national Department of Provincial and Local Government (DPLG) and, if the contract involves the provision of water, sanitation, electricity or any other prescribed service, the responsible national department (National Treasury, 2003, s33). The final approval of the proposed contract must take any written views and recommendations of these stakeholders into account.

### **8.2.3 Performance management**

Municipalities are obliged to establish a process of regular reporting to appropriate organs of state. A municipality must prepare an annual report for each financial year, which consists of:

- A performance report
- Financial statements in line with the MFMA
- An audit report on the financial statements and the Auditor-General’s report
- Any other reporting requirements

Municipalities must also inform the Auditor-General and the MEC for Local Government in writing of council meetings where the annual report will be tabled. In addition, minutes of those meetings must be submitted to the Auditor-General and the MEC.

Within 14 days of adoption, the final annual report must be submitted to the Auditor-General, Local Government MEC and other institutions prescribed by regulation.

### **8.2.4 Ad hoc information**

The Municipal Systems Act also states that municipalities have to supply specified information to provincial government, upon request by the Local Government MEC through a notice in the Provincial Gazette. National government may make similar requests of local government, through notice in the Gazette.

### **8.2.5 Intergovernmental structures**

Several intergovernmental structures exist that were meant to promote communication and shared decision-making between the local and the provincial spheres of government in the Free State. These include –

PROVLOC, which consists of representatives appointed by SALGA Free State on behalf of municipalities and the Executive Council of the province;

Technical PROVLOC which consists of the Director-General and Deputy Directors general of the province, the Provincial Director of SALGA Free State and chairpersons of provincial branches of profession bodies for municipal employees (e.g. the Institute of Local Government Management, the Institute of Municipal Finance Officers and the Institute of Personnel Practitioners).

The Premier's Mayoral Forum

SALGA Free State's Speakers and Mayors Forum

SALGA Free State's technical committee involving all municipal managers

The bottom-line of all these fora was to improve communication between the local and provincial spheres of government and between municipalities.

## **Section E: Promoting good governance: Community participation in the MDM area**

### **9. Deepening democracy: Promoting community participation in municipal governance**

In 1994, the South African government committed itself to good governance, in line with international best practice. Part of promoting good governance is a willingness on the part of government to engage communities, as citizens and consumers of services, in issues affecting their lives. It is also about a willingness to bring government closer to the people. The new system of local government was born in this context.

## 9.1 Approaches to community participation: A snapshot since 1994

When the new government was elected in 1994, South African society already had a rich history of civic struggle and active community organisations. Years of political struggle had given birth to a number of active, politically articulate formations within previously disadvantaged communities. The new government sought to tap into the energy of these groupings, believing that they would be an invaluable resource in re-building the country.

As a result, various government initiatives were developed that were aimed at enhancing both community participation and local development. These initiatives included a range of structures, including general community fora (such as the local development forums encouraged by the Reconstruction and Development Programme) or sector-specific structures (local water committees, district health offices, etc.). These early attempts at structural options for community participation largely took place outside of the evolving local government context. In many instances, line departments were, in fact, sceptical of the efficacy of the embryonic local government system and, hence, sought to establish their own local structures.

When democratic local government was first elected in 1995, elected representatives found themselves surrounded by a range of almost parallel structures, also sanctioned by government. In many instances, this led to conflict and tensions within local areas. Parallel structures also led to a wasteful duplication of government resources and energy.

As the new local government system took shape, national line departments began to take it more seriously. Many departments, such as Water Affairs and Forestry (DWAFF), underwent a fundamental policy shift away from establishing their own local structures towards working with and capacitating local government itself.

Not all these dilemmas have been resolved, however. Institutional arrangements at the local level remain murky and municipalities often find themselves in conflict with other local structures that have been set up by government.

Indeed, a large part of the local government sector's policy agenda is to promote the idea of municipalities – and their associated structures (such as ward committees) – as the primary vehicle for local governance. Local government policy since 1994 has sought to accomplish exactly that.

## 9.2 Community participation and local government policy

The importance of community participation has long been recognised within the South African local government sector. Indeed, the rationale behind the new local government system was to bring government closer to the people. The **Constitution** made the first significant statement in this regard when it enjoined local government to “encourage the involvement of communities and community organisations in the matters of local government”.

The **White Paper on Local Government** (1998) expanded on this injunction. It articulated the concept of *developmental local government*, defined as –

“local government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives”

One of the key tools for achieving developmental local government was the need to work with local citizens and partners. In other words, the White Paper recognised the central importance of local people in meeting all the objectives of government – the socio-economic development of local spaces, the upliftment and empowerment of South African citizens and so forth. Government is unable to do this by itself.

The White Paper also recognised that local communities engage with organs of state at different levels. It argued that municipalities required active participation by citizens in four ways:

- As voters
- As citizens who express their views so that municipal policies reflect their preferences
- As consumers who expect value-for-money services
- As organised partners involved in resource mobilisation through NGOs, CBOs, etc.

### **9.2.1 Gearing municipalities for community participation**

Subsequent national legislation took these ideas forward. The **Municipal Structures Act** puts forward the idea of ward committees, the object of which is to –

“enhance participatory democracy in local government”

A ward committee is a statutory structure to enhance community participation in municipal affairs. It does not preclude the existence of other community structures that may arise organically (such as ratepayers’ associations or youth groups). However, it is the formal structure established by government to ensure it takes the views of communities seriously. Ward committees are the *only* structural option for community participation proposed in local government legislation.

Later legislation, however, expands on the myriad of other ways to enhance the involvement of the public in municipal affairs. The **Municipal Systems Act** devotes an entire chapter to community participation. Chapter 4 of the Act argues that it is of vital importance to create a culture of community participation in localities. The Act states that community participation must take place through:

- Political structures for participation
  - ✘ Ward committees
- Appropriate mechanisms, processes and procedures
  - ✘ The preparation, implementation and review of integrated development plans (IDPs)
  - ✘ The establishment, implementation and review of municipal performance management system (PMS)
  - ✘ The monitoring and review of performance
  - ✘ The preparation of municipal budgets
  - ✘ Strategic decisions concerning municipal services
- Councillors

The next chapters expand on the first two pre-requisites.

### **9.2.2 Empowering communities to participate**

It is important to note that local government legislation does not see the promotion of community participation as a passive affair. In other words, it is not enough for municipalities to simply establish the prescribed structures and set up the appropriate processes in the hope that communities will participate. Instead, municipalities have to take a far more assertive role in empowering communities to take an active interest in municipal life.

The Municipal Systems Act in particular sets out a number of tools to empower communities. These include:

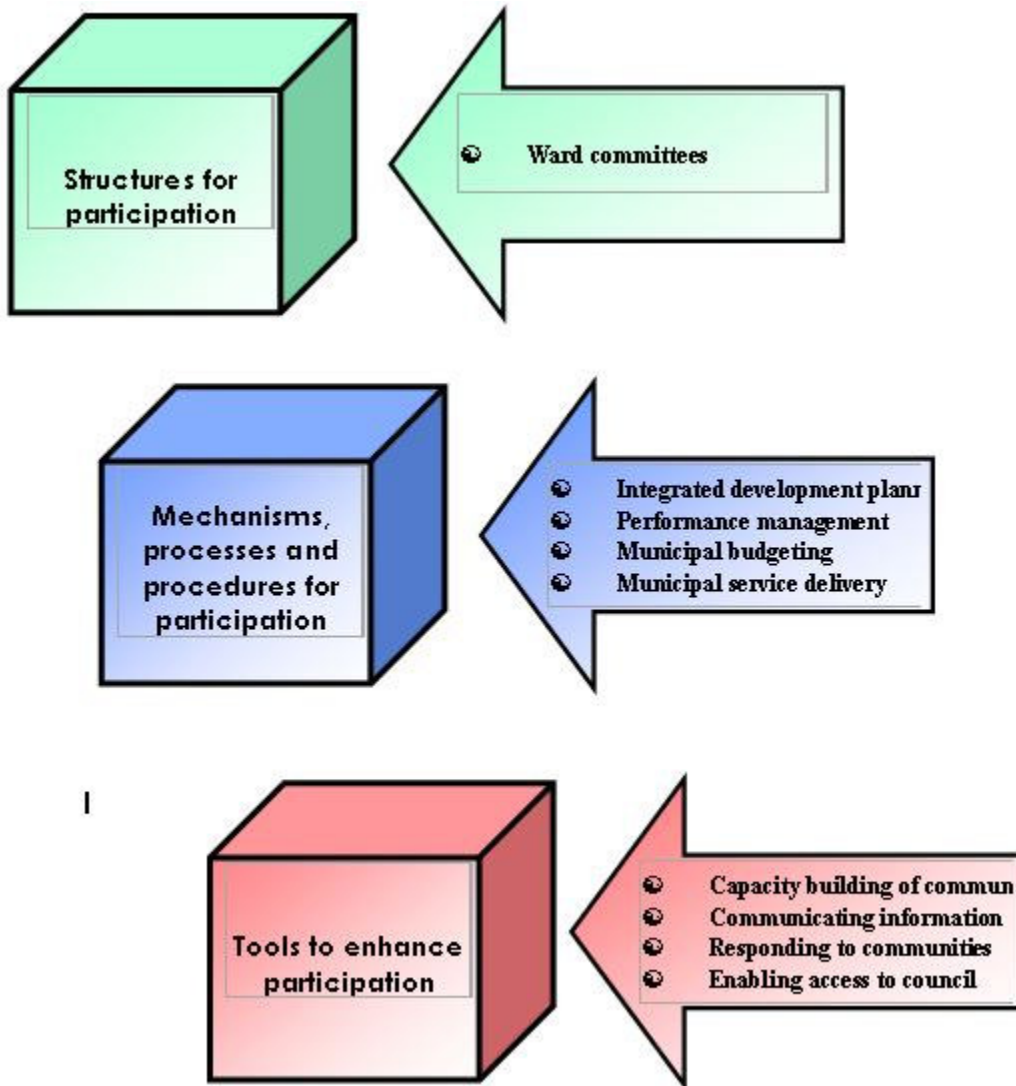
- Capacity building of communities
- Communicating information
- Responding to communities
- Enabling access to council

As later chapters discuss, these are not mutually exclusive categories.

## **9.3 Building blocks for community participation**

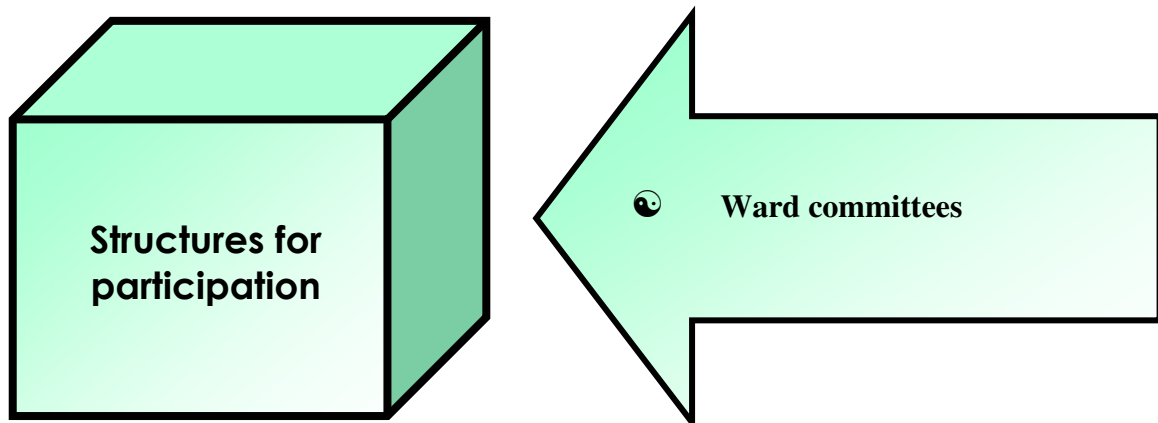
In summary, local government legislation sets out a number of ways to enhance community participation in municipal affairs. These prescripts are by no means the exclusive range of activities that a municipality can undertake in this endeavour. However, they do represent the minimum set of (statutory) requirements that all municipalities *must* undertake in the execution of their normal duties and responsibilities. As such, they represent an important first step in deepening democracy in the Motheo district municipal area.

These prescripts, then, may be seen as a set of building blocks for community participation. Once in place, they will create the space for continuous, meaningful interaction between a municipality and its local communities.



## 10. Structures for participation: Ward committees

Ward committees are structures that are intended to enhance participatory democracy in local government. They are independent, advisory bodies that must be impartial and perform their functions without prejudice. Ward committees, however, are not mandated to govern the ward. This is the sole responsibility of elected representatives such as ward councillors. However, encouraging community members to serve on structures like these deepens community involvement in municipal affairs.



## 10.1 The objective of ward committees

Ward committees are seen as primary vehicles of community participation. A recent DPLG discussion document defined the policy objectives of the ward committee system as:

- Ensuring that local government works in partnership with communities for improved service delivery and sustainable development
- Building consensus between communities and municipal councils on the needs and strategic interventions necessary for development
- Promoting community buy-in of strategic municipal programmes in order to enhance project sustainability
- Continuously informing communities about municipal affairs, in line with the notion of transparency
- Providing a platform to communities to engage with municipalities, thereby enhancing accountability and good governance

Ward committees, then, are pivotal structures that form the focal point of interaction between a municipality and its community.

### **Recent national policy developments**

Ward committees that have already been established have adopted a multitude of approaches when defining the rules of the game. There is currently some debate as to whether a more uniform approach should be encouraged throughout the country. DPLG is in the process of finalising national guidelines on these and other matters. Although not as prescriptive as the 'regulations' allowed by the Act, these guidelines issued in terms of the Municipal Systems Act would nevertheless carry legal weight. A draft was gazetted in October 2003 and released for public comment. DPLG is currently incorporating these comments into the final draft, which will be finalised in the next few months. The Department doesn't anticipate that its final version will differ significantly from the current draft.

The guidelines also state that ward committees may conduct an annual satisfaction survey, if they have the prerequisite capacity and resources. Such a survey would have the administrative support of the municipality.

DPLG's recent national conference on ward committees resolved that the Ministry of Provincial and Local Government consider legislative and other means towards a uniform system with respect to powers and functions of ward committees. A further resolution of the same conference states that municipalities must define clear powers and functions to

ward committees by January 2004 in planning, implementation, monitoring and ensuring accountability.

## 10.2 Empowering ward committees

Since the passing of national legislation, key stakeholders in the local government sector have begun to think seriously about the need to empower ward committees. Two recent studies by the Portfolio Committee on Local Government and DPLG, respectively, highlighted some of the key challenges faced by other municipalities when establishing ward committees (see box elsewhere on this page). The main conclusion drawn was that ward committees need to be empowered if they are to play the dynamic role envisaged for them in local government legislation.

### **Reality check: Key challenges facing ward committees**

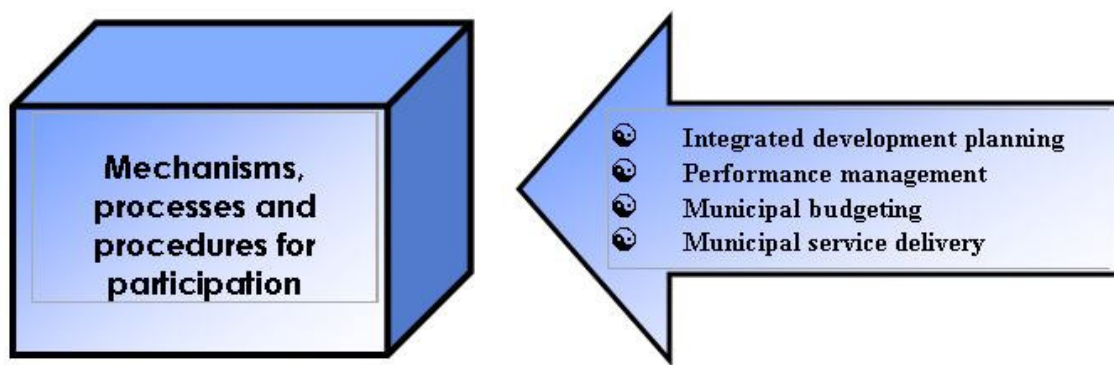
Some of the challenges facing ward committees in other provinces include the following:

- The establishment process itself was not governed by a uniform set of legal prescripts. Some municipalities used national legislation; others passed a by-law or resolution.
- Some wards are too big (some with a radius of 50 – 70 km)
- Some wards are quite small, making it unviable to have a 10-person committee
- Some wards have quite disparate communities within their borders (affluent white suburbs, informal settlements, etc.). This disparity makes it difficult to make public participation work
- Some municipalities experienced trouble finding enough female representation
- District municipalities faced specific challenges in promoting community participation as they did not have ward committees or ward councillors
- There often is no clear delegation of powers and functions to ward committees from the municipal councils
- Some ward committees have complained that they lack sufficient power. If they are to be taken seriously by the community, they argue, they have to be able to deliver on issues
- Many ward committees are under-resourced, both in terms of finance and administrative support
- Lack of compensation leads to low morale amongst ward committee members
- Training and capacity building needs are not being fully taken care of. Training should also not be seen as once-off events
- There was a perceived need for a national ward committee development strategy. Communication strategies were also seen as important
- Many municipalities felt that a one-year term wasn't enough for a ward committee because of the 'brain drain of constant elections' and 'wasted capacity building'. Communication between the municipal manager council and ward committees was not always satisfactory
- Tensions sometimes arose between the ward councillor and other committee members, although this wasn't true of most municipalities interviewed

- Ward committee members sometimes felt that they were unable to meaningfully engage with council meetings since they didn't receive the agenda timeously (which would enable them to offer their views to the ward councillor).

## 11. Mechanisms, processes and procedures for participation

Local government legislation sets out a range of 'mechanisms, processes and procedures' to enhance community participation in municipal affairs. These include integrated development planning (IDP), performance management systems (PMS), municipal budgeting and service delivery issues.



### 11.1 Integrated development planning

Integrated development planning (IDP) is a key tool of developmental local government. Municipal councils have to adopt a single, inclusive, strategic plan for the development of the municipality, within a prescribed period after the start of its elected term. This IDP must also align the municipality's resources and capacity with its implementation.

According to the Municipal Systems Act municipalities are encouraged to promote community participation in the preparation, implementation and review of their IDPs. Even before the IDP process begins, municipalities must adopt a *process* (set out in writing) that will guide the planning, drafting, adoption and review of its IDP. Municipal

councils must both give notice to, as well as actively consult, local communities before such a process is adopted, using the range of tools mentioned in the next chapter.

The actual preparation of the IDP also requires community input. Legislation decrees that local communities be consulted on their development needs and priorities during the drafting process. Traditional authorities should also be consulted during the drafting of the IDP. If there is disagreement between a municipality and its local communities, the MEC for local government may take appropriate steps to resolve this.

Local communities are also allowed input in the final stages of the IDP process. Within 14 days of adopting the IDP, councils must give notice to the public of the adoption. Councils are also obliged to make copies of the IDP available for public inspection at specified places. Finally, councils must publicise a summary of the IDP.

## **11.2 Performance management**

Municipalities are required by law to develop performance management systems (PMS) in line with the objectives set out in their IDPs. A municipality's PMS includes key performance indicators (KPIs) and performance targets.

According to the Municipal Systems Act municipalities are encouraged to promote community participation in the establishment, implementation and review of its PMS. Municipalities are also asked to encourage participation in the monitoring and review of its performance, including the outcomes and impact of such performance.

The legislation states that local communities should be particularly involved in the setting of appropriate KPIs and performance targets. Once these are developed, municipal councils are obliged to notify the general public about its KPIs and targets.

Every year, municipal councils have to report on their performance. This is done primarily through an annual report, consisting of a performance report, financial statements and an audit report from the Office of the Auditor-General (OAG). Within 1 month of receiving the AG's report, municipal councils must table their annual reports at a meeting open to the public. The MM must inform communities of this meeting by prior notice in the media. These meetings must be attended by the MM so that he can answer questions on the report.

Once the annual report is formally adopted, municipal councils must make copies accessible to the public (including the media) within 14 days. These copies must be made accessible free of charge or at a reasonable price.

## **11.3 Municipal budgeting**

According to the Municipal Systems Act municipalities are encouraged to promote community participation in the preparation of municipal budgets. This is taken forward in the MFMA. The MFMA states that the MM must make the annual budget and supporting

documents public immediately after the budget is tabled in the council. The local community must then be invited to submit representations on the budget.

Municipal councils must take community views into account when the annual budget has been tabled. The council must also give the Mayor an opportunity to respond to the submissions and, if necessary, to revise the budget and table amendments.

The MFMA also calls for community feedback under special circumstances: when a municipality is to enter a contract which will impose financial obligations on it beyond the 3 financial years covered in the annual budget for that financial year. In these situations, the MM is obliged to make the draft contract public, accompanied by an information statement summarising the municipality's obligations under the proposed contract. The MM must do so at least 60 days before the council meeting at which the contract is to be approved. Furthermore, the local community and other interested persons must be invited to submit comments or representations on the proposed contract. The final approval of the proposed contract must take these community views into account.

## **11.4 Municipal service delivery**

According to the Municipal Systems Act, municipalities are encouraged to promote community participation in strategic decisions relating to the provision of municipal services.

The MM, for instance, is obliged to develop and maintain a system whereby community satisfaction with municipal services is assessed. In order for the community to stay abreast of municipal financial affairs, a municipality must, on or before 31 October of each year, publish in the media the salary scales and benefits applicable to posts of the municipal manager and every manager that is directly accountable to the municipal manager.

If a municipality decides to consider the provision of any municipal service by means of an external service delivery mechanism, it must, amongst other things, establish and take into account, the views of the community.

In relation to the levying of rates and other taxes and the charging of fees for municipal services, a municipality must, within its financial and administrative capacity, amongst other things:

- Establish mechanisms for users of services and ratepayers to give feedback to the municipality or other service provider regarding the quality of the services and the performance of the service provider
- Take reasonable steps to ensure that users of services are informed of the costs involved in service provision, the reasons for the payment of service fees, and the manner in which monies raised from the service are utilised

- Ensure that persons liable for payments, receive regular and accurate accounts that indicate the basis for calculating the amounts due
- Provide accessible mechanisms for those persons to query or verify accounts and metered consumption and appeal procedures which allow such persons to receive prompt redress for inaccurate accounts
- Provide accessible mechanisms for dealing with complaints from such persons, together with prompt replies and corrective action by the municipality
- Provide accessible pay points and other mechanisms for settling accounts or for making pre-payments for services

The Municipal Systems Act also states that the MM must immediately after the council passed a resolution regarding tariffs and charges:

- Conspicuously display a copy of the resolution for a period of at least 30 days at the main administrative office of the municipality and at such other places within the municipality to which the public has access as the municipal manager may determine
- Publish in a newspaper of general circulation in the municipality a notice stating that a resolution regarding fees, charges or tariffs has been passed by the council and that a copy of the resolution is available for public inspection during office hours at the main administrative office of the municipality and at the other places specified in the notice
- Seek to convey the information to the community by means of radio broadcasts covering the area of the municipality

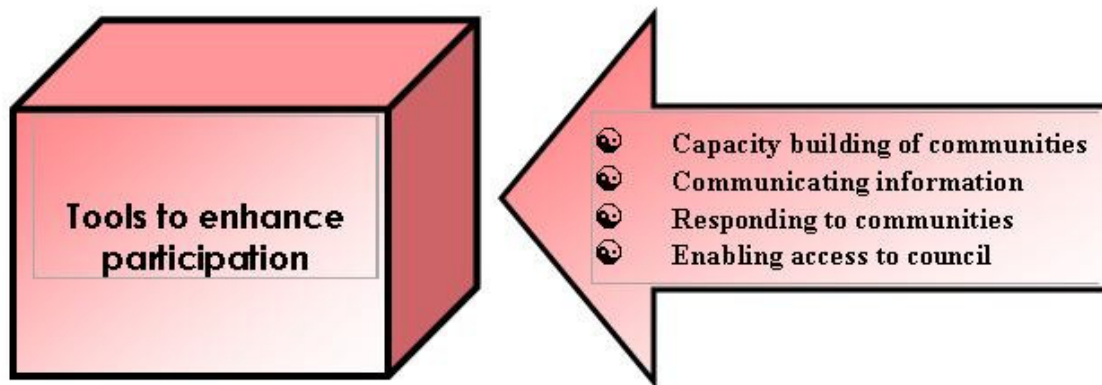
## **12. Tools to enhance participation**

Local government legislation describes a number of tools that may be used to enhance community participation. The tools mentioned in laws like the Municipal Systems Act may be clustered into 4 categories:

- ✓ capacity building,
- ✓ communicating information,
- ✓ responding to communities and
- ✓ enabling access to council.

These are not mutually exclusive categories, as this chapter demonstrates.

It is also important to note that the tools mentioned in this chapter are not the only ones that a municipality may use. However, they do represent the minimum set of legal prescripts that a municipality is obliged to meet. Once these tools are being fully utilised, a municipality is free to find different, more creative communication tools to engage with its local communities.



## 12.1 Capacity building of communities

The Municipal Systems Act explicitly states that municipalities should build the capacity of communities to allow them to participate more meaningfully. Capacity building exercises should include annual allocations from the budget.

In other words, it is not enough for MDM to merely open up its processes to the public. It also has to actively seek to capacitate local communities to participate more effectively. At one level, this involves informing people of the available mechanisms, processes and procedures to encourage and facilitate community participation – as well as the matters on which community participation is encouraged. Communities should also be informed on their rights and duties, as well as on general issues of municipal governance,

management and development. All of this must occur by taking note of language preferences, as well as the special needs of the illiterate members of the community.

Legislation also suggests more direct ways of capacitating communities. The Municipal Systems Act states that municipalities must take special note of those community members who are illiterate, women, disabled and otherwise disadvantaged. It also suggests a few ways of helping these groups. When the municipality invites people to submit written comment on any matter, for example, the invitation must also state that anyone who cannot write can come into municipal offices during office hours where an identified staff member will assist that person to transcribe the representation. Similarly, if a municipal council requires a community member to fill in a form, municipal staff must assist people who cannot read and write to understand and complete the form.

## **12.2 Communicating information**

Municipalities are legally obliged to facilitate community participation through a number of channels. These could include:

- Notification and public comment procedures
- Public meetings hosted by councils
- Hearings hosted by councils
- Consultative sessions with recognised community organisations and traditional authorities
- Report backs to the community

Any municipal notice published in the Provincial Gazette or the media in terms of local government legislation must also be displayed at the municipal offices.

The Municipal Systems Act also states that when a municipality notifies a community about anything through the media, it must do so:

- In the local newspaper(s)
- In notable newspaper(s) circulating in that local area
- Through local radio broadcasts

These notifications must be in the language preferred by people of that area.

## **12.3 Responding to communities**

It is not enough for municipalities to simply communicate its information to communities. Municipal staff and political representatives must also ensure that they respond to issues and concerns raised by the community. They may do so through:

- The receipt, processing and consideration of petitions and complaints lodged by community members
- Public meetings hosted by the municipal council
- Hearings hosted by the municipal council
- Consultative sessions with recognised community organisations and traditional authorities
- Report backs to the community

## **12.4 Enabling access to council**

Finally, it is crucially important for MDM to enable access to its proceedings as far as possible. National legislation states that the public should be allowed to attend council meetings, although not necessarily mayoral committee meetings.

According to the Municipal Systems Act the MM must give notice to the public (in a manner pre-determined by the council) of the time, date and venue of every ordinary council meeting, as well as special/urgent meetings, except if time constraints make the latter impossible.

In general, municipal council meetings (and those of its committees) are open to the public and the media. It is especially important to allow the public admission when a draft by-law, budget, IDP, PMS or service delivery agreement is being tabled. Furthermore, municipal councils should, within their financial and administrative capacity, facilitate such involvement by providing space for the public in council chambers, as well as taking reasonable steps to regulate public access to and public conduct at council meetings.

The only exceptions of council meetings being closed to the public are when:

- The nature of the business being transacted prohibits such attendance
- A specific council bylaw or resolution justifies such a closure

Executive and mayoral committee meetings may be closed to the public, including the media.

It is also possible for a municipal council to establish advisory committees of non-councillors who can advise council on any matter. Gender representivity is encouraged in these fora.

## **Section F: Conclusion**

### **13. Conclusion**

MDM is tasked with a huge responsibility in terms of the Constitution and the White Paper on Local Government. In executing these responsibilities, MDM has to engage with a number of stakeholders, both inside and outside their organisations. This communication policy represents an attempt to structure this engagement professionally and effectively.

#### **13.1 Policy recommendations**

##### **13.1.1 Statement of Intent:**

- 13.1.1.1 MDM is committed to improving communication within the municipality and between the municipality and the local community as well as between the municipality and other organs of state within the local and provincial spheres of government.
- 13.1.1.2 MDM believes that communication is a fundamental factor in the achievement of the goals of accountable, open, transparent and responsive local government.
- 13.1.1.3 MDM believes that it is the duty of each councillor, manager and official of the municipality to ensure that people has correct, reliable information on time as to the current and planned activities of the municipality.
- 13.1.1.4 MDM believes that the media has the duty to inform the community of the activities and intentions of the municipality.
- 13.1.1.5 MDM commits itself to compliance with all relevant statutory prescripts regarding the making available of information held by the municipality.

##### **13.1.2 Policy objectives**

- 13.1.2.1 MDM shall improve the quality of information and frequency with which information regarding the current and planned activities of the municipality shall be made available.

- 13.1.2.2 MDM shall ensure that its councillors and managers have the communication skills and techniques to communicate effectively within the municipality and also externally.
- 13.1.2.3 MDM shall ensure that adequate structural and non-structural arrangements are in place to promote effective communication between MDM and the local municipalities within its area.
- 13.1.2.4 MDM shall engage with local municipalities within its area on ways and means of accessing ward committees of the local municipalities.
- 13.1.2.5 MDM recognises the traditional leadership of the Barolong Baa Seleka and shall, in consultation with the traditional leadership establish a formal structure for communication between it and the municipality.
- 13.1.2.6 The Motheo IDP Representative Forum shall continue to be utilised as the basis for community participation for the MDM.
- 13.1.2.7 MDM shall in consultation with the political leadership of the three local municipalities establish a forum for coordination and communication between MDM and the local municipalities consisting of the Mayors and Speakers of MDM and the local municipalities.
- 13.1.2.8 MDM shall in consultation with the management of the three local municipalities establish a forum for coordination and communication between MDM and the local municipalities consisting of the municipal managers of MDM and the local municipalities.
- 13.1.2.9 MDM commits itself not to commence with any projects within the areas of the local municipalities unless it has consulted with the local municipality concerned.

### 13.1.3 Strategies

In order for MDM to achieve the stated objectives, the MDM shall -

- 13.1.3.1 Subject councillors and employees of MDM to appropriate communication skills training, including reporting writing skills, presentation skills (including using audio-visual materials when making presentations), public speaking skills and reading skills.
- 13.1.3.2 Use a variety of non-structural methodologies to ensure a free flow of information within the municipality's administration and between

the administration and the municipality's political structures and political office-bearers.

- 13.1.3.3 Establish a working committee consisting of the Executive Mayor, the Speaker and the Municipal Manager that shall meet at least once during every two weeks.
- 13.1.3.4 Ensure that the Mayoral Committee and management meeting regularly on a less formal basis.
- 13.1.3.5 Regularly release media releases regarding the municipality's current and planned activities.
- 13.1.3.6 Distribute agendas for council and committee meetings to the municipal managers of the three local municipalities in the area.
- 13.1.3.7 Ensure that notice is given of the date, time and venue of council meetings.
- 13.1.3.8 Develop and maintain website that will be informative and useful for local communities, government agencies and the tourism industry as well as potential investors

#### 13.1.4 Implementation and evaluation

- 13.1.4.1 The Office of the Executive Mayor and the Office of the Municipal Manager are jointly responsible and accountable for the implementation of this policy.
- 13.4.1.2 The Municipal Manager shall, within one month after the adoption of this policy, submit to the Executive Mayor a detailed work plan regarding the implementation and maintenance of the policy.
- 13.4.1.3 The Municipal Manager shall within 10 working days after the end of each three month period after the Executive Mayor has approved the work plan, submit a written report to the Executive Mayor on the progress made with the implementation of the policy and the reasons for any deviations from the approved work plan.
- 13.4.1.4 The Executive Mayor shall submit the Municipal Manager's report, together with her/his comment and recommendations thereon to the council at the first council meeting following the receipt of the report from the Municipal Manager.