

Public hearings on service delivery

In response to widespread and ongoing service delivery protests across South Africa, Parliament has established a special committee to investigate and gather information about the causes of these protests. This *ad hoc* committee is tasked with conducting visits to urban and rural areas, holding public hearings and generally exercising coordinated oversight in respect of service delivery and, more particularly, the problems impeding service delivery.

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key points

The committee has 43 members, reflecting Parliament's commitment to gaining a broader perspective on what lies behind the service delivery protests. For example, the committee includes not only the 14 members of the Portfolio Committee on Cooperative Governance and Traditional Affairs but also representatives from the portfolio committees responsible for human settlements, energy, social development, health, water and environmental affairs, basic education, transport, and rural development and land reform.

The main theme guiding this committee is: 'Working together to ensure the delivery of quality services to communities'. The committee's main task is to combine the information presented to it during the public hearings with other research on the issue and compile a final report for tabling in the National Assembly.

The report must contain clear and achievable recommendations together with a proposed implementation plan to mitigate the root causes of distress.

Public hearings

The committee was scheduled to begin its public hearings in November last year, but the first meetings only took place at the beginning of February 2010. Stakeholders ranging from government departments to civil society organisations made submissions on issues affecting service delivery in the country. These submissions examined in detail a host of factors at the local level, from political and institutional issues to financial management.

Many of the 24 submissions made at the public hearings contain useful recommendations on how to address these challenges.

Key challenges

At the outset it was highlighted that service delivery protests had taken place in only 25% of the municipalities in South Africa, and then only in specific wards. While some research may not agree with this figure, the tone of the hearings was informed by the obligation of government to uphold the fundamental human rights enshrined in the Constitution, particularly the right to human dignity. Therefore the precise number of service delivery protests was hardly relevant, because one service delivery protest was considered one too many.

Ingrained poverty and discrimination were identified as two of the biggest threats to the human dignity of poor communities. Continued geographic apartheid was also identified as an impediment to communities' access to

- An ad hoc parliamentary committee has been established to investigate the causes of widespread service delivery protests.
- Government departments and civil society organisations are encouraged to make submissions to the committee on issues affecting service delivery.
- Lack of capacity and inadequately skilled human resources in rural and smaller municipalities are among the primary causes of distress.
- Legislation has been recommended to spearhead the professionalisation of local government.
- COGTA's key recommendations include: a single election for national, provincial and local government (a single manifesto); one financial year; a single public service; common five-year medium-term planning; and aligned human resource and budgeting frameworks.
- SALGA recommends that mayors serve more than two terms in office, to ensure continuity.

economic opportunities and thus an immediate driver of the deep inequality between rural and urban communities.

The hearings highlighted the fact that the challenges facing rural and smaller municipalities are not always the same as those confronting urban municipalities. The lack of performance management systems and human resources with inadequate capacity or skills were cited as some of the primary causes of distress.

Concern about the competence of incumbents is compounded by the failure to fill vacancies. The skills shortage in these areas and a failure to retain skills also come to the fore. The result is that outsourcing municipal services is sometimes the only option for service delivery.

This has the knock-on effect of stunting the growth of capacity in municipalities.

These practical and institutional concerns are often compounded by political struggles in municipalities. Open discontent and accusations of nepotism and maladministration

are characteristic of these local power struggles. In this regard, certain municipalities were said to be centres of factional conflicts, political infighting and patronage. These challenges inevitably result in poor financial management and an inability to deliver basic services or facilitate local economic development.

Other challenges highlighted include poor or ineffective communication strategies on the part of government departments, implementing agencies and communities. Failure to align programmes between the district and local municipalities, and poor or non-existent working relationships between different service delivery structures in government and municipalities were also raised.

Poor clarification of the roles of various structures and office bearers sometimes leads to conflict and a situation where everyone is responsible for everything and no one is accountable for anything.

Key challenges highlighted were political interference in administration, accountability in procurements and tender awards. Onerous statutory reporting requirements for municipalities were also cited as a problem.

Emerging recommendations

Several government departments and civil society organisations made representations to the committee.

The Department of Cooperative Governance and Traditional Affairs (COGTA) recommended the establishment of a national coordinating unit that would act as a command centre to implement its turnaround strategy. The unit would consist of a rapid response unit comprising skilled technicians to resolve service delivery problems, an intelligence unit and an intergovernmental coordination unit to ensure implementation of the turnaround strategy across government. It would also collect local government intelligence and information and establish a continuous tracking system of service delivery in municipalities (see page 8).

It is clear that COGTA's priority is to address immediate financial and administrative problems in municipalities by implementing regulations to stem indiscriminate hiring and firing, by ensuring and implementing a transparent municipal supply chain management system and by strengthening the ward committee system through a new ward governance model.

In the medium to long term, COGTA recommended a single election for national, provincial and local government, with the benefits of a single manifesto, one financial year, a single public service, common five-year medium-term planning and aligned

human resource and budgeting frameworks.

SALGA threw its weight behind the idea of a single set of elections for national, provincial and local government. In line with this, SALGA also recommended that the law be changed to allow mayors to serve more than two terms in office, to ensure greater continuity at the local level.

The rationale for this was that local governments sometimes lack capacity because mayors occupy their offices for a limited period, gain experience and then are forced to leave prematurely. SALGA argued that single elections would allow for the 'proper deployment of skills and experience across the three spheres'.

SALGA also recommended that political parties at local government level be provided with funding to ensure the strengthening of local democracy and to see local politics responding to local needs and not simply being a reflection of political battles being fought at provincial and national level.

COGTA also plans to undertake urgent steps to strengthen the professionalisation of local government. The Institute for Local Government Management of South Africa took this a step further in their submission by proposing legislation to professionalise municipal management in particular, to address the challenge of human capacity.

SALGA advocated retention strategies to prevent the loss of experienced individuals, and a stronger approach to regulating new officials entering the municipality.

SALGA further advocated an asymmetrical or differentiated approach to municipalities across the board, including the turnaround strategy, to meet the unique needs and challenges of municipalities.

It is hoped that the public hearings of this committee will contribute significantly to deepening the debate around service delivery and to finding practical solutions that will improve governance at the local level.



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