GREATER GIYANI MUNICIPALITY

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Public Participation Policy

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Council Resolution: CR126–27/05/22SP

Policy object

The object of this policy is to provide guidelines for encouraging the involvement of communities and community organizations in the matters of local government.

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1. BACKGROUND

This document provides a policy framework for public participation in Greater Giyani Municipality. It builds on the commitment of the democratic government to deepen democracy, which is embedded in the Constitution and above all in the concept of local government, as comprising the municipality and the community.

Council is committed to a form of participation which is genuinely empowering, and not token consultation or manipulation. This involves a range of activities including creating democratic representative structures (ward committees), assisting those structures to plan at a local level (community-based planning), to implement and monitor those plans using a range of working groups and CBO's, supporting community-based services, supported by a cadre of community development workers. Council also aim thereby to improve the accountability of ward and municipal structures to each other and to the communities they serve, as well as improving the linkages between Council and Wards-based clients in regards to service delivery and policy.

Public participation is promoted for four main reasons. **Firstly**, public participation is encouraged because it is a legal requirement to consult. **Secondly**, it could be promoted in order to make development plans and services more relevant to local needs and conditions. **Thirdly**, participation may be encouraged in order to hand over responsibility for services and promote community action. **Lastly**, public participation could be encouraged to empower local communities to have control over their own lives and livelihoods.

If we do this as Council, we have a chance to making our democracy and governance structures firmly rooted in our people.

The background giving rise to development of the Municipal Public Participation Framework is the legislative framework, beginning with the Republic of South Africa's Constitution, Act, 108 of 1996 and Municipal Systems Act, 32 of 2000. The two legislative frameworks seek to ensure that public participation efforts are in line with the spirit of consolidating democracy. The meaning of public participation in a municipal setting is also examined.

The Policy framework for public participation builds on the commitment of the democratic government to deepen democracy, which is embedded in the Constitution, and above all in the concept of local government, as comprising the community as part of the municipality. The government is committed to a form of participation which is genuinely empowering. This involves a range of activities including creating democratic representative structures (ward committees), assisting those structures to plan at a local level (community-based planning), to implement and monitor those plans using a range of working groups and Community Based Organisations (CBOs), supporting community-based services, and to support these local structures through Community Development Workers (CDWs).

In addition, the need to deepen the involvement of local communities in local governance by incorporating ward committees and the community at large in consultation around key municipal process like integrated development planning (IDP), the budget, performance management, service delivery and Municipal Public Accounts (MPAC) public hearings. This applies in respect of implementation, monitoring and evaluation as well as planning. This policy framework will also assist with the practical implementation of a well-planned, resourced and structured participatory program, so that communities can actively contribute to the decision

making process within the council and become agents of change and development. It is important that ward committees, the IDP foras and other consultative structures be given access to this document. This will ensure that a better understanding is reached on the necessity for community involvement and the avenues open to the community to communicate with the municipality and so deepen democracy and lead to improved decision making and demand led service delivery.

2. LEGISLATIVE FRAMEWORK

(1) **Section 152 of the Constitution** of the **Republic of South Africa act 108 of 1996** confirms a number of citizen rights and more specifically, the rights of communities to be involved in local governance. Municipalities are obliged to encourage involvement of communities and community organizations in local government. This obligation in terms of the local spheres of government the Constitution provides the policy framework as follows:

   (i)   Section 151(1) (e). Municipalities are obliged to encourage the involvement of communities and community organizations in local government;
   (ii)   Section 152. The Objects of local government are to encourage the involvement of communities and community organizations in the matters of local government;
   (iii)   Section 195(e). In terms of the basic values and principles governing public administration-people's needs must be responded to, and the public must be encouraged to participate in policy making.

(2) In terms of section 212(1) of the Constitution, provides that the National legislation may provide the role for traditional leadership as an institution at local level on matters affecting local communities

(3) The **Municipal Structures Act 117 of 1998** allows for a category A municipality with a sub-council or ward participatory system, or a Category B municipality with a ward participatory system, and Executive committees or Executive Mayors must annually report on the involvement of communities and community organizations in the affairs of the municipality.
    In terms of section 81 (2)(a) of the Municipal Structures Act, of 1998; provides that the MEC for local government in a province, in accordance with Schedule 6 and by notice in the Provincial Gazette, must identify the traditional leaders who in terms of subsection (1) may participate in the proceedings of a municipal council.

(4) **The Municipal Systems Act 32 of 2000** defines "the legal nature of a municipality as including the local community within the municipal area, working in partnerships with the municipality's political and administrative structures to provide for community participation" According to chapter 4 section 16 in the systems Act council has the duty:

   a) To encourage the involvement of the local community.
   b) To consult the community about the level of quality, range and impact of municipal services provided by the municipality, either directly or through another service provider.

In terms of Section 5 of the Constitution, members of the community have the right:
   a) To contribute to the decision-making processes of the municipality and submit written or oral recommendations, representations and complaints to the municipal council;
   b) To be informed of decisions of the municipal council;
   c) To regular disclosure of the affairs of the municipality, including its finances.

(5)The White paper on Local Government, March 1998 together with the **Municipal Structures Act, 1998** and the **Municipal Systems Act, 2000** details the duties of municipalities further.

    (a) Active Participation by communities has to be encouraged at four levels:

        (i) As voters; to ensure maximum democratic accountability of the elected political leadership for the policies they are empowered to promote;

        (ii) As citizens; who express, through different stakeholder associations, their views before, during and after the policy development process in order to ensure that policies reflect community preferences ;

        (iii) As customers and end-users; who expect value for money, affordable services, and courteous and responsive services; and

        (iv) As organized partners involved in the mobilization of resources for development through businesses, non-governmental organizations and community-based institutions.

    (b) It is of importance that municipalities should develop mechanisms to ensure community participation in policy initiation and formulation, and in the monitoring and evaluation of decision-making and implementation. The following approaches are encouraged and required:

        (i) Fora to allow organized formations to initiate policies and/or influence policy formulation, as well as to participate in monitoring and evaluation

        (ii) Structured stakeholder involvement in certain council committees, in particular if these are issue-oriented committees with a limited lifespan rather than permanent structures

        (iii) Focus group participatory action research conducted in partnership with NGOs and CBOs that can generate detailed information about a wide range of specific needs and values

        (iv) More institutionalized structures such as ward committees and Integrated Development Planning Forum

(6) Local Government Laws Amendment Act, 2008 requires that all municipalities that have established ward committees must budget for all the 'out of pocket' expenses incurred by ward committee members while performing their council duties. The Act goes further to suggest that municipalities must develop their own policies, guided by the national and provincial frameworks and determine the criteria for calculation of the out of pocket expenses.

Municipalities are expected to make arrangements for the payment of out of pocket expenses to members of ward committees in respect of their participation in the activities of the municipality, and to allocate funds and resources to enable ward committees to perform their functions, exercise their powers and undertake development in their wards within the framework of the law.

(7) Limpopo Provincial Public Participation Framework Policy aims to assist municipalities with the practical implementation of a well planned, resourced and structured participatory program, so that communities can actively contribute to the decision making process within the council and become agents of change and development.

(8) Municipal by-law: according to section 156 (2) of the Constitution, municipalities may make and administer by-laws for the effective administration of matters that fall within their scope of administration. Community participation, and the funding of the ward committees is listed as a matter in which municipalities have authority and national or provincial government may not compromise or impede a municipality's right to exercise its powers or perform its functions. Within this framework and in the context of provincial guideline municipalities may develop by-laws that deal with the criteria for the payment of out of pocket expenses.

(9) Greater Giyani Public Participation By-Laws Gazette no.917 of 25 July 2003: provides the for mechanisms by which the public may participate in the affairs of the municipality; openness, transparency and accountability on the part of the council, its political structures and its administration by providing for citizens to exercise their right to public participation.

(10) There is also the **National Guideline for Establishment and Operation of Municipal Ward committees. 2005** which aims to provide uniform and simplified guidelines to ward committee members ward councillors and local municipalities on the establishment and operation of ward committees.

Community Based planning also serves as important aspect of community participation. Community-Based planning seeks the active involvement of the community, especially poor people, so as to improve the quality of plans and services, extend community control over development and empower communities so that they take action and become less dependent. The following are the principles of community-based planning:

(a) Plans and the planning process, must be realistic and practical
(b) Planning must be linked to legitimate structures like ward committees
(c) Planning should include implementation, monitoring, evaluation and annual review
(d) The plan must be people-focused and empowering
(e) The emphasis should be to build on strengths and opportunities rather than focus on problems
(f) Plans must be holistic and cover all sectors
(g) Planning must promote mutual accountability between communities and officials
(h) There must be commitment by councillors and officials to the whole process

The community implements its action plan through local structures such as ward committees or local stakeholder forums. These will be supported by CDWs, who have a critical role to play during the planning, as well as during implementation. Government recognises the importance of communities playing an active role in implementation, including managing funds such as the discretionary funds per ward provided under Community Based Participation (CBP). The role of the resources provided by government is to leverage voluntary action by communities.

3. LEVELS OF PARTICIPATION.

Public participation means different things to different people. The degree of involvement ranges from manipulation to citizen control.

(1) Ladder of participation

(a) **Citizen control** – People participate by taking initiatives independently of external institutions for resources and technical advice they need, but retain control over how resources are used.

(b) **Delegated power** – in this regard government ultimately runs the decision-making process and funds it, but communities are given some delegated powers to make decisions. People participate in joint analysis, development of action plans and formation or strengthening of local institutions. The process involves interdisciplinary methodologies that seek multiple perspectives and make use of systemic and structured

learning processes. As groups take over local decisions and determine how available resources are used, so they have a stake in maintaining structures or practices.

(c) **Partnership** – an example is joint projects – community has considerable influence on the decision making process but the government still takes responsibility for the decision. Participation is seen by external agencies as a means to achieve project goals, especially reduced costs. People may participate by forming groups to meet predetermined objectives related to the project. Such involvement tends to arise only after external agents have already made major decisions. Participation may also be for material incentives where people participate by contributing resources, for example, labour in return for food, cash or other material incentives.

(d) **Placation** – the community are asked for advice and token changes are made.

(e) **Consultation** – community is given information about the project or issue and asked to comment – e.g. through meetings or survey – but their view may not necessarily be reflected in the final decision, or feedback given as to why not. External agents define problems and information gathering processes, and so control analysis. Such a consultative process does not concede any share in decision-making.

(f) **Informing** - Community is told about projects and activities of council;

(g) **Therapy** – People participate by being told what has been decided or has already happened. It involves unilateral announcements by the institution without listening to people's responses.

(2) **Objective approach**: Depending on the objectives around public participation, the approach favoured will differ.

4. THE VALUE AND BENEFITS OF PUBLIC PARTICIPATION

Public participation must be an **open, accountable process through which individuals and groups within selected communities can exchange views and influence decision-making**. It must be a democratic process of engaging people, deciding, planning, and playing an active part in the development and operation of services that affect their lives.

(1) **Basic principles underlying public participation include:**

   (a) Promoting the values of good governance and human rights;

   (b) Acknowledging a fundamental right of all people to participate in the governance system;

   (c) Narrow the social distance between the electorate and elected institutions;

   (d) recognize the intrinsic value of all the people, investing in their ability to contribute to governance processes;

   (e) People can participate as individuals, interest groups or communities more generally;

   (f) Public Participation is expected to happen at a ward level;

   (g) Ward committees play a central role in linking up with the people, and other forums of communication reinforce these linkages with communities like tihuvo, izimbizo, road shows, the makgotla and so forth.

(2) The Benefits of Public Participation

(a) **Increased level of information in communities:** One of the most common ways public participation improves governance is by increasing levels of information about local government in communities.

(b) **Improved Need Identification for Communities.** A second benefit of public participation is improved need identification for communities. Bearing in mind that Section 153(a) of the Constitution lists as a key duty of a municipality to manage its administration , budgeting and planning processes to give priority to the basic needs of the community'.

(c) **Improved Service Delivery:** A third benefit concerns improved service delivery. It is clear that government that is better informed about community needs should be able to deliver better services.

(d) **Greater Community Empowerment:** Services that could be devolved include: 'noise and nuisance abatement, development control, aspects of management of libraries and museums, leisure and tourism, street lighting, litter collection and litter control measures, street and parking restrictions

(e) **Greater Accountability:** A fifth benefit noted especially in India, was a reduction in corruption. Isaac and Franke (2002:187) argue that 'selection of beneficiaries for development schemes have been the main source of corruption in India. In the People's Campaign, transparent procedures were laid down to ensure that the beneficiaries were selected on the basis of objective criteria with the participation of the people...' While reports of corruption were forthcoming, these were mostly in the first year and the vast majority of observers felt the system was improving.

(f) **Impact of Community Participation on Wealth Distribution:** A sixth, and notable, benefit concerns the impact of community participation on wealth distribution.

(g) **Building a Greater Sense of Solidarity:** This benefit of community participation involves the way it helps build a greater sense of solidarity or belonging to a community among residents.

(h) **Greater Tolerance of Difference:** The final benefit is greater tolerance of difference. Problems include poor and marginalised groups, or when such groups are present, more middle class groups, but on the whole, public participatory processes do seem to make people more tolerant of difference.

5. KEY ASPECTS FOR EFFECTIVE PUBLIC PARTICIPATION

(1) Importance of public participation

The Draft National Policy Framework on Public Participation, 2007, defines "public participation as an open, accountable process through which individuals and within selected communities can exchange views   and influence decision – making". It is further defined as a democratic process of engaging people, deciding, planning, and playing an active part in the development and operation of services that affect their lives.

(2) **Building a culture of shared responsibility around municipal governance:** Councillors and officials are obliged by legislation to encourage the involvement of the local community and to consult the local community about services, IDP, the budget etc. However, this will only be truly effective when councilors and officials see the community as entitled to be part of the decision-making process and respect the community's right to be included in all aspects. Real evidence is required that the municipality values community input and that its decisions are guided by the

contributions made by the community. This means making sure that the community is informed about what is going on, and operating in a transparent manner; involving the community, and especially the poor and marginalized.

(3) **Clear and Specific goal of a public participation process:** A clear goal is crucial for any specific public participation process. The public must be informed of activities taking place at a municipality, like notices of council meetings; the annual budget; the drafting and amendment of the Integrated Development Plan. If the purpose of the meeting is not clear fewer people are likely to come and they are less likely to be prepared to make useful inputs.

(4) **Common understanding of goal for a public participation process:** A successful public participation process requires that councilors, officials and community share a common understanding of the goal of a public participation process or event. If a meeting is called to inform the public of the mid- year budget report for a municipal entity but the public is expecting consultative processes whereby they comment on what ought to be done, then misunderstandings and tension can arise. This means thoughtful and thorough preparation needs to go into informing the public, not just about a specific event but the content of the event too.

(5) **Who should be involved in community participation?** Making community participation work requires significant material and human resources, and without the corresponding political will, these resources will not be invested. Even just informing the community of relevant events requires finance to advertise in a newspaper, on the radio, or to hire a loud hailer. Even if the resources are invested, if government fails to implement decisions and promises made to the community, then it is a matter of time before the community also stops participating.

(6) **How should Community Participation be carried out?** It can be organized around the different goals of participation, and the legislation offers us some guidance. Thus for instance, the requirement to 'inform' the community is usually directed in the legislation through mechanisms like advertisements in newspapers and radio. Other methods includes, Imbizos led by Public Office Bearers such as MECs, Premier, Mayors and Councilors. The requirement to 'consult' the communities is usually expressed in the legislation through calls for written submission or public meetings, including sometimes meetings with stakeholders.

6. COMMUNITY PARTICIPATION STRUCTURES

(1) **Ward Committees:** Ward committees have been the focus of considerable attention by government as well as civil society, with substantial investment already made in an attempt to ensure that these structures have the necessary capacity and resources required for them to fulfill their envisaged roles as the "voice" of communities. As such Ward committees have to be effective conduits for community involvement in local governance's 'created spaces" for public participation, they are capable of playing the critical role as expected; and should create opportunities for real power-sharing between municipalities and citizens. They should provide an important channel for citizens to have their voices heard at local level (especially in a context where there are few existing alternatives for citizens to be involved in governance at local level).

(2) **Access to information:** It has also been noted that the ability of ward committees to function effectively is constrained by poor Communication channels between municipal councils and communities due to poor municipal communication strategies and a lack of accessible information at ward level. Specifically in relation to municipal planning processes, where ward committees

could potentially play an important communication role. The report by Afesis-corplan (2003) noted that without a proper understanding of the targets and indicators for development as set out in the IDP, and the ability to disaggregate these to their own ward areas, ward committees cannot be expected to provide any empirical or qualitative feedback on municipal delivery strategies and performance. The same constraint applies to the ward committees' role in relation to communicating municipal budget information, which is usually only available in highly technical and inaccessible formats, and is rarely packaged in such a way that provides useful information on budget allocations at ward level.

(3) **Influence on decision-making:** One of the key tests of the effectiveness of ward committees is their impact on council decision-making. In this regard, available research suggests that ward committees are in general not having a significant influence on the decisions made by council and how resources are allocated at ward level. Where ward committee members feel they are not having an impact, they may sense that their considerable investment of time in ward committee work is wasted and apathy may easily set in.

(4) **Supporting and Empowering Ward Committees**

    (a) In terms of section 73(4) of the Municipal Structure Act, the municipality is expected to make administrative arrangements to enable ward committees and ward sub committees to perform their functions and exercise their powers effectively.

    (b) In this regard administrative support includes:

        (i) Promoting the notion of ward committees amongst communities.

        (ii) Making administrative staff capacity available, in proportion to the overall size of the municipality.

        (iii) Building or arranging central meeting places in the ward.

        (iv) Providing logistical support (furniture, computers, stationery etc).

        (v) Translating information and documentation for the community.

        (vi) Assisting ward committees to fulfill their tasks (e.g. communication strategies to advertise public meetings).

        (vii) Providing municipal transport to committee members in specific circumstances.

        (viii) Developing capacity building and training programs for ward committees.

        (ix) Facilitating ward committee's elections.

Capacity building and training programs for ward committees will have to include training on how to chair meetings and records management, to ensure that decisions taken at the ward and ward sub committee meetings are timeously submitted to the ward councilors and ultimately to the executive committees or full council meetings.

(5) **Provincial policy framework: criteria for determining out of pocket expenses to ward committee members**

    (a) Sufficient administrative and other resources allocated to ward committees to enable them to function effectively – for example, ward committee members having no money for transport to attend meetings.

(b) It is against this background that the framework for the criteria for out of pocket expenses for ward committees was endorsed for immediate implementation. However prior the payments of the stipend the following performance indicators have to be satisfactorily implemented in assessing functionality of ward committees:

(c) Performance Indicators

NO.	PROCESS INDICATOR	OUTPUT INDICATOR	VERIFIABLE SOURCE/PROOF
(1)	Number of ward committee management meetings held and percentage attendance by members	Close cooperation between ward committee members and ward councilors	Agendas and minutes of meetings held and filed in the ward committee filing system
(2)	Number of community meetings organized by the ward committee and percentage attendance by the ward community	Community participation in the IDP review sessions, and their involvement in the implementation of projects within the ward	Agendas and minutes o the meetings held and filed in the ward committee filing system
(3)	Submission and tabling of ward reports and plans to the Council covering: needs and priorities for the Ward, feedback on the performance of the Councils various line/service functions and their impact on the Ward	Submission of ward plans to the Council for consideration during the IDP review process	Council records
(4)	Number of door- to- door campaigns and /or interactions with street committees	Household information and support systems	Reports
(5)	Number of complaints, queries, and requests registered from the community and attended to (checklist of met needs against registered needs and turn-around time)	Reduction of community protests	Complaints management system including complaints register
(6)	Distributed publications (information brochures, flyers, newsletters, emails, sms and others) other period of time	Ward communication plan	Copies of communication material and proof of dissemination
(7)	Management and updating of ward profile and database of indigent household	Quarterly reports on the status of the ward	Ward committee filing system
(8)	Participation in plans and programmes of municipalities and other spheres of government impacting on the ward development and monitoring thereof	Clear plans of municipal programmes and other spheres of government.	Reports

(6) Delegation of Powers for Ward Committees.

Section 74(b) of the Municipal Structures Act also provides that the council may delegate certain duties and powers to the ward committees. The following duties and powers are delegated to ward committees:

(i)   To serve as participatory structure in the municipality.
(ii)   To create formal unbiased communication channels and cooperative partnerships between the community and the council.
(iii)   To serve as mobilizing agent for community action

(iv) To provide a platform to communities to engage with the municipality and thereby enhance accountability and good governance.

(7) Ward Sub Committees

Ward committee may also establish sub-committees to enable them to function more effectively and to engage organizations more meaningfully.

7. PROCEDURES FOR PROCESSING COMPLAINTS

In terms of section 17(2)(a) of the Municipal System Act, the municipality should establish appropriate mechanisms, processes and procedures to receive, process and consider petitions and complaints lodged by members of the local community.

(a) Process: Council should avail a central office, where an official is available to receive and process petitions and complaints. The name and contact details of the official, and the days and times the office is open, must be made public. There must be a weekend/public holiday phone number to a central point to call for emergencies like a burst water pipe.

   (i) Council shall develop a process that maintains a record of the process such that the complainant receives a log or complaint reference number, informed of when action will be taken on the complaint, informed of a number to call to track the progress of the complaint using the log number, informed of the name of a more senior official to appeal to if unsatisfied with the response to the complaint.

   (ii) Council shall develop an audit trail to track the whole process, including opening a complaint card and providing a log number; ensure that protocols are developed around who is responsible for responding to what, and the time span in which such response and feedback must be provided.

(b) Procedures regarding Public Notification

In terms of section 17(2)(b) of the Municipal System Act, the municipality undertakes to establish processes and procedures with regard to notifying the community about municipal issues and how they must submit their comments.

(c) Localized Maintenance: Issues like water repairs or electricity upgrading where the notices must be:

   (i) Where possible, put up/published in a newspaper/radio at least three working days prior to the work commences and on the date of interruption of e.g. the electricity supply;

   (ii) of substantial size and number to be clearly visible to the community;

   (iii) put up somewhere clearly visible in the area where the work will take place;

   (iv) having a clear statement of the work to be done;

   (v) having a date, place, start and finish time of the job; and

   (vi) having the appropriate warnings.

(d) Substantial Projects: In respect of larger issues or projects that impact on significant number of people or places in the municipality, for example the closure of a major road, officials must undertake such projects only after consultation with the relevant civil society organizations (e.g. local businesses) and relevant ward committees. The notices must be:-

    (i)   put up a least seven working days before the work date;
    (ii)   of substantial size an number to be clearly visible to the community;
    (iii)   put up somewhere clearly visible in the area where the work will happen;
    (iv)   state the anticipate time-line and function of the project (e.g. one week of partial closure to repair the road).

(e) Notification for community meetings and hearings: Officials must investigate the use of other media, especially newspapers, the radio and website to inform the community. The notice must be:-

    (i)   put up at least seven working days before the work date;
    (ii)   of substantial size and number to be clearly visible to the community;
    (iii)   given of the date, time and place of the meeting;
    (iv)   given of the subject, key issues and anticipate time-line of the meeting;
    (v)   given of the processes to make oral and written submissions, including details of a contact person, where copies of the relevant documentation are held.

8. PROCEDURES FOR COMMUNITY MEETINGS

In terms of section 17(2)(c) of the Municipal Systems Act, the municipality will have to establish processes and procedures for public meetings and hearings by the municipal council and other political structures and political office bearers of the municipality, when appropriate.

Process: In addition to the guidelines above around notification for public meetings, noices must contain the following information:-

(a) statement/name of the meeting;
(b) date, place, start and finish time; and
(c) who should attend the meeting (try and be stakeholder specific)
(d) the rules of order for the meeting;
(e) what specific issues community comment is being sought on;
(f) the process of feedback on these comments;
(g) the reasons why community views were not accommodated, if they are not accommodated;
(h) care must be taken to provide enough notice for the meeting depending on the nature of the community;
(i) a variety of methods, and especially those suited to local conditions, must be used in advertising the meeting;
(j) careful thought must go into where the meeting or meetings are held, when and for how long he meeting goes on to maximize participation and make it meaningful;
(k) consideration must also be given to the provision of refreshments at such meetings.
(l) note, with Izimbizo and all public meetings, it is imperative that minutes of the meeting be taken and made publicly available as a record of the event, and thus fed back into other public participation and decision-making processes.

9. PROCEDURES FOR CONSULTATIVE SESSIONS WITH COMMUNITY ORGANIZATIONS.

In terms of section 17(2)(d) of the Municipal Systems Act, the municipality will have to establish processes and procedures for consultative sessions with locally recognized community organizations' and, where appropriate, traditional councils.

Process: The official responsible for community participation should develop a stakeholder register which includes the following details about all civil society organizations in the municipality:
   a) The name of the stakeholder group
   b) The sector they present and their perceived role.
   c) Their constitution.
   d) The nature and extent of membership.
   e) The target audience/community
   f) The office-bearers and their contact details
   g) The office details.

Further when issues arise requiring some form of community participation, the official responsible should ensure that the stakeholders concerned with that issue are informed about the process. This information should be no less thorough than the recommendations for public notification in the paragraph above.

10. PROCEDURES FOR REPORTING BACK TO THE COMMUNITY

In terms of section 17(2) (e) of the Municipal Structures Act, the municipality has to establish processes and procedures for report-back to the local community.

(1) Process: Reports or feedback will be to ward committees or stakeholder forums and the general public and may include the following mechanisms:-
   a) Written responses
   b) Meetings
   c) The media
   d) Ward committees and stakeholder forums

(2) Reporting back should make clear:
   a) The issues at stake for the community;
   b) The process underway, if it is ongoing or not, and the overall time-frame;
   c) How council/officials are responding to community input and especially if they are taking community recommendations into account;
   d) If council/officials are not taking community recommendations then clear reasons must be given;
   e) The opportunities for further submission around the issue, and the requisite practical steps to do this (e.g. physical and e-mail addresses, deadlines, formats).

(3) Procedures for dealing with Persons who cannot Read, Write or who are Deaf
In terms of section 17(3) of the Municipal Systems Act, of 2000 the municipality will have to, when establishing its processes and procedures take into account the special needs of people who cannot read or write people with disabilities, women and other disadvantaged groups.

Process: the municipality shall assist those who cannot read or write, especially in sections which deal with payment and application for services etc. by members of the community. Section 21(5)(b) of the Municipal Systems Act, of 2000 requires that assisting some with a form that relates to the payment of

money to the municipality or to the provision of any service, then the assistance must include an explanation of its terms and conditions. Live sign language practitioners at municipal offices or community meetings must be provided when needed.

11. INSTITUTIONALISING PUBLIC PARTICIPATION

(1) Role-players and Responsibilities
There are three distinct role players in the participatory process, namely:-
(a) the municipality administration viz. the officials headed by the Municipal Manager;
(b) the municipal council viz. the councillors (Mayor, Speaker, Ward Councillors and PR Councillors)
(c) the community.

(2) The main role-players in the municipal process and flow for public participation can be categorised as follows:-
a) The Speaker
b) The Mayor
c) The Ward Councillor
d) The Ward Committee
e) The Municipal Manager (Including heads of departments and line managers)
f) Stakeholder Forums or Lobby Groups
g) The Community

(3) Roles of each stakeholder in public participation:

(a) Mayor: Decides on marketing, promotion and other policy issues that he /she wishes to convey to the community.

(i) Liaises with the municipal manager and speaker in respect of consultative issues he /she is required to or wishes to undertake so that the year planner can be updated and coordinated by the Head: Public Participation Unit.
(ii) He/she chair of the executive committee and as chairperson of the IDP forum and Budget processes, the mayor sits at the fulcrum of decision-making and community consultation.

(b) Speaker: She/ he must assume responsibility for informing the community on all governance issues as set out in Chapters 2 and 4 of the Municipal Systems Act., and this information could be included in a Citizens Participation Charter.
(i) He/she must liaise with the municipal manager and mayor in ensuring that all participation issues are conveyed to the decision making structures of council and the community through the ward committees as well as other structures and processes.
(ii) The speaker is responsible for overseeing the functioning of the political arm of local government, and public participation is essentially connected to this function.
(iii) The Speaker is chair of Council meetings and the Ward Forum and responsible for oversight of the ward committee system.

(c) Municipal Manager:

    (i)   He/she is responsible for the establishment and oversight of the public participation unit in close consultation with the Speaker, and to ensure that public participation is included as a Key Performance Area in each of the performance contracts of the relevant staff, and that the appropriate Key Performance Indicators and Targets are identified.

    (ii)   To delegate such responsibility to a particular person, Head: Public Participation and to provide such person with the necessary resources to carry out the above functions.

(d) Head: Public Participation: He/she must carry out all participation and coordination functions assigned to him/her.

    (i)   Responsible for compiling the public participation plan including the year planner in respect of the participation function and keeping this up to date and for ensuring that related issues such as the IDP, PMS and Budget are dealt with simultaneously.

    (ii)   To provide the administrative support to ward committees, and maintain a register of stakeholders, otherwise known as the stakeholder register.

    (iii)   The responsibility to coordinate the communication/participation functions of the municipality, especially the drafting of the annual public participation plan.

(e) Ward Councillor:

    (i)   Must keep the community informed through the ward committee which he/she chairs. Must take concerns and inputs from the community to the speaker, and or municipal manager who must direct the representations to the relevant portfolio committee, Exco or officials for attention/information.

    (ii)   The ward councillor must also assist the community in solving any municipal problems they may be experiencing, by bringing these to the attention of the municipal officials through the established channels of communication.

    (iii)   Ward councillor should act as a spokesperson for the people in the ward, and he/he is the chairperson of the ward committee

(f) Ward Committee:

    (i)   Brings community concerns to the attention of the ward councillor and must receive constant feedback from the ward councilor on issues which it has submitted to the council for consideration.

    (ii)   Must be the eyes and ears of the council and interact with the community on a continuous basis. Keep the community it represents abreast of decisions and developments of the ward committee.

    (iii)   Ward committee may make recommendations on any matter affecting its ward to the ward councillor; and through the ward councillor to the council.

    (iv)   Ward committee should be involved in matters such as community mobilisation, IDP, Budget processes and municipal performance management, council projects and other key activities and programmes.

(g) Community: Community interacts with the mayor via public meetings, ward committees or other forums with regard to the issues for which the mayor is directly responsible e.g. the budget and Integrated Development Planning (IDP) forums, and also policy issues or marketing of the municipality etc.

12. THE PUBLIC PARTICIPATION YEAR PLANNER

(1) Council must develop a participatory governance framework that should be reflected in the **Annual Public Participation Plan**.

(2) **The framework** should strategize on communication, ward committees and IDP forum that cover the minimum legal requirements of municipalities.

(3) **Public Participation Plan** must ensure that it covers these basic requirements and plotted on a year planner, indicating who is responsible for what task, and by what date.

(4) **Guidelines on Preparing a Year Planner:**

(a) In developing the public participation plan, cater for at least two distinct groupings, but nevertheless to integrate the participation process to include both groups.

   i.   The first group would be constituted of the poor and vulnerable groups and special care will have to be taken to ensure that they fully understand the process to be followed, their contribution to the ultimate decision and the consequences of them not participating in the process to be followed, their contribution to the ultimate decision and the consequences of them not participating in the process. It is these vulnerable groups who may also not be able to read and write and as specified by legislation, the municipality will have to ensure that it engages with them in a meaningful manner

   ii. The second group would be constituted of the broader community, represented through both ward committees and groups of stakeholders. The community must play a central role in commenting on municipal issues or designing the new or improved municipal service, particularly with regard to planning service levels; sitting facilities; and/or introducing new technical, financial, or institutional aspects.

(b) Preparing a public participation plan involves the following steps:

Step One: The municipality must identify the important project and social issues for which participation will be needed (for example, size and location of large refuse containers, sitting of solid waste facilities, willingness and ability to pay for improved services). This should be done through the IDP process, but ward committees could also be used here. The municipality must also describe how the public participation activities will be used to influence project implementation.

Step Two: The municipality must identify the most important stakeholders, their roles, interests, conflicts between stakeholder groups, and the level of participation required by each stakeholder group in the project for example, information dissemination, consultation or involvement.

Step Three: The Municipality must identify key points for public involvement in the implementation of each project component, where applicable. For each component, the plan should identify key actors, the level of participation required for each actor (that is, one-way exchange, two-way exchanges, shared decision making, and project ownership), and the methods through which these actors will participate (for example, information dissemination, including methodologies such as media communication, brochures; public meetings and workshops, in-depth interviews), as well as processes and mechanisms for resolving disputes.

Step Four – The municipality must determine the types of information that will be disseminated at each stage for the important stakeholder groups as well as awareness raising and training that would be needed for relevant stakeholder groups

Step Five – Apart from the ward committees and other formalized consultative structures, the municipality must try and identify NGOs or other institutions that can contribute to the participation process through the design and management of public education and outreach activities. This will require an assessment of the abilities of these institutions to develop public outreach strategies, organize public information campaigns; and write, design, and disseminate both project and general information.

Step Six – The municipality must describe how public involvement and participation activities will be monitored and evaluated. The plan should include a list of criteria and indicators for monitoring and evaluating changes in socioeconomic factors and public participation that are relevant to project success and sustainability.

Step Seven – The municipality must decide who is to be responsible for each function/project on which the community must be consulted so that there is no confusion as to who must initiate, monitor and evaluate the participation process. Regardless of who has been mandated to initiate and manage the consultation process, it is stressed that it is the councillors serving on the executive committees who must ensure that the comments/input of the community are taken into account in the decision making process.

Step Eight – Finally after the preceding processes have been decided on, the municipality must estimate the costs that would be required to initiate and sustain these activities and develop a budget for each of the consultative processes.

13. WHAT IS INTEGRATED DEVELOPMENT PLANNING?

(1) Integrated development planning is a **process** through which municipalities prepare a strategic development plan for a five year period. It does involve the whole municipality and its citizens in finding the best solutions to achieve effective sustainable development. This planning takes a long term view and assists a municipality in preparing an overall framework for development. It looks at existing conditions and facilities, at the problems and underlying issues, and at the resources available for development.

(2) The Integrated Development (IDP) is a **product** of the integrated development planning process. The IDP is the principal strategic planning instrument which guides and informs all planning, budgeting, management and decision-making in a municipality.

(3) Integrated planning must ensure that municipal planning meets the aspirations of the people. Discussion between Councillors, officials, ward committees and communities should ensure that realistic expectations are agreed on and that these expectations are met. It should reflect the realities of the area but at the same time look at how deficiencies or problems can be addressed.

(4) Integrated development planning is vital for using the resources available to meet the wide range of issues in an area. It helps a municipality to identify and respond to issues in different sectors such as water, health, transport, community, safety and trade, in a coordinated way.

(5) Chapter 5 of the Municipal Systems Act, 2000 requires that citizens participate in planning to make municipal plans more relevant to local needs and conditions. This can take place through public participation

14. PUBLIC PARTICIPATION IN THE IDP/BUDGET/PMS PROCESSES

(1) Public participation is important to make sure that government addresses the real needs of communities in the most appropriate way. Participation also helps to build an informed and responsible citizenry with a sense of ownership of government developments and projects. It allows municipalities to get buy-in and to develop partnerships with stakeholders.

(2) Central to the IDP is the need to create a participatory context for development in order to include those who had been marginalized from mainstream economic activities for many years. Thus, development initiatives must meet people's problems as they perceive them, not as distant policy makers see them. As such, development through "collective determination" or participation became a central tenet of the IDP.

15. IDP/BUDGET/PMS PROCESS MILESTONES

The following is an outline of the IDP/Budget and PMS process milestones:

IDP / BUDGET/ PMS PROCESS MILESTONES		
TIMEFRAME	**PHASE**	**ACTIVITIES**
July (1st Quarter)	Preparation	
		IDP a) Draft IDP Review Framework and Process Plan by 31 July. b) Review or reconfirmation of IDP Steering Committee and IDP Representative Forum.
		Budget Issuing of Draft Budget Process by 31 July
		PMS Tabling of audit and annual report to Council for noting.
August (1st Quarter)	Analysis	
		IDP a) Mayor tables IDP Review Process Plan to Council by 31 August. b) Commencement with the municipal status quo analysis.
		Budget Mayor tables Budget Process Plan to Council by 31 August.
		PMS a) Approval of audit Annual Report by Council. b) Submission of Annual Reports to the Auditor General and MEC. c) Approve and submit copies of Section 57 Managers' Performance Agreements to the MEC: DLGH and publicize within 14 days after SDBIP approval.
September (1st Quarter)	Strategies	
		IDP a) Issuing status quo and analysis report. b) Reviewing the vision, mission, strategies and objectives.
		Budget a) Review of the last financial year operational performance and make revenue projection for the next MTEF. b) Start process to review budget related policies (tariffs, rates, credit control, SCM, cash management / investment policies.
		PMS Develop draft strategic objective and indicators taking into account national priorities and the performance of the municipality
October (2nd Quarter)	Strategies	

		IDP
		Determine strategic objectives and priorities for service delivery.
		Budget
		a) Evaluate revenue projection for the MTEF and potential bulk service increase.
		b) Commencement of community stakeholder consultation process for review of financial models, assess impact on tariffs, consider the funding decision for the next three years.
		PMS
		Finalize 1st quarter performance reports.
November(2nd Quarter)	**Projects**	
		IDP
		a) Consult Project Task Teams on identification of draft programmes and projects aligned to sector plans.
		b) Development of draft projects in terms if their cost, budget and source of finance.
		BUDGET
		No critical budgeting milestone during this milestone
		PMS
		Submission of draft annual report to the Mayor/ Council for noting.
December(2nd Quarter)	**Projects**	
		IDP
		Assessment of draft programmes and projects
		Budget
		Finalize 1st draft budget adjustment.
		PMS
		Compile draft mid-term performance review Develop SDBIP.
January (3rd Quarter)	**Integration**	
		IDP
		Screening of draft projects and 1st presentation to IDP Rep Forum.
		Budget
		a) Council adopts budget adjustment.
		b) Finalize detailed operating and capital budgets, including national and provincial allocations, integrate and align IDP and draft SDBIP.
		PMS
		Submission of half yearly performance report to the Mayor and Audit Committee.
February (3rd Quarter)	**Integration**	
		IDP
		a) Finalize draft IDPs
		b) Municipal Manager submits and presents the draft IDP to the Mayor/ Council.
		Budget
		The Accounting Officer notifies stakeholders (e.g. Treasury, DLGH, etc) of the projected MTEF budget.
		PMS
		Finalize draft **SDBIP**
March (3rd Quarter)	**Integration**	
		IDP
		Mayor tables draft IDP to Council.
		Budget
		Mayor tables draft annual budget to Council
		PMS
		Mayor tables draft **SDBIP** to Council.
April (4rth Quarter)	**Integration**	
		IDP
		a) Public comments on the Draft IDP documents.
		b) Incorporation of public comments in the draft IDPs.
		Budget
		Public comments on the Draft Budget.
		PMS
		Community on determined performance indicators and targets.
May (4rth Quarter)	**Adoption**	**IDP**

		Consideration of public/stakeholder comments on draft IDPs. Final adoption of the IDPs.
		Budget a) Public Participation Road-shows. b) Consideration of public/stakeholder comments on draft budgets. c) Final adoption of the budgets.
		PMS Municipal Manager presents draft SDBIP to the Mayor for consideration.
June	Implementation	
		IDP Public notice on the adoption of IDP.
		Budget Public notice on the adoption of the budget.
		PMS a) Mayor approves the Service Delivery and Budget Implementation Plan (**SDBIP**) and submits to Council for noting. b) SDBIP published to the public.

16. THE BASIC PRINCIPLES, VALUE AND BENEFITS OF PUBLIC PARTICIPATION DURING IDP PROCESSES

(1) Governance is a way of governing. It takes the views and interests of those affected by government more seriously. The "governed" refers to the community at large. This includes individuals, community organizations and businesses, trade unions and NGO's.

(2) Democracy is not only about formally electing representatives, it is also important that the elected leaders and the community continually interact. Together the leaders and the community can then see to the needs and concerns of the community, and teach people to be democratically active.

(3) Improving public participation in government can enhance good governance in at least eight important ways which are spelt out hereunder:

    (a) **Increased level of information in communities:** increasing levels of information about local government in communities.

    (b) **Improved Need Identification for Communities:** improved need identification for communities, bearing in mind that Section 153(a) of the Constitution lists as a key duty of a municipality that it 'structure and manage its administration and budgeting and planning processes to give priority to the basic needs of the community',

    (c) **Improved Service Delivery:** government that is better informed about community needs should be able to deliver better services.

    (d) **Greater Community Empowerment:** Services that could be devolved include: 'noise and nuisance abatement, development control, aspects of management of libraries and museums, leisure and tourism, street lighting, litter collection and litter control measures, street and **parking restrictions**.

    (e) **Greater Accountability:** the reduction in corruption and improvement in accountability by public representatives and institutions;

    (f) **Impact of Community Participation on Wealth Distribution:** the impact of community participation on wealth distribution.

    (g) **Building a Greater Sense of Solidarity:** the way it helps build a greater sense of solidarity or community among residents.

    (h) **Greater Tolerance of Difference:** Problems remain about to include poor and marginalised groups, or when such groups are present, more middle class groups, but on the whole, public participatory processes do seem to make people more tolerant of difference.

17. KEY PUBLIC PARTICIPATION CHANNELS IN GOVERNMENT ACTIVITIES/PROGRAMS

A variety of channels and platforms to participate in the programmes and activities of government include the following:

(a) The national, provincial and local imbizos;
(b) District Outreach Programmes;
(c) Sectoral Outreach Programmes;
(d) The District and local IDP Rep Forum meetings;
(e) Tourism For a;
(f) LED For a;
(g) HIV/AIDS Councils;
(h) Sports Councils;
(i) Arts and Culture Councils;
(j) Constituency Offices;
(k) Offices of Traditional Authorities;
(l) Parliamentary Public Hearings;
(m) Departmental Road shows; and
(n) IDP/Budget/PMS public hearings.

18. THE COMPOSITION OF THE IDP REPRESENTATIVE FORA

The IDP Representative Fora are constituted by, amongst others:

(a) Members of the Executive Committee of the Council;
(b) Councillors;
(c) Traditional leaders;
(d) Ward committee representatives;
(e) Dedicated officials from municipal and government departments;
(f) Representatives from organized stakeholder groups;
(g) People who fight for the rights of unorganized groups – e.g. A gender activist;
(h) Resource people or advisors; and
(i) Community representatives (e.g. concerned groups).

19. COMMUNITY DEVELOPMENT WORKERS

Community Development Workers (CDWs) are public officials who work with municipalities where they live to bridge the gap between service provision by government and access by the communities. CDWs are required to address, amongst other things, the lack of information, knowledge and poor communication that communities experience in relation to government services. Municipalities are responsible for the CDW daily Programme.

20. ROLE AND TASK OF THE CDWS

CDWs link communities with all government spheres and departments. They are community facilitators and organizers' and their functions are to:

(a) assist communities in explaining what their needs are;
(b) develop and support community structures;
(c) facilitate public participation in government development projects (e.g. IDP, LED, infrastructure and service delivery projects); and

(d) Identify service blockages in the community find solutions to identified needs and blockages by interacting with national, provincial and local government structures.

21. THE LINK BETWEEN WARD COMMITTEES AND CDWS

It is important that the ward councilor supports and facilitates a healthy working relationship between CDW and the ward committee:

(a) CDWs should attend ward committee meetings and offer advice;
(b) ward committees should be familiar with the CDWs in their area;
(c) ward committees and CDWs should meet to clarify the roles of each;
(d) CDWs should offer operational/secretarial support to the ward committee;
(e) CDWs should be able to resolve co-ordination problems between various spheres of government that arise at the local level; and
(f) the ward committee ensures that the municipality is briefed on its efforts to resolve such problems through CDWs.

22. CDWS AND WARD COMMITTEES

(a) CDWs should build good relations by supporting ward committees by assisting with the production of reports, minutes, plans etc
(b) CDWs should create awareness of ward committee activities amongst the local constituency and act as referral agencies.
(c) It is important for the ward councilor and ward committees to meet with their local CDWs and work on mutually beneficial terms of reference and operating systems. The municipality should support and facilitate co-operation between CDWs and ward committees.

23. KEY POINTS

(a) Community participation is an essential part of effective and accountable governance at local level.
(b) Key policies and legislation provide a strong framework for public participation and citizen involvement in local governance and municipal development
(c) Structured and institutionalized processes and mechanisms are key to successful public participation.
(d) Ward committees play an important role to ensure formal and proper communication between the community and the council.
(e) Being the chairperson of the ward committee, the ward councilor has a very important role to play.
(f) Ward committees need support and resources to function effectively.
(g) A healthy working relationship between the ward councilor, ward committee and CDWs is critical to achieve the improvement of service delivery and development.

Signed by

MAYOR: **Cllr Zitha T**
SURNAME & INITIALS   **SIGNATURE**   27/05/2022 **DATE**

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