
GREATER GIYANI MUNICIPALITY

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Policy on the Establishment and Operation of Ward Committees

Council Resolution: CR164-17/05/2024SP

Object

Provide guidelines on the establishment and operation of ward committees.

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PREAMBLE

Whereas the Constitution of the Republic of South Africa, 1996 — Chapter 7 Section 152 — Objects of local government tells of the aims of local government;

Whereas the Local Government: Municipal Structures Act, 1998 — Sections 73 and 74 states the rules and regulations about the establishment of ward committees;

Whereas the Local Government: Municipal Systems Act, 2000 refers to the kind of public participation opportunities the community can expect from municipalities;

Whereas the National Guidelines for the Establishment and Operation of Municipal Ward Committees-2005 gives more detail about setting up and running ward committees; and

Whereas the National Framework: Criteria For Determining Out Of Pocket Expenses For Ward Committee Members-2009 spells the criteria for determination and payment of ward committee allowances

This policy seeks to give rise to a policy framework on the Establishment and Operation of Ward Committees within the Greater Giyani Municipal Council.

1. DEFINITIONS

In these guidelines a word or a phrase to which a meaning has been assigned in the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), has that meaning, unless the context otherwise indicates.

2. PURPOSE OF GUIDELINES

To provide policy framework and guidelines to council, administration and ward committee members on the establishment and operation of ward committees.

3. ESTABLISHMENT PROCESS

- (a) Provincial legislation determined and recognized the establishment of Greater Giyani Municipality identified as LIM331 ;
- (b) The Greater Giyani Municipality established as a "ward participatory type";
- (c) The municipality is allowed, in terms of its establishment notice, to have ward committees.

4. STATUS OF WARD COMMITTEES

- (1) The object of the ward committees is to enhance participatory democracy in local government.
- (2) The ward committees:
 - (a) are an advisory body;
 - (b) are a representative structure;
 - (c) are independent; and
 - (d) must be impartial and perform their functions without fear, favour or prejudice.

5. FUNCTIONS AND POWERS OF WARD COMMITTEES

- (1) The ward committee may make recommendations on any matter affecting their wards to their respective ward councillors; or through their ward councillors to the council.
- (2) The ward committees may have such duties and powers as may be delegated to them by the Greater Giyani Council in terms of Section 59 of the Municipal Systems Act.
- (3) The following represents duties and powers that may be delegated to ward committees by the Greater Giyani Municipality:
 - (a) To serve as an official specialised participatory structure in the municipality;

(b) To create formal unbiased communication channels as well as co-operative partnerships between the community and the council that may be achieved as follows:

- (i) Advise and make recommendations to the ward councillor on matters and policy affecting the ward;
- (ii) Assist the ward councillor in identifying challenges and needs of residents;
- (iii) Disseminate information in the ward concerning municipal affairs such as the budget, integrated development planning, performance management system(PMS), service delivery options and municipal properties;
- (iv) Receive queries and complaints from residents concerning municipal service delivery, communicate it to council and provide feedback to the community on council's response;
- (v) Ensure constructive and harmonious interaction between the municipality and community through the use and co-ordination of ward residents meetings and other community development forums; and
- (vi) Interact with other forums and organisations on matters affecting the ward.

(d) To serve as a mobilising agent for community action within the ward. This may be achieved as follows:

- (i) Attending to all matters that affect and benefit the community;
- (ii) Acting in the best interest of the community;
- (iii) Ensure the active participation of the community in:
 - (aa) Service payment campaigns;
 - (bb) The integrated development planning processes;
 - (cc) The municipality's budgetary process;
 - (dd) Decisions about the provision of municipal services; and (ee) Decisions about by-laws.

(iv) Delimitate and chair zonal meetings.

(e) No executive powers are/have been delegated to any ward committee member;

(f) A ward committee may express dissatisfaction in writing to the municipal council on the nonperformance of a ward councillor.

(4) The ward committee may conduct an annual satisfaction survey in order to assist the committee in the execution of its functions and powers. The satisfaction survey should be administered in the ward by ward committee members under the supervision of the ward councillor and with the administrative support of the municipality.

6. CAPACITY BUILDING AND TRAINING

(1) Ward committees should, with the assistance of the municipality, prepare an annual capacity building and training needs assessment for members of the committee.

(2) An annual capacity building and training programme should be developed for ward committees.

(3) An annual budget, taking into account any funds budgeted by the municipality, for the capacity building and training programme should be prepared according to the needs assessment.

(4) The following requirements may be included in the training and capacity building programme:

(a) Generic training needs, including:

- (i) Basic literacy;
- (ii) Communication;
- (iii) Interpersonal skills;
- (iv) Community upliftment;
- (v) Conflict management and negotiation skills;
- (vi) Democracy and community participation;
- (vii) Identification, monitoring and prioritisation of needs; and
- (viii) Leadership.

- (b) Training needs on municipal policy and processes, including
 - (i) Principles of good governance;
 - (ii) The establishment of ward committees, their terms of reference, nature and functions;
 - (iii) Municipal structures, legislation and processes (including CMIP, PMS and IDP);
 - (iv) Intergovernmental community development;
 - (v) Municipal Service Partnerships; and
 - (vi) Payment for services (indigent policy, credit and debt control policy);
- (c) Specialised training needs, including
 - (i) Meeting procedures and secretariat services, including minute taking, report writing, and letter writing;
 - (ii) Administration, including clerical/administrative skills, bookkeeping and basic accounting;
 - (iii) Budgeting;
 - (iv) Monitoring and evaluation;
 - (v) Policy development;
 - (vi) Project management;
 - (vii) Stress management; and
 - (viii) Performance management.

7. COMPOSITION OF WARD COMMITTEES

- (1) The ward committee consists of the councillor representing that ward in the council who must also be the chairperson of the committee, and not more than ten other persons.
- (2) The procedure for electing members must take into account the need for women to be equitably represented in a ward committee and for a diversity of interests in the ward to be represented.
- (3) Gender equity may be pursued by ensuring that there is an even spread of men and women on a ward committee.
- (4) A diversity of interests may be pursued by ensuring the inclusion of as many as possible of the following interest groups on a ward committee:
 - (a) Youth;
 - (b) Women;
 - (c) Religious groupings;
 - (d) Sports and culture;
 - (e) Health and welfare;
 - (f) Business;
 - (g) Environment;
 - (h) Education;
 - (i) Senior citizens;
 - (j) Community safety forums;
 - (k) Community based organisations;
 - (l) Ratepayers'/civic associations;
 - (m) Traditional leaders;
 - (n) Agricultural associations;
 - (o) Informal traders' associations;
 - (p) People living with disabilities;
 - (q) Farmworkers;
 - (r) Employment; (s) Tourism; and (t) Unions.
- (5) Unless the municipality wishes to appoint a secretary, the ward committee must elect a secretary and assistant secretary from among its membership to fulfil relevant duties of the ward committee, especially secretariat.
- (6) A ward councillor may delegate in writing the chairing of a meeting in his/her absence to a proportional representation councillor or any member of the ward committee.
- (7) A ward committee may establish one or more sub-committees necessary for the performance of its functions and involve organisations more broadly.
- (8) A ward committee must appoint the members of such a sub-committee, appoint a chairperson from among its members and determine the function of such a committee.
- (9) The ward committee and sub-committees may meet together as a ward forum for major discussions.
- (10) All stakeholders in the ward are encouraged to participate in sub-committees that are relevant to their fields of interest and to their day-to-day functioning as a sector.

8. ELECTION CRITERIA

- (1) The following election criteria shall be applied for electing ward committee members:
 - (a) To be elected as a member of a ward committee, a person must be a registered voter in that particular ward;
 - (b) A person is not eligible for election if he or she is employed on a part-time or full-time basis by the Greater Giyani Municipality or Mopani District Municipality;
 - (c) A person should not be in arrears to the municipality for rates and service charges for a period longer than three months;
 - (d) A person should not be an unrehabilitated insolvent;

- (e) A person should not be elected who has been placed under curatorship;
- (f) A person should not be elected who after February 1997 has been convicted of an offence and sentenced to imprisonment without the option of a fine for a period of not less than twelve months;
- (g) Persons of unsound mind who have been declared so by a competent court cannot be elected; and
- (h) Members should be active in the sector or geographic area they represent. They should be motivated to work on the ward committee by their commitment to working for a better life for members of their constituency.

9. ELECTION PROCEDURE

- (1) Two different election models may be applied by the municipality. These models are based on sectoral and geographic representation respectively.

- (2) Sectoral election model.

- (a) Identification of interest groups:

- (i) Identification of the key performance areas of each ward, for example, local economic development, job creation and basic services. The list of key areas of interest provided for under "Composition of Ward Committees" may be used for this purpose;
 - (ii) Invite interest groups to state their interest in and concern with any of the key performance areas;
 - (iii) The council identifies the groups that have a demonstrable interest in any of the key performance areas and represent residents of the area; and
 - (iv) The council identifies the clusters of interest groups (no more than ten) that qualify for election.

- (b) Election should take place as follows (option 1-within the ward):

- (i) The ward councillor calls a meeting in the ward for the election of a ward committee;
 - (ii) Only residents who are registered voters may vote at the meeting;
 - (iii) In each cluster, identified groups nominate a representative;
 - (iv) The meeting votes by majority (50% plus one) for a representative of that cluster. If no one obtains the majority the three candidates who received the most votes proceed to the next round.

- (c) Election should take place as follows (option 2-within the council)

- (i) The municipal council calls a meeting of all councillors for the election of ward committees to which all residents have been invited to attend;
 - (ii) All councillors are entitled to vote at the meeting;
 - (iii) In each cluster, an identified group will have nominated a representative;
 - (iv) The meeting votes by majority (50% plus one) for a representative of that cluster. If no one obtains the majority, the three candidates who received the most votes proceed to the next round.

- (3) Geographic election model

- (a) Identification of interest groups should take place as follows:

- (i) The council identifies the geographical area or villages or clusters of farms that will represent an equitable spread of the residents in the ward;
 - (ii) Each geographical area or village is requested to nominate a representative; and
 - (iii) If five or less geographical areas or villages are identified, a male and female representative should be nominated by each.

- (b) Election should take place as follows (option 1-within the ward):

- (i) The ward councillor calls a meeting in the ward for the election of a ward committee;

- (ii) Only residents who are registered voters may vote at the meeting;
- (iii) Each geographical area or village nominates a representative; and
- (iv) The meeting votes by majority (50% plus one) for a representative of each village or geographical area.

(c) Election should take place as follows (option 2-within the council)

- (i) The municipal council calls a meeting of all councillors for the election of ward committees to which all residents have been invited to attend;
- (ii) All councillors are entitled to vote at the meeting;
- (iii) Each geographical area, village or farms would have nominated a representative; and
- (iv) The meeting votes by majority (50% plus one) for a representative of each geographical area, village or cluster of farms.

(4) It is encouraged that in wards where communities/structures are known to be highly politicised, a formal ballot process is to be followed. In the medium to long term, all municipalities should aim to follow formal ballot processes for ward committee elections.

(5) The election process is to be co-ordinated by the administrative division of the municipality with the consent of the municipal council.

(6) The following election procedure shall be applicable:

(a) The ward councillor and office of the speaker or other designated political functionary must co-ordinate a schedule of meetings for election purposes;

(b) The ward councillor and administrative assistant must ensure that:

- (i) Meetings are fully representative of almost all villages/stakeholders within the ward; no quorum for the elections is required;
- (ii) An attendance register is completed;
- (iii) All people taking part should be registered voters of that ward; and (iv) Women are equitably represented.

(c) Voting may take place by a majority show of hands or formal ballot.

10. CONDUCT OF MEMBERS

(1) A member of the committee:

- (i) Must perform the functions of the committee in good faith and without fear, favour or prejudice;
- (ii) May not use the position or privileges of a member for private gain, or to improperly benefit another person;
- (iii) May not act in any other way that compromises the credibility, impartiality, independence or integrity of the committee;
- (iv) Must adopt the principle of accountability to the community and all political parties represented in council;
- (v) Must be accessible for the community and ensure that all role players can relate to the process and the issues at hand and are able to make their input into the processes of the committee;
- (vi) Must adopt the principle of transparency to promote openness, sincerity and honesty among all the role-players in a participative process and promote trust and respect for the integrity of each role-player and a commitment by all to the overriding objectives of the process in the interest of the common good;
- (vii) Must recognise diversity and understand the differences associated with race, gender, religion, ethnicity, language, age, economic status and sexual orientation, among others; (viii) Must embrace all views and opinions in the process of community participation. Special effort

should be made to include previously disadvantaged persons and groups, including women and youth in the activities of the ward committee;

(ix) Must provide an apology with a valid reason to the chairperson of the committee if a meeting cannot be attended.

(2) Ward committee members must sign a Code of Conduct, which should be administered by the Speaker or a councillor delegated by the Speaker.

11. COMMUNITY DEVELOPMENT WORKERS (CDW'S):

(1) 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.

(2) Role And Task Of The CDW's: CDWs link communities with all government spheres and departments. They are community facilitators and organizers'. 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)
- (d) Identify service blockages in the community find solutions to identified needs and blockages by interacting with national, provincial and local government structures.

(3) The Link Between Ward Committees And CDWS: It is important that the ward councillor 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
- (f) the ward committee ensures that the municipality is briefed on its efforts to resolve such problems through CDWs.

(4) 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 councillor 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.

12. WARD COMMITTEE MEETINGS

(1) Chairperson

- (a) Ward committee meetings are convened and chaired by the ward councillor.
- (b) Members of the ward committee must submit items to be discussed, well in advance to the chairperson.
- (c) The chairperson will be responsible to prepare an agenda for ward committee meetings.

- (2) Frequency of meetings
 - (a) Ward committees must at the beginning of the year determine a programme for ward committee meetings.
 - (b) The programmes for ward committee meetings must take into consideration the schedule of key meetings of council.
 - (c) Regular meeting intervals need to be determined.
 - (d) A ward committee must meet at least monthly.
 - (e) All ward committees should as far as reasonably possible adhere to the same meeting intervals.
- (3) Quorum and decisions
 - (a) A majority of ward committee members excluding the chairperson and PR councillor must be present before a vote may be taken on any matter (50% + one member).
 - (b) All ward committees shall endeavour to take decisions based on consensus.
 - (c) If consensus on any matter cannot be achieved, such matter may be determined by a supporting vote of at least the majority of the members of the committee (50% + one of the committee members present).
- (4) Public meetings (ward meetings)
 - (a) Public meetings are mainly held in order-
 - (i) To register the concerns and inputs of the community with regard to service delivery, general development of the community, disaster management and any other municipal concern the community may have; and
 - (iii) To report back to the public on issues that affects it.
 - (b) Ward or public meetings should be chaired by the ward councillor. A ward councillor may delegate in writing the chairing of the meeting in his/her absence to a proportional representation councillor or any member of the ward committee.
 - (c) If the committee decides to hold a public meeting it may publish a notice in a news paper circulating in the area concerned, stating the time, date and place of the meeting or each meeting and inviting the public to attend the meeting or meetings.
 - (d) The scheduled date, time and place of the public meeting should be convenient so as to encourage the greatest number of people to attend. The venue
 - (i) Must be in a well known place;
 - (ii) Must be easily accessible and where possible, also disabled-friendly; and (iii) Must be large enough to accommodate all people present.
 - (e) Where the jurisdiction of a traditional authority extends to the ward where a public meeting is to be held, the relevant traditional authority should be informed of the public meeting.
 - (f) When the committee publishes a notice, it must convey, where appropriate, by radio or other appropriate means of communication, such as direct mail outs and posters or notices in key areas such as clinics, schools, bus stops and libraries, the contents of the notice in the area concerned.
 - (g) At a public meeting a representative of the committee must-
 - (i) Explain the meeting procedures, such as adoption of agenda and time allowed for questions;
 - (ii) Explain the issues the committee has to consider, including any options open to the committee;
 - (iii) Allow members of the public attending the meeting to present their views on these issues;
 - (iv) Answer relevant questions;
 - (v) Keep minutes of the meeting and inform the public that ward committee meeting and public meeting minutes are public documents, and that the community has access to these documents and may make copies at their own cost; and
 - (vi) Give feedback on previous issues, including reasons if there is a lack of progress.
 - (h) Public meetings are not political platforms and ward committee members and the public should refrain from making party political statements, campaigning and canvassing.

- (i) For the purposes of participation in public meetings, a ward committee must keep a register of interest groups and organisations that are active in the ward.
- (5) Procedures: A ward committee with a supporting vote of the majority of its members may determine its own procedures subject to any directions of the chairperson.
- (6) Work programme
 - The ward committee:
 - (a) must submit a programme with specific outputs of work for one year to the office of the speaker or other designated political functionary in July of each year;
 - (b) must perform the functions as set out to achieve and indicated in the work programme; (i) on own initiative;
 - (ii) on request by the ward councillor;
 - (iii) on request by the speaker or other designated political functionary; and
 - (iv) in accordance with priorities and reasonable time frames determined by the speaker or other designated political functionary.

13. ADMINISTRATIVE SUPPORT - MUNICIPALITY

- (1) Section 16(1)(c) of the Municipal Systems Act (No. 32 of 2000) also requires that municipalities use their resources and allocate funds in their annual budgets for community participation.
- (2) Administrative support shall include the following:
 - (a) The promotion of ward committees in the community - informing the communities of the roles and responsibilities of ward committees. A practical example in this regard may be the provision of formal identification cards to ward committee members in order for them to be recognised as legitimate ward committee members amongst the community;
 - (b) The permanent availability of an administrative staff capacity to attend all scheduled/non-scheduled ward committee meetings and to assist the ward councillor and members in fulfilling their clerical and administrative functions.
- (3) Staff members are responsible for the co-ordination of the work of ward committees as well as support the constituency work of a number of ward councillors.
- (4) The municipality may apportion administrators to ward clusters:-
 - (a) To deal with bookings, arrangements and minutes of meetings;
 - (b) To identify/build/arrange central meeting places in the ward where communities have access to information and where ward committees can conduct meetings;
 - (c) To provide the necessary logistical resources, including furniture, computers and stationery for ward committees to fulfil their functions;
 - (d) To assist with the translation of information and documentation for the community;
 - (e) To assist the ward committees in fulfilling their tasks, including the provision of additional capacity and advertising campaigns required for purposes of arranging larger public meetings, if necessary;
 - (f) To provide municipal transport to ward committee members in particular circumstances at the request of the ward councillor, especially in rural areas;
 - (g) To develop and provide capacity building and training programmes for ward committees on an on-going basis during their term of office; and (h) To facilitate ward committee elections.

14. TERM OF OFFICE

The term of office for ward committees shall be the term of office of the municipal council and end at the date of the next local government elections as shall be declared by the president of the Republic of South Africa.

15. VACANCIES

- (a) The ward councillor must fill a vacancy by declaring as elected the person who received the second highest number of votes in terms of the previous election; and

(b) If nobody can be declared elected in the above manner, the election process must be repeated.

16. TERMINATION OF MEMBERSHIP

The following will serve as sufficient motivation to terminate the membership of a ward committee member:

- (1) Death;
- (2) Resignation;
- (3) Relocation from ward;
- (4) Election to position of councillor;
- (5) Resuming employment with the Greater Giyani Municipality or Mopani District Municipality;
- (6) Failure to attend three consecutive meetings of the ward committee without reasonable apology;
- (7) Proven involvement in corruption;
- (8) Failure to adhere to meeting procedures or misconduct during ward committee meetings;
- (9) Not submitting priorities with the mandate of the community;
- (10) Not submitting performance reports to council;
- (11) Being involved in proven activities that undermine the council or ward councillor's authority;
- (12) Dismissed in accordance with a resolution of the ward committee, the Speaker or executive committee of the council in consultation with the ward councillor;
- (13) Ceases to be a member of the organisation he/she represents;
- (14) Is insolvent or declared mentally incompetent by a competent court.

17. BUDGET

- (1) No remuneration shall be paid to ward committee members.
- (2) The municipality shall budget for ward committee allowances in order to pay for Out of pocket expenses of members of ward committees in respect of their participation in ward committee activities;
- (3) The criteria for, and calculation of, the out of pocket expenses referred to above shall be as follows:

DESCRIPTION	COST PER WARD COMMITTEE MEMBER/MONTH	COST PER WARD COMMITTEE PER MONTH
(a) Transport	R700.00	R7000.00
(b) Tele/mobile phones	R800.00	R8000.00
(c) Refreshments/meals	R500.00	R5000.00
TOTAL	R2000.00	R20 000.00

- (4) Budget for capacity building and training programmes for ward committee members.

18. WARD COMMITTEE FUNCTIONALITY

The payment of out of pocket expenses must be linked to the ward committee functionality taking into consideration the following functionality indicators:

- (a) Ward committee management meetings held;
- (b) Community meetings organized by the ward committee;
- (c) Submission of reports for tabling to council: needs, priorities of the ward, interaction with substructures and feedback on council performances;
- (d) Number of door-to-door campaigns and / or interactions with ward stakeholders;
- (e) Number of complaints, queries and requests from the community and attended to (attach details / proof);
- (D Distributed publications (information brochures, flyers, newsletters, emails, sms etc);
- (g) Management and updating of ward profile, database, indigent households etc.;

- (h) Participation in plans and programmes of the municipality and other spheres of government.

19. ACCOUNTABILITY

- (a) The ward councillor must ensure that full and proper records are kept of the minutes of ward committee meetings;
- (b) Ensure that the committee's available resources are properly safeguarded and used in the most effective and efficient way;
- (c) Ensure that all statutory measures applicable to the committee are complied with;
- (d) Ensure that all recommendations made by the ward committee is formalised and submitted to the office of the speaker or other designated political functionary for presentation to the council at intervals determined by the speaker or other designated political functionary;
- (e) Must report a view adopted by the ward committee to the council but may indicate his or her disagreement with the view in the report;
- (f) Ensure the production of a progress report on major achievements and areas of failure, with reasons, within two months after the end of the financial year;
- (g) Submit the progress report to the speaker or other designated political functionary for a review of the performance of the committee; and
- (h) Implement any corrective measures to ensure effective and efficient performance of the committee as suggested by the speaker or other designated political functionary.

20. DISPUTE RESOLUTION

The following mechanisms are recommended when disputes arise within ward committees: (a)

Every effort should be made to deal with disputes;

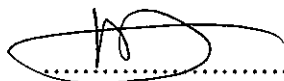
- (b) When a dispute arises, the ward councillor should appoint a person or persons, the maximum being two, to attempt and resolve the dispute through mediation;
- (c) If the attempt at mediation fails, the matter is then submitted to the ward councillor who should arbitrate, provided that the matter does not involve the councillor and the majority of the members of the committee;
- (d) If the majority of committee members remain aggrieved, the matter should be taken to the council through a channel decided upon by council or through the office of the speaker or other designated political functionary. This should be avoided as far as possible.

21. DISSOLUTION

- (1) Council may dissolve a ward committee if it fails to fulfil its object.
- (2) The following may serve as an indication that a committee may exceed its functions and fails to fulfil its object:
 - (a) When it fails to meet three consecutive times;
 - (b) When it fails to meet the functionality standard;
 - (c) When members decide to dissolve it; and
 - (d) When maladministration, fraud, corruption or any serious malpractice has occurred or is occurring in a committee.
- (3) There shall be due notice before a council proceeds to dissolve a ward committee.

SIGNED BY:

Cllr. ZITHA T



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17/05/2024
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THE MAYOR

SIGNATURE

DATE