

# **EMALAHLENI LOCAL MUNICIPALITY**



## **DRAFT COMMUNITY PARTICIPATION STRATEGY**

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## DEFINITION OF TERMS

In this strategy policy, unless the context indicates otherwise –

**“Constitution”** means the Constitution of the Republic of South Africa, Act 108 of 1996;

**“Consultation”** means the action or process of formally consulting or discussing

**“Council”** refers to the Council of the Emalahleni Local Municipality as established in terms of Section 18 of the Local Government: Municipal Structures Act 117 of 1998;

**“Councillor”** refers to a member of the Council of the Emalahleni Local Municipality;

**“Community”** or **Local community** means that body of people comprising the residents of the municipality, the ratepayers of the municipality, any civic organization and non-governmental, private sector or local organization or bodies which are involved in the local affairs of the municipality.

**“Empowerment”** is the highest form of participation, as it incorporates all the lower tiers of participation. Through education it grants societies the strength or power to act with confidence on their own initiative to the benefit of their communities within a legal framework, with or without the support of Council. At its peak, empowerment fosters independence and stimulates creativity and innovation for sustainable development;

**“Inform”** means to give or impart knowledge of a fact or circumstance.

**“Integrated Development Plan”** means the strategic planning instrument which guides and informs all planning and development in a municipality.

**“Involve”** means to have or include someone as necessary or integral part of the result.

**“Loud-hailing”** is an amplified call or message to those able to hear. This is a medium to impart to communities, in the shortest possible way, information for their benefit or to extend an invitation to participate in a gathering or exercise an action;

**“Meeting of Council”** is a statutory meeting held on a regular basis that all members of Council are required to attend and resolve matters referred to it;

**“Municipality”** as defined in the Intergovernmental Relations Framework Act, No. 13 of 2005, will – (a) when referred to as a corporate body, mean a municipality as described in Section 2 of the Municipal Systems Act, No. 32 of 2000; (b) when referred to as a geographic area, mean a municipal area determined in terms of the Local Government: Municipal Demarcation Act, No. 27 of 1998;

**“Municipal Manager”** means the person appointed in terms of Section 54A of the Municipal systems Act of 2003.

**“Official”** as defined in the Local Government: Municipal Systems Act. 32 of 2000 in relation to a Municipality or municipal entity, means – 5 (a) an employee of a municipality or municipal entity; 2. (b) a person seconded to a municipality or municipal entity to work as a member of the staff of the municipality or municipal entity; or 3. (c) a person contracted by a municipality or municipal entity to work as a member of staff of the municipality or municipal entity other than an employee;

**“Participation”** is the act of sharing something with others, where all parties play an active part in the process to achieve an outcome expected by those involved;

**“Partnership”** refers to engagements where all parties are directly and actively involved in a project and committed to achieving a goal. Stakeholders will strive to work in harmony towards a cause. This form of engagement is perhaps more in line with the notion of participation espoused by Sections 4 and 5 of the MSA, which requires the balancing of reciprocal duties and responsibilities by a municipal administration and the community it serves;

**“Performance Management system”** means a two-way communication process between the municipality and the municipality that measures specific targets, standards and priorities that were agreed upon during the IDP process.

**“Policy”** means the Public Participation Policy of the Emalahleni Local Municipality,

**“Public meeting”** is a gathering of community at a venue (undercover or not) where matters of concern are discussed by those attending, and is open to all citizens;

**“Public participation”** occurs where the public participates in an active way to ensure that its needs are responded to satisfactorily by the Municipality.

**“Vulnerable groups”** consist of persons not afforded the same security as the general citizen, i.e. children, women, the aged, and persons with disabilities;

**“Ward Committees”** is a committee established in terms of section 72 and 73 of the Local Government Structures Act 117 of 1998, as amended in 2021

## 1. EXECUTIVE SUMMARY

The growing trend in the continuous collapsing of public participation at the local government level is a grave concern. The non-participation weakens the core values of the constitutional democracy. Apathy, lack of trust by the public, lack of transparency, lack of accountability, lack of good governance, diminutive awareness campaign, lack of time, civic exclusion, communication barriers, resistance to change and poor communication with the public contribute immensely in the ineffective governance.

### KEY PROPOSITION:

In light of the above, the Municipality key proposition is to enhance public participation thereby ensuring:

1. **Improved governance**, including increased democratic legitimacy for local municipalities because of close links with local people, improved reputations for internal and core departments, increased opportunities for active local people, and greater accountability of the institution because of more effective information dissemination and better dialogue.
2. **Greater social cohesion** etc, including bringing diverse and sometimes hostile communities together, bringing 'hard to reach' and 'disadvantaged' groups into discussions, building relationships within and between different communities and social groups ('bonding' and 'bridging' social capital), strengthening and creating new networks that enable different interests to work together as a result of building more positive relationships based on a better knowledge of each other, and increased equality of access to policy and decision-making processes.
3. **Improved quality of services, projects and programmes**, including ensuring public service investment is based more on people's expressed needs, reducing management and maintenance costs by reducing vandalism and misuse as a result of engendering a sense of ownership, enabling faster and easier decisions (e.g. on new developments or protective designations) by reducing conflict between different parties and increasing trust through better communications, and enabling people to share in the responsibility for improving their own quality of life (e.g. health and well-being, or the local environment).
4. **Greater capacity building and learning**, including raising awareness and increasing understanding of public institutions and the way they work, enabling citizens to better access the services they need, and to understand the boundaries and limitations of different public bodies, building confidence and optimism among citizens who then go on to other civic activities or learning,

supporting the voluntary and community sectors by recognising their vital role in building the capacity of community and specific interest groups (especially disadvantaged and excluded groups), and increasing the skills among the staff running participation and those taking part (especially interpersonal skills).

**5. Enhance local economic development**, retaining and inviting public and private investors with the aim of creating sustainable business and job opportunities (durable infrastructure development). Ward councillors form part of the stake holder forums or second representation of the nominated ward committee members to represent the interests of the communities and business level: The participation of Ward Councillors in the forums promote the following aspects in local government:

- Promote accountability
- Empower communities
- Building an open and accountable system.
- Ensuring that communities receive affordable, courteous and responsive services.
- Encourage citizens to participate in municipal affairs.

## **PURPOSE OF THE STRATEGY**

The purpose of the strategy is to improve communication and encourage both the public and the groups of interest to consider a converted approach to minimize the complexity of the challenges. An innovative approach to achieve the objectives of the organization is a continuous roadmap to improve service delivery in line with the vision of the Municipality *“to be a centre of excellence and innovation”*. The development of a strategy is viewed as appropriate to improve relations, to promote excellent service conditions to thrive without interruptions and to enhance meaningful good governance.

## 2. INTRODUCTION

The South African Constitution is underpinned by principles of good governance, also highlighting the importance of public participation as an essential element of successful good local governance. Section 152 of the Constitution of the Republic of South Africa, 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 the involvement of communities and community organisations in local government. This obligation extends to the entire way in which a municipality operates and functions.

Developmental Local Government operates as an autonomous sphere of government and within a highly defined and complex legal environment. As such, community participation at local government need to be operated and managed within a policy framework which is developed in accordance with the prevailing local government legislation

The principle behind public participation is that all the stakeholders affected by a public authority's decision or actions have a right to be consulted and contribute to such a decision. In this document, community participation is defined as an open, accountable process through which individuals and groups within selected communities can exchange views and influence decision making. It is further defined as a democratic process of engaging people, structures in planning and playing an active part in the development and operation of services that affect their lives.

The Municipality is obligated to:

- Consider the interests and concerns of the residents when its crafts by-laws, policy and implements its programmes;
- Communicate to the community regarding its activities of service delivery and socio-economic development

## 3. LEGAL FRAMEWORK FOR PUBLIC PARTICIPATION:

The requirement for effective public participation in municipalities is clearly set out a various piece of legislation as well as policy documents applicable to local government and the most pertinent sections are referred to and set out below:

**3.1 The Constitution of the Republic of South Africa, 1996**, sets the requirement for effective public participation in municipalities, as section 152, setting out the objectives of local government, states as follows:

**3.2 Act no 117 of 1998 –Municipal Structures Act –Chapter 3 (19)** states that ‘a municipal Council must develop mechanisms to consult the community and community organizations in performing its functions and exercising its powers’ and such mechanisms must be annually reviewed just as the needs and prioritize assessments of the community.

**3.3 Act no 32 of 2000 –Municipal Systems Act-Chapter 4 (16)** states that ‘a municipality must develop a culture of municipal formal representative government governance that complements with a system of participatory governance.... encourage, and create conditions for, the local community to participate in the affairs of the municipality’.

**3.4 Act no 56 of 2003-Municipal Finance Management Act-Chapter 4** ‘when the annual budget has been tabled, the municipal council must consider any views of the local community’.

#### **4. OBJECTS OF LOCAL GOVERNMENT.**

The objects of local government are (e) to encourage the involvement of communities and community organisations in the matters of local government. The constitutional roles of municipalities are:

- To provide democratic and accountable government to local communities;
- To ensure provision of services to local communities;
- To promote social and economic development;
- To promote a safe and healthy environment and;
- To encourage the involvement of communities and community organizations in the affairs of local government

Municipalities require active participation by citizens at four (4) levels:

- As voters – to ensure maximum democratic accountability of the elected political leadership for the policies they are empowered to promote.
- As citizens who express, via different stakeholder associations, their views before, during and after the policy development process in order to ensure that the policies reflect community preferences as far as possible.
- As consumers and end-users, who expect value-for-money, affordable services and courteous and responsive service.
- As organised partners involved in the mobilisation of resources for development via for-profit businesses, non-governmental organisations and community-based institutions. In addition, Section F, paragraph 3 that addresses Core administrative capacities to support development provides as follows: Municipalities need to develop mechanisms to interact with community groups to identify service needs and priorities as well as community resources that can be unlocked and channelled for development ends.



## 5. BENEFITS OF PUBLIC PARTICIPATION:

Public Participation improves responsiveness, communication, comprehension and enhances accountable government. It improves the quality of services, projects and programs, including ensuring public service investment which is based on peoples' expressed needs, reducing mismanagement and maintenance costs by reducing vandalism and misuse as a result of engendering a sense of ownership, enabling faster and easier decisions responsive and public accountability.

## 6. PUBLIC PARTICIPATION PRINCIPLES

In terms of section 17(2) of the Municipal Systems Act, a municipality must establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the municipality and must:

- Provide for the receipt, processing and consideration of petitions and complaints lodged by the members of the local community.
- Indicate how it will notify the community about municipal issues and procedures to be followed by the community when it wishes to comment on municipal issues,
- Provide for public meetings and hearings by the Municipal council so that the views and comments and complaints of the community can be heard and considered,
- Provide for consultative sessions with local recognized community organizations and where appropriate, traditional Councils

Emalahleni Local Municipality Public Participation Strategy is aimed at improving the quality of services rendered to its citizens and is based on the following Batho Pele Principles:

<b>Consultation</b>	Citizens should be consulted about the level and quality of public services they receive.
<b>Service Standards</b>	Citizens should be told what level and quality of public service they will receive.
<b>Access</b>	Ensure that services are easily accessible.
<b>Courtesy</b>	Citizens should be treated with dignity and respect.
<b>Information</b>	Citizens should be given full, accurate information about the services are entitled to receive.
<b>Openness and transparency</b>	Demonstrate honesty, responsibility and trust.
<b>Redress</b>	If the promised standard of service is not delivered, citizens should be offered an apology, a full explanation and speedy and effective remedy with positive response.
<b>Value for Money</b>	All services should offer value for money

## **7. PUBLIC PARTICIPATION MECHANISMS/STRUCTURES**

### **7.1 Municipal Public Participation Mechanisms:**

- Legitimate structures for community participation (ward committees and stakeholder forums)
- Mechanisms for communities to plan (Community-based planning, CBP)
- Integrating this planning into the municipal Integrated Development Planning (IDP), budget, performance management system, etc.
- Support for wards to monitor, evaluate and implement their plans, using discretionary funds that they control, and encouraging voluntary action to do so
- Providing facilitation and support to Ward Committees and community groups Public Participation office
- Holding ward committees and municipalities to account

### **7.2 COMMUNITY SATISFACTION SURVEY**

The Municipality must undertake customer satisfaction survey to assess the level of satisfaction and expectations by clients to the rendered services. This must be undertaken at least once per Council term in order to identify areas for improvements and provide insight into measuring the community expectation with the quality of services provided.

### **7.3 WARD COMMITTEE MEETINGS**

The ward committee meetings are a platform for development and implementation of ward operational plans. The Municipality must review annually the ward operational plans as per the Ward Governance Policy and submit monthly reports of ward committees to the Office of the Speaker for functionality assessment.

### **7.4 WARD COMMUNITY MEETINGS**

Community meetings are mandatory and a minimum of six (6) community meetings per ward should be held. The Public Participation Policy provides for processes of preparation, mobilization and administering ward community meetings.

### **7.5 COMMUNITY DEVELOPMENT WORKERS**

Community Development Workers (CDW) are commonly referred to as 'foot soldiers' and they serve as important link between National, Provincial and Local Government. They are institutionalized as part of the municipality integrated in all the planning aspects of the municipality and programme implementation.

## 7.6 PETITIONS

Petitions are formal requests to an authority to act either by making a demand or requesting redress of a grievance. In this case, the community is enabled through the constitution to engage with the municipality as a means of enhancing public participation. Communities can forward written petitions to the Municipality to voice their concerns. Petitions can assist in identifying issues that might go unnoticed by the municipality.

### 7.6.1 CATEGORY OF PETITIONS

Petitions may be categorized objectively as follows in line with the abovementioned legislation:

**Single petition:**

This is an individual submission from a single petitioner raising a concern.

**Association petition:**

An individual submission from an association or organization as mandated by the association concerning a complaint or request.

**Collective petition:**

A collection of signatures from several petitioners concerning a particular complaint or request.

**Mass petition:** a petition made up of individuals or group submission concerning the same or substantially similar complaint or request.

## 7.7 PROCESSING PETITIONS

In setting out the objectives, processes and procedures, the Community Participation strategy aims to achieve the following: regarding the processing of petitions:

- To establish a formal process detailing the procedures by which petitions will be dealt with in an effective and efficient manner.
- To establish time frames within which a petition will be dealt with.
- To ensure that the process is transparent by effectively communicating the formal procedure to members of the public.
- To increase awareness and educate members of the public of the petition process.
- To continuously review the methodologies of access to Council to ensure that all public sectors are accommodated.

Service Standard Procedures must be complied with to enable Council to acknowledge and respond to petitions and the Municipality must establish a Petitions Committee to process all received petitions.

**STRATEGIC OBJECTIVES, MEASURABLE OBJECTIVES AND STRATEGIES**

Key performance area	Goals	Strategic objectives	Measurable objectives	Strategies	Projects
<b>1. Community consultation and involvement</b>	1. Thorough consultation of the public in the annual planning, budgeting and service delivery processes of the municipality.	1.1 Provide an opportunity for interested parties to identify municipal concerns and priorities.	1.1.1 Ensure the existence of the forums aimed at identifying concerns and prioritizing the interventions at a ward level.	1.1.1.1 Facilitate the ward priority and intervention identification forums to produce the ward-based Plans.	Ward community meetings  Ward committees Community Meetings
		1.2 Elicit public views on the budget for funding the identified priorities.	1.1.2 Ensure the existence of the platforms designed for the identification of priority concerns and interventions at a municipal Level	1.1.2.1 Facilitate the municipal priority and intervention identification forums.	
		1.3 Seek the involvement of the public in the management of service delivery projects.	1.2.1 Ensure the existence of mechanisms aimed at obtaining public views on the municipal budget.	1.2.1.1 Facilitate the budget presentation and engagement forums	IDP Forum Mayoral Imbizo
			1.3.1 Ensure the establishment of community participation systems and forums in the implementation of service delivery projects and activities.	1.3.1.1 Establish specific project management structures.	Ward Forums IDP Forum  Local Projects Steering Committee
<b>2. Community communication</b>	2. Accurate and timeous informing of the public on the municipal performance and operations.	2.1 Keep the public informed and updated of the performance progress of the Municipality.	2.1.1 Ensure the existence of the systems, mechanisms and activities aimed at informing the communities of the municipal operations and performance.	2.1.1.1 Create platforms for informing the public of the municipal operations and performance programmes	Ward Forums  Community complaints management system
		2.2 Provide an opportunity for the public to vent their dissatisfaction about Municipal service delivery processes.	2.2.1 Ensure the existence of the systems, mechanisms and activities aimed at receiving the public complaints and dissatisfaction about the municipal performance.	2.2.1.1 Identify and implement programmes aimed at obtaining complaints from the community	Community satisfaction survey
			2.2.1.2 Identify and implement programmes		

			aimed at obtaining community satisfaction levels about the municipal performance.		
			2.2.2 Ensure the communication of responses to community concerns.	2.2.2.1 Develop, design and implement response communication	Community complaints response systems and mechanisms.
<b>3. Community participation capacity building</b>	Continuous empowerment of the public for active participation.	3.1 Create ability, interest and opportunities for the public to participate in the municipal operations.	3.1.1 Create a favourable environment for participation by ensuring that the public is able to participate in municipal affairs.	3.1.1.1 Establishment of public participation structures	Public Participation Forum  Ward Forum  Public Participation Portfolio Committee  IDP Representative Forum  Youth Council  Women's Forum  Men's Forum  Disability Forum  Elderly People's Forum  Children's Forum
			3.1. Keep the public interested in participating in the municipal affairs	3.1.2. Design, develop and implement community participation mobilization programmes	Invitation letters Loudhailers Social Media initiatives  Municipal Public Participation Awards

## **8. PUBLIC PARTICIPATION ROLE PLAYERS IN THE PROCESS NAMELY:**

1. The Municipal Administration (the officials)
2. The Municipal Council
3. The Community

It is important that these role players create a workable relationship amongst them working together to achieve a common goal which is to realize the Municipal vision. This working together is important in that the target for communication is the community for both the officials and the councilors. Both can share the same platform in communicating with the communities or at different times and spaces they can interact with the community, however, what is critical is that the information they relate to the community must always be the same which therefore means the officials must from regularly provide information to the councilors to relate to the community and the same goes for the Councilors.

Roles and Responsibilities of main role players:

Councilors shall:

- Make presentations to the public in respect of pertinent information, projects of the municipality and oversight activities which are of public consumption.
- Ensure that they make their constituencies aware of the policy and oversee its implementation by officials
- Assist in the mobilizing communities and other relevant stakeholders during the public participation process.

Ward Committees and Community Development Workers shall:

- Attend all public participation meetings ii) Mobilize attendance through door step interaction.
- Perform administrative duties pertaining to public meeting.

Municipal Manager Municipal Manager shall:

- Encourage and create conditions for the public to participate in the affairs of the municipality.
- Implement issues raised by the public
- Facilitate participation by the local municipality
- Ensure that municipalities' affairs are communicated to the public through public participation events.
- Provide necessary resources required to conduct public meetings.
- Deploy managers or officials to wards for admin support purposes.

Community and Community groups shall:

- Attend public meetings as invited/notified prior by the municipality
- Be given a platform to raise their issues in the meetings
- Receive feedback on service delivery issues submitted to municipality

### Public participation role players

The Municipality has an approved Stakeholder Engagement Strategy and should be implemented with the Community Participation Strategy for improving stakeholder engagement as follows:

STAKEHOLDER	TYPE OF ENGAGEMENT	RESPONSIBILITY	FREQUENCY
Communities	IDP review process	Council / Executive	1 <sup>st</sup> & 3 <sup>rd</sup> Quarter
Communities	Council Sitzings	Council Speaker	Quarterly
Business/Sector Departments/CBOs	IDP/PMS Forum	Planning & Economic Development	Quarterly
Youth/Elderly/Communities	Career Expo/Bursaries/Sports/Teenage pregnancy/Dialogues/Disability Forums/Awareness Campaigns	Youth Development & Transversal Unit Disaster Management	Quarterly
House of Traditional Leadership	Consultation	Speaker/Executive Mayor	Quarterly
Business/SMMEs/CBOs	Local Economic Development	Planning & Economic Development	Quarterly
Department of Home Affairs	Consultation/ID Campaign	Speaker	Quarterly
Sector Departments/Local Municipalities/CBOs	Consultation	Public Participation & Communication	Quarterly

The methods for communication for community engagement are as follows:

- Municipal Facebook Page;
- WhatsApp Groups;
- Loud Hailing;
- Pamphlets and posters;
- Local Radio Stations;
- Local News Papers;
- Municipal website and
- Municipal Application

The strategy must be implemented in line with the Integrated Communications Strategy and the Community Participation Policy Framework.

## **9. MONITORING AND EVALUATION:**

The effectiveness of the public participation process shall be monitored and evaluated through the following methods:

- 9.1. Quarterly meetings of the Councilors Forum meetings
- 9.2. Quarterly meetings of the Public Participation to Council
- 9.3. Submission of reports by ward committees
- 9.4. Submission of CDW reports to the office of the speaker
- 9.5. Timely processing of outreach meetings reports and subsequent presentations to Council as per the Financial Recovery Plan.

## **10. STRATEGY IMPLEMENTATION, MONITORING AND REVIEW**

- 10.1. Effect will be given to public participation within communities by implementing the Community Participation Strategy and Ward Committee operational plans.
- 10.2. The Public Participation Unit will report to Council structures on a quarterly basis in respect of all public participation sessions held with the communities of the Emalahleni Local Municipality.
- 10.3. The Office of the Speaker will monitor the implementation of the strategy policy on a quarterly basis.
- 10.4. The strategy will be subjected to the process of public participation in accordance with the processes and mechanisms set out therein and communicated to members of the community, Councillors and officials.
- 10.5. The strategy will be implemented on the date that is adopted by Council and is subject to review, as and when required, in accordance with legislative reviews and/or every year, whichever may apply first and;
- 10.6. Should there be any conflict between this strategy and any other strategy of the Municipality in relation to matters of public participation, the provisions of this strategy will prevail,

## **11. STRATEGY REVIEW**

The strategy should be reviewed in line with the Term of Council or as and when required.