



A FRAMEWORK FOR SANITATION GOVERNANCE IN SOUTH AFRICAN MUNICIPALITIES

N P MJOLI

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PREFACE

The framework for sanitation governance in South African municipalities was developed in response to the problem of poor sanitation governance which was identified by several studies. Poor sanitation governance was identified as a stumbling block to the achievement of universal access to basic sanitation services for all South African households. The South African Constitution and Local Government policy and legislative framework put a lot of emphasis on public participation, community engagement, accountability and capable municipalities. The National Development Plan Vision 2030 highlights the growing distance between citizens and government and the high incidence of community service delivery protests which reflected people's frustration with poor service delivery and the failure of government to listen and respond to the concerns of local communities.

The development of the framework for sanitation governance is based on the capability, accountability and responsiveness (CAR) governance framework. The framework has been informed by good sanitation governance practice identified from international governance experience and elements of good sanitation governance identified from five selected case study municipalities. The indicators and sub-indicators of good governance are aligned with the SA Local Government policy and legal framework for good governance.

The main objective of the framework for sanitation governance is to provide municipalities with a practical guide for implementing good sanitation governance. An online sanitation governance assessment tool (SANGAT) complements the framework; it is available from www.wrc.org.za. The SANGAT is a self-assessment tool which is designed to support Water Services Authorities (WSAs) to monitor their progress in the implementation of good sanitation governance in their municipalities.

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TABLE OF CONTENTS

Preface	iii
Acknowledgements	iv
Acronyms	vi
1. INTRODUCTION	1
1.1 Background and context	1
1.2 Objective of the framework	3
1.3 Scope of the framework for sanitation governance	3
2. WHY IS GOOD SANITATION GOVERNANCE IMPORTANT TO MUNICIPALITIES?	5
2.1 Why good sanitation governance matters?	5
2.2 Problems associated with poor sanitation governance in SA municipalities	5
2.3 Benefits of good sanitation governance for municipalities	6
3. POLICY AND LEGISLATIVE FRAMEWORK FOR GOVERNANCE	8
3.1 Public participation and community engagement	8
3.2 Accountability of Local Government	10
3.3 Capacity building and training for municipal officials and councillors	10
3.4 Institutional arrangements for municipal governance	10
3.5 Key insights emerging from the review of the policy and legislative framework for municipal governance	12
4. INTERNATIONAL AND NATIONAL EXPERIENCE IN SANITATION GOVERNANCE	14
4.1 International experience of water and sanitation governance	14
4.2 South African Local Government experience of sanitation governance	15
4.3 Key issues emanating from the review of sanitation governance experience	16
5. FRAMEWORK FOR SANITATION GOVERNANCE IN MUNICIPALITIES	17
5.1 Guiding principles for good sanitation governance	17
5.2 Role of multi-stakeholder cooperation in good governance	18
5.3 Appropriate methods and tools for engaging citizens at a local government level	19
5.4 Introducing the Capability, Accountability and Responsiveness (CAR) governance framework	19
5.5 Application of the CAR governance framework in the assessment of good sanitation governance in selected case study municipalities	22
5.6 An assessment framework for sanitation governance in municipalities	26
6. CONCLUSIONS AND RECOMMENDATIONS	29
6.1 Conclusions	29
6.2 Recommendations	30
7. REFERENCES	32
ANNEXURE A: INDICATORS AND SUB-INDICATORS OF THE SANITATION GOVERNANCE	34
ANNEXURE B: SANITATION GOVERNANCE ASSESSMENT TOOL	38

ACRONYMS

ADB	African Development Bank
CAR	Capability, Accountability and Responsiveness
CB	Capacity Building
CDW	Community Development Workers
COGTA	Cooperative Governance and Traditional Affairs
CSOs	Civil Society Organizations
DMs	District Municipalities
DWA	Department of Water Affairs
GGLN	Good Governance Learning Network
IDP	Integrated Development Programme
LG	Local Government
LMs	Local Municipalities
M&E	Monitoring & Evaluation
MDGs	Millennium Development Goals
MEC	Member of Executive Committee
NGOs	Non-Governmental Organisations
O&M	Operation & Maintenance
PSC	Project Steering Committee
SANGAT	Sanitation Governance Assessment Tool
UK-DFID	United Kingdom – Department for International Development
UN	United Nations
UNDP	United Nations Development Programme
WASH	Water & Sanitation and Hygiene
WSS	Water Supply and Sanitation
WSUP	Water & Sanitation for the Urban Poor

1. INTRODUCTION

The framework document provides a practical guide for the implementation and assessment of sanitation governance in municipalities. It aims to contribute to the improvement in sanitation service delivery through the building of capable municipalities that are accountable to the people they serve and are also responsive to the sanitation rights and needs of all its citizens including the poor and other vulnerable groups. The proposed framework for sanitation governance is based on the United Kingdom- Department for International Development (DFID) Capability, Accountability and Responsiveness (CAR) governance framework. The indicators of good sanitation governance used in the framework for sanitation governance are informed by South African Local Government policy and legislative framework for good governance, international good governance practices and elements of good sanitation governance identified from 5 selected case study municipalities (eThekweni Metro, Buffalo City Metro, Amathole DM, Mopani DM and //Khara Hais LM) which represented the three categories of municipalities (Water Services Authorities). The framework has a strong focus on pro-poor sanitation governance in SA municipalities.

1.1 Background and context

Service delivery protests have become a popular method used by South Africa's poor communities to demonstrate their dissatisfaction with poor access to adequate water and sanitation services. Several sanitation studies conducted by different institutions have identified poor sanitation governance as a stumbling block to the achievement of the universal access to basic sanitation services for all South African households (Mjoli, 2012; DWA et al., 2012; COGTA 2009). The participatory local governance envisaged in the 1996 Constitution of South Africa and Local Government policy and legislation was generally neglected by most municipalities who preferred supply-driven sanitation service delivery approaches.

The 2012 SA Medium Term Review of the priorities of government identified poor governance as a major area of concern which was responsible for the high levels of distrust of local government by the citizens. This review report identified poor communication with communities, lack of transparency, ineffective ward committee system and the lack of community involvement in decision-making processes as major causes of the escalation in violent service delivery protests (Presidency -Dept. of Performance Monitoring & Evaluation, 2012). The National Development Plan –Vision 2030 (National Planning Commission, 2012) highlighted the problem of the growing distance between citizens and the government and the increase incidence of community protests which reflected the failure of government to listen and respond effectively to community concerns.

Supply-driven approaches to water and sanitation infrastructure delivery have dominated the development sector for many decades. According to the UN-HABITAT (2005), these approaches have failed to provide water and sanitation services to the poor because of the lack of accountability, inefficiency, non-responsiveness to demands of poor households and environmentally unsustainable sanitation systems. In response to these failures, the

international development agencies adopted a demand- responsive approach which created an enabling environment for the involvement of poor households in decision-making processes on the selection of water and sanitation technologies and service levels.

The 2013 UN report of the High-level Panel of Eminent Persons on the Post-2015 Development Agenda recognized the importance of good governance and effective institutions that guaranteed the rule of law, free speech, open and accountable government. This report called for a Post-2015 development agenda which would recognize peace and governance as core elements of well-being. This agenda should be characterised by responsive and legitimate institutions that encourage rule of law, property rights, freedom of speech and media, open political choice, access to justice and accountability of government and public institutions.

Definition of good governance

UNDP (2007) defined governance as the system of values, policies and institutions by which a society manages its economic, political and social affairs through interactions within and among the state, civil society and private sector. It refers to the manner in which a society organizes itself to make and implement decisions through achieving mutual understanding, agreement and action. It comprises the mechanisms and processes for citizens and groups to articulate their interests, mediate their differences and exercise their legal rights and obligations.

Good sanitation governance refers to the manner in which sanitation services are planned, managed and regulated within a set of political, legal, social and economic systems to ensure sustainable services. Good sanitation governance is underpinned by the principles of participation, accountability, transparency and fairness (African Development Bank, 2010).

The Back-to-Basics Programme for change launched by the Minister of Cooperative Governance and Traditional Affairs (COGTA) in July 2014 advocates for a responsive, caring and accountable local government. The following key performance areas for the Back-to-Basics Local Government Strategy of COGTA overlap with the elements of the framework for good sanitation governance:

- *Basic Services* – Creating decent living conditions
- *Good Governance* – Prudent expenditure of public funds, appointment of competent personnel, transparency and accountability
- *Public Participation* – Putting people and their concerns at the centre of development and creation of effective public participation platforms for community and stakeholder engagement
- *Financial Management* – Ensuring of sound financial management
- *Institutional Capacity* – Building and maintenance of sound institutional and administrative capabilities.

The Back to-Basics Strategy acknowledged the important role of bold leadership and political will in the building of a responsive, caring and accountable local government.

1.2 Objective of the framework

The main objective of the framework for sanitation governance is to provide municipalities with a guide for the implementation of good sanitation governance through the investment in building municipal capability, accountability to the citizens and stakeholders and responsiveness to the needs of their customers including poor households and other vulnerable communities.

1.3 Scope of the framework for sanitation governance

The framework document focuses on the implementation of sanitation governance at the local government level, it does not address aspects of provincial government oversight and national government monitoring and regulatory aspects. It is informed by the **Capability, Accountability and Responsiveness** dimensions of the governance framework (CAR) developed by the UK-DFID (Plummer & Slaymaker, 2007) and SA Local Government policy and legislative framework for good governance. Elements of good sanitation governance practice identified from the in-depth assessment of sanitation governance in five selected case study municipalities were taken into consideration in the development of indicators of good sanitation governance. The target users of the framework document include Water Services Authorities and Water Services Providers.

The main dimensions of the CAR governance framework are summarized in Table 1 below:

Table 1: Application of the CAR framework to the water and sanitation sector

Governance dimensions	Meaning for Water & Sanitation sector	Key questions for assessing the 3 dimensions of governance
<i>Capability</i>	Local government's ability and authority to ensure access to water and sanitation services for all its citizens	To what extent are the political leaders of Local Government, officials and service providers able to fulfil their roles in water and sanitation service delivery?
<i>Accountability</i>	The ability of citizens to hold political leaders, government and public institutions to account if they fail to ensure access to water and sanitation services for all people	Are there effective mechanisms by which political leaders, the government officials and service providers are held to account by the civil society for their responsibility of ensuring access to water and sanitation services for all?
<i>Responsiveness</i>	How political leaders, government officials and service providers actually behave in responding to the needs and rights of citizens with regard to access to water and sanitation services	To what extent do political leaders, Local government officials and service providers respect human rights to water and sanitation services, equitable access for women, the disabled people and compliance with minimum services standards and wastewater effluent discharge standards and how LG responds to service faults reports and complaints from the customers

Source: Tearfund 2010 Understanding the WASH Sector, www.tearfund.org

2. WHY GOOD SANITATION GOVERNANCE IS IMPORTANT TO MUNICIPALITIES?

2.1 Why good sanitation governance matters?

Poor governance and corruption have a negative impact on all citizens, especially the poorest communities who lack access to social services. It undermines the achievement of long-term development goals because budgets allocated to development projects are not used for the intended purpose or they are diverted to corrupt activities. At a community level, poor governance denies the poorest people access to basic social services such as water and sanitation services (Tearfund, 2012).

According to DFID (2006) the ability of citizens to make their voices heard and to hold government accountable is fundamental to good governance. The suppression of citizens' voices creates an environment where corruption thrives.

What is good sanitation governance?

Sanitation governance refers to formal and informal policy and institutional processes by which decisions affecting water and sanitation sector development are made and implemented (Bouchane & Coulby, 2011).

Memela *et al.* (2008) defined governance as the formation and stewardship of the rules that regulate the public realm; it is the space where the state as well as economic and societal actors interact to make decision.

Good sanitation governance is characterized by the principles of equity, efficiency, participation, decentralization, integration, transparency and accountability. Several studies have shown that there was a correlation between countries with poor access to water and sanitation services and weak governance (WaterAid, 2011).

Plummer & Slaymaker (2007) argued that governance issues were responsible for the poor progress in the eradication of water and sanitation services backlogs in most developing countries, therefore, there was a need to promote good governance as a prerequisite for ensuring access to these basic services for everyone. Good water and sanitation governance was characterized by the principles of equity, efficiency, participation, decentralization, integration, transparency and accountability (Wateraid, 2011).

2.2 Problems associated with poor sanitation governance in SA municipalities

Managa (2012) identified the following factors that were contributing to poor governance in SA Local Government):

Lack of institutional capacity – Most municipalities lacked management and technical expertise necessary to provide sustainable services. Some municipalities were failing to spend budgets for improving service delivery to the poor communities due to skills shortage in project management and financial management.

Lack of public participation – Communities resorted to violent service delivery protests because they were excluded from decision-making processes and the municipal officials and ward councillors were not accountable to them. This was a violation of the Municipal Systems Act 32 of 2000 which gives communities a right to participate in any public consultation and decision-making processes, such as the Integrated Development Plan (IDP) and budget review processes. Municipalities were required by law to report progress in the achievement of IDP objectives. Public participation and ward committee meetings were important in the facilitation of community engagement with the municipality, therefore, the neglect of this important component of governance contributed to poor governance in local government.

A WRC study on the evaluation of the bucket eradication programme (BEP) identified the following problems which were attributed to poor sanitation governance (Mjoli, 2012):

Ensuring access to basic sanitation services for people with physical disabilities – Most municipalities studied did not make any provision for meeting the special sanitation needs of people with physical disabilities and other vulnerable groups. Provision of communal toilets for urban informal settlements also did not consider the needs of women and children from a safety and security perspective.

Integration of Health & Hygiene Education and user education into the Bucket Eradication Programme – Health & Hygiene Education (H&HE) and user education were neglected by the majority of BEP case study municipalities. The lack of user education contributed to the problem of regular blockage of household toilets due to the improper operation and maintenance of these facilities.

Community participation – Municipalities and their service providers did not consult the beneficiary households before the selection of the sanitation technologies for implementation. This lack of consultation led to the rejection and vandalization of dry sanitation systems by the angry beneficiary communities that demanded waterborne sanitation facilities.

Financial sustainability – Municipalities did not consider long-term financial sustainability when providing poor communities with waterborne sanitation facilities.

Environmental sustainability – Most municipalities studied did not consider water availability, capacity of water supply infrastructure and wastewater treatment capacity before taking a decision to replace buckets with waterborne sanitation system. This led to dysfunctional wastewater treatment plants because the design capacity was exceeded, thus leading to the discharge of non-compliant effluents into the water environment.

2.3 Benefits of good sanitation governance for municipalities

The assessment of sanitation governance in five case study municipalities identified the following benefits of implementing good water and sanitation governance:

- Successful implementation of good water and sanitation governance contributed to the increased levels of customer satisfaction and high payment rates for water and sanitation services in eThekweni Metro-Water & Sanitation.
- The use of accountability tools such as Customer Service Charter and the Water & Sanitation Service Level Standards improved trust between the municipality and its customers.
- Amathole DM used community engagement to build a good relationship with its communities; this helped the DM to improve its understanding of the sanitation priorities of the local communities, thus enabling the DM to respond appropriately to these sanitation needs in its annual IDP and budget review processes.
- Open and transparent communication between Amathole DM and its customers and stakeholders improved cooperation amongst the different interest groups.
- Community involvement in the planning of sanitation projects contributed to the improvement in the sustainability of sanitation service delivery in Mopani DM.
- The Annual '*Council meets people*' meetings convened by //Khara Hais LM contributed to the building of trust and a good relationship between the municipal council and the communities it served.
- The active public participation and community engagement processes contributed to a relatively stable political environment within //Khara Hais LM.
- All case study municipalities had not experienced water and sanitation related services delivery protests during the last two years prior to the assessment of sanitation governance.

The implementation of three dimensions of good governance (Capability, Accountability and Responsiveness) will go a long way towards helping municipalities to achieve sustainable sanitation service delivery and eliminate the problem of sanitation related service delivery protests which have become the norm in poor communities.

3. POLICY AND LEGISLATIVE FRAMEWORK FOR GOOD GOVERNANCE

South Africa has a well-established policy and legislative framework for good governance with a special focus on public participation and community engagement in decision-making processes of municipalities.

3.1 Public participation and community engagement

The following policy and legislative framework spells out the policy and legislative requirements for public participation and community engagement in local government planning, budgeting and performance management:

- **Section 152 of the Constitution** of the Republic of South Africa 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 governance.
- The 1998 **White Paper on Local Government** together with the Municipal Structures Act of 1998 and the Municipal Systems Act of 2000 spell out approaches for assisting municipalities to become developmental such as the Integrated Development Planning and budgeting, performance management and working together with local citizens.

➤ *Integrated Development Planning and budgeting*

The Integrated Development Plan recognises the linkages between development, delivery and democracy. Municipalities are required to develop strategies for participative planning to engage citizens, business and community groups on a continuous basis. Active citizen participation is required at different levels, namely as voters, as citizens, as consumers and as end-users of municipal services who expect affordable services and value for their money. Citizens also participate as organised partners involved in the mobilization of resources for development, i.e. business, Non-Governmental Organisations (NGOs) and Community Based Organisations (CBOs).

➤ *Performance management*

A performance management system is necessary for monitoring the implementation of the different plans. Municipalities are required to set their own key performance indicators and to involve local communities in the process of developing performance indicators in order to ensure accountability to the citizens. Engagement of internal stakeholders such as officials and organised labour in the preparation of key performance indicators is essential for the development of a shared organisational vision and common goals for improved performance.

➤ *Working together with local citizens*

Municipalities are required to develop mechanisms for ensuring community participation in policy initiation and formulation, and in the monitoring and evaluation of policy and strategy implementation. The following approaches are required:

- Establishment of forums to enable organized formations to influence policies and to participate in monitoring and evaluation.

- Participatory budgeting initiatives aimed at linking community priorities to capital investment programmes.
- 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.
- Institutionalised structures such as Ward Committees and IDP Representative Forums.

Local Government Laws Amendment Act, 2008 requires all municipalities that have established ward committees to budget for all the ‘out of pocket’ expenses incurred by ward committee members while performing their council duties. In terms of **Section 156 (2)** of the **Constitution of SA**, municipalities may make and administer municipal by-laws for the effective administration of matters that fall within their scope of administration. Community participation and the funding of the ward committees are 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 guidance municipalities may develop by-laws that deal with the criteria for the payment of out of pocket expenses.

The **Municipal Finance Management Act (MFMA) of 2003** has a central theme of participatory democracy through the facilitation and support of community engagement. This Act focuses its effort on performance-driven approach to service delivery. In terms of the MFMA, the Municipal Council and the Municipal Manager have a responsibility of ensuring that the organizational structure is efficient and effective in terms of human resources and required skills.

Community participation in local governance

The **Municipal Systems Act** prescribes compulsory community participation through a range of vehicles:

Section 20: A compulsory open public meeting to be held when the budget is discussed or voted on and the Municipal Council has a responsibility to provide space for the public participation in its meeting.

Section 17: The Municipal Council is obliged to organise regular report back to public meetings to disclose the state of financial affairs of the municipality.

Section 18 & 19: The Municipal Manager is required to play a leading role in convening the public meetings and the public must be given sufficient notice of the date, time and venue of the meetings. The public can be notified through broadcast in the local radio stations, advertisement in local newspapers, a notice in the council’s website and posters, newsletters or leaflets. All notices must be displayed on the council’s notice board and also be published in the Provincial Gazette.

Section 21: The Act requires the Municipal Council to communicate regularly with the community through the following methods: the holding of annual meetings, regular newsletters, setting up information centres and help desks, forming strategic partnerships with stakeholders in the community and setting up an official municipal website.

Section 68: The Act requires the Municipal Council to set aside funds for the development of capacity of councillors, municipal officials and the local community.

Section 22-23: The Municipal Finance Management Act makes provision for the accounting officer to make the draft annual budget and related documents available to the public after the draft has been tabled in a municipal council meeting. A public meeting must be convened to discuss the draft annual budget so that the local community through its ward committees can make recommendations for budget prioritisation.

3.2 Accountability of Local Government

Section 41 of the **Constitution of SA** requires all spheres of government to provide effective, transparent, accountable and coherent government. **Section 152** of the Constitution of SA identified the provision of democratic and accountable government as one of the objectives of local government. Citizens must be empowered to know their rights and responsibilities in local governance. Municipalities must provide the citizens with access to municipal documents, necessary tools and forums for holding councillors accountable for the electoral promises they made. **Section 75** of the MFMA requires the accounting officer of a municipality to place all key municipal documents on the municipal website.

3.3 Capacity building and training for municipal officials and councillors

The Municipal Finance Management Act (MFMA) focuses its effort on performance-driven approach to service delivery. In terms of the MFMA, the Municipal Manager and the Municipal Council have a responsibility for ensuring adequate institutional capacity and appointment of officials with the required skills necessary to achieve the performance goals.

Section 34 of the **MFMA** makes provision for the national and provincial governments to assist municipalities in building the capacity for efficient, effective and transparent financial management.

The Municipal Systems Act – Local Government: Regulations on appointment and conditions of employment of Senior managers (Government Gazette No.37245, January 2014) spells out regulations for the appointment and conditions of employment of Senior Managers and sets out the minimum competencies required for Senior Managers in Annexure A & B of the regulations.

3.4 Institutional arrangements for municipal governance

Good governance at the local government level depends on provincial government oversight and existence of functional structures at municipal level. The roles of the different institutions in ensuring good local governance are discussed below:

Role of the Provincial Department of Cooperative Governance

The Provincial departments are the provincial lead agents for implementing section 152 of the Constitution, and hence the Provincial Framework, in each province, must provide, where necessary, provincial norms and standards to ensure coordinated, integrated and cohesive

approach to the implementation of the framework. Each provincial Member of the Executive Committee (MEC) responsible for local government has a number of exclusive powers such as the appointment of an officer in the provincial administration as the senior manager with the responsibility for the coordination of all the public participation and ward committee support programmes.

Role of the municipality in local governance

The municipality has a number of responsibilities within the governance cycle, namely:

- Designate a municipal official from its administration to manage the affairs of ward committees;
- Develop a municipal ward committee implementation plan for inclusion in its Integrated Development Plan (IDP);
- Prepare an annual report including progress regarding the implementation of this framework, and compliance with the municipal plan;
- Implement the national framework and carry out the responsibility for performing the functions of establishing ward committees, capacity building for the ward committee members, ward councillors, and funding ward development initiatives.

Functional Ward Committees

Section 23 of the **Municipal Structures Act** makes provision for the creation of ward committees and **Sections 17-21** of the **Municipal Systems Act** describe in detail how the ward committees can participate in local governance. Ward Committees play an important role in assisting ward councillors to achieve their mandate of engaging local communities in the decision-making processes on matters that affect them. Functional ward committees serve as a communication channel between the local communities and the municipality. The **Municipal Finance Management Act** makes provision for community participation in the budget process and expenditure matters and the Ward Committees must influence the fiscal and financial management of the municipality by undertaking the following activities:

- Provide a platform for the public engagement of the Municipal Council in budgetary processes;
- Participate in Municipal Council meetings for budget discussion and budget vote;
- Disseminate information to local community members on how the municipality plans to spend its budget;
- Engage communities in the identification of community priorities for development funding;
- Deal with petitions and complaints from local communities and deliver these to the ward councillors;
- Monitoring corruption within the Municipal Council;
- Safeguarding the assets of the municipality.

The municipality is required to allocate a dedicated budget for good governance. It should also allocate resources for building the capacity of ward-based councillors. The consultation

process should include a community participation plan that allows for qualitative inputs into the design of the budget. Furthermore, the role of traditional leadership in promoting good governance should be enhanced through utilisation of the partnership agreement with local government envisaged in the Traditional Leadership and Governance Framework Act.

While community participation and empowerment will form the core, the governance of the institution is equally important. The good functioning of the Council and sub-committees such as the Audit Committee, Finance Committee, etc., is an essential element of good governance. The design and adoption of policies and by-laws to ensure the effective performance of the Municipality, including its council, are also a crucial element of good governance. While the IDP will not include the policy considerations, evidence of plans to improve all aspects of good governance should be indicated in the IDP.

Role of Community Development Workers in local governance

The Community Development Workers (CDWs) play a crucial role in local governance. They bring government closer to the people by liaising, co-ordinating, informing and assisting communities to access services they are entitled to. By working closely with communities, the CDWs contribute to the improvement of citizens' knowledge of their rights and responsibilities and they also play a role in placing community needs, complaints and priorities on the Municipal Council agenda. They complement the work of Ward Committees by bringing local community needs and priorities to the attention of the ward committees, who in turn refer the identified issues to the ward Councillors.

3.5 Key insights emerging from the review of policy and legislative framework for municipal governance

- The Local Government policy and legislative framework provides comprehensive guidelines on how municipalities should implement good governance.
- There is lack of guidance on how the citizens can deal with municipalities that fail to comply with the policy and legal requirements for good municipal governance.
- The Municipal Finance Management Act of 2003 Section 34(1) makes provision for the national and provincial governments to assist municipalities in building the capacity of municipalities for efficient, effective and transparent financial management. This requirement has not been extended to the support for building technical capacity which is crucial to sustainable water and sanitation services delivery to all citizens.
- The MFMA Act requires municipalities to place all key municipal documents on the municipal website, but, there is no provision for ensuring access to these documents for the majority of citizens without access to the internet. There is also no explicit requirement for the translation of these key municipal documents into all relevant local languages.
- There is no clarity on where citizens can report municipalities that fail to be accountable, other than wait for the next elections and hope to be able to vote out the non-performing municipal councillors.

- There is no statutory body (Municipal Services Ombudsman) where customers who are dissatisfied with the quality of water and sanitation services and unresponsive municipal officials can appeal.

The above-mentioned key issues and policy gaps must be addressed in order to ensure successful implementation of good sanitation governance in SA local government.

4. INTERNATIONAL AND NATIONAL EXPERIENCE IN SANITATION GOVERNANCE

4.1 International experience of water and sanitation governance

The desktop review of pro-poor sanitation governance practices in selected developing countries identified the several examples of good governance practices and challenges.

Good water and sanitation governance practice

The following examples of good water and sanitation governance practice were identified from several case studies utilities (World Bank, 2006:

Common good governance practices of well-performing water utilities

- **Accountability** – The utilities made use of external auditors and their performance was regulated by independent regulators. Performance contracts for staff members were used to promote accountability and incentive based systems were used to reward good performance
- **Customer orientation** – The utilities conducted regular customer satisfaction surveys and they also used different channels to communicate with their customers, such as TV adverts, print media, internet, radio, flyers and public meetings.

Use of information and communication technologies

Tearfund (2012) identified the following examples on the use of information and communication technologies to promote good governance in the public sector:

- In Philippines the citizens used the internet and SMS to monitor public service delivery and to provide feedback directly to a government website.
- The Kenyan government improved access to information for the citizens through the establishment of an online portal which provided them with free access to key government data.

Use of social accountability tools to promote good governance

The following tools were used to promote good governance at the Local Government level (World Bank Institute, 2010; Eshetu, 2006):

- **Community mobilization** – It led to improved cooperation between local government, local communities and civil society organisations;
- **Socio-economic mapping** – Communities played a central role in the development of indicators for identifying poor households who qualified for sanitation subsidies;
- **Local tendering controls** – The process of appointing contractors was subjected to public scrutiny to ensure transparency and the tenders were signed by authorized agents representing local government, civil society organizations and village water and sanitation committees.

- **Unannounced audits and spot checks** were conducted by the representatives of local government, civil society organizations and community volunteers to monitor progress in toilet construction.
- Use of the **Citizen's Report Cards** played an important role in promoting public awareness on water and sanitation sector governance and empowerment of citizens to engage the local government and to hold government accountability for delivery of sustainable water and sanitation services.

Water and sanitation sector governance challenges

The following challenges and constraints were identified from the desktop review of international experience on water and sanitation governance:

- Weak policies, inadequate capacity and insufficient financial resources were major constraints to good governance at the local government level.
- Civil Society Organisations and community organizations lacked capacity to hold politicians and local municipalities accountable for ensuring access to water and sanitation services for all.
- Local Authorities did not consider community engagement as their mandate.
- Limited technical expertise and capacity of municipal officials and political leaders contributed to the poor sanitation governance in Africa;
- Poor sector regulation and lack of compliance monitoring and enforcement had negative impacts on the quality of water and sanitation services.

4.2 South African Local Government experience of sanitation governance

Examples of good sanitation governance practice were identified from desktop review of literature on the state of governance in SA Local Government institutions.

Good sanitation governance practice identified from SA municipalities

The Good Governance Learning Network (GGLN, 2013 & 2012) identified the following good governance practices from their research conducted in selected case study municipalities:

- Use of social media as a social accountability tool for enabling civil society to engage local government in service delivery issues.
- Collaborative planning with poor communities was piloted as tool for empowering poor communities to become active participants in solving their development challenges.
- Participatory budgeting was used to involve local communities in prioritizing local development needs within the context of limited financial budgets for sanitation budgets.

Governance challenges faced by SA municipalities

The following governance challenges that were faced by municipalities were identified from the review of literature on the state of governance in SA local government:

- Many councillors were ill-equipped to deal with the demands of local government due to low literacy and numeracy levels.
- There was no clarity on the separation of powers between the political party leadership, municipal councillors and municipal officials.
- A culture of patronage and nepotism was prevalent in many municipalities.
- Civil Society Organisations were not effective in making municipal councillors and officials accountable to the communities they served because they lacked a thorough understanding of how local government worked.

4.3 Key issues emanating from the review of sanitation governance experience

The following key issues were identified from the international review of water and sanitation governance practice:

- The relationships between government, civil society and service providers were central to good governance.
- The Parliament had an important role to play in holding the government officials accountable for ensuring access to water & sanitation services for all.
- The partnership between civil society organisations and Members of Parliament was an important link with the citizens at the local level.
- The Civil Society Organisations (CSOs) and Non-Governmental Organisations (NGOs) played an important role in conducting water and sanitation research that provided an accurate picture of water services governance at the local level.
- The literature review highlighted the importance of empowering citizens so that they could have a voice in holding the politicians and municipal officials to account to them for the budget expenditure on water and sanitation services and the quality of services provided.
- Capacity building and technical expertise remained a huge challenge in the promotion of good water and sanitation governance at all levels in Sub-Saharan African countries.

The overall conclusion from the review of international sanitation governance experience was that the problem of poor sanitation governance was not unique to SA Local Government institutions. However, there were examples of good sanitation governance practices which were relevant to the South African context. These good sanitation governance practices were taken into consideration in the development of a framework for sanitation governance for SA municipalities.

5. FRAMEWORK FOR SANITATION GOVERNANCE IN MUNICIPALITIES

This chapter presents the crucial components of the framework for sanitation governance that must be taken into consideration in the implementation of good sanitation governance in SA municipalities.

5.1 Guiding principles for good sanitation governance

The following six principles underpin good governance and they form the basis for the assessment of good sanitation governance (WSUP, 2013; Parigi et al., 2004; UNDP, 1997).

- **Participation** – Public participation in decision-making on issues that affect people is a fundamental requirement of democracy. Indicators of participation include the presence of an independent electoral management institution which has power to conduct free and fair elections, existence of institutionalised mechanisms for regular consultation between local governments and civil society organisations on economic and social policies and programmes, availability of legal aid and legal counsel systems accessed by the poor, frequency of local elections and referenda and use of community networks to keep the public informed and involved in decision-making processes on government plans and budgets.
- **Fairness/Equity** – It refers to the extent to which rules are perceived to be applied fairly for all citizens. According to WaterAid (2010) equity is the recognition of differences in people and their needs for different support and resources in order to ensure that their rights are realised. The equity dimension of governance ensures that development is inclusive and all citizens benefit from the well-functioning political, economic and social processes.
- **Accountability** – It refers to the extent to which politicians and government officials honour their promises and are accountable to the people and institutions they serve. This requires the establishment of appropriate platforms and forums for public participation and community engagement.
- **Responsiveness** – This refers to appropriate channels established by the municipality for community members to give feedback to the municipality, for example, handling of grievances and service faults and complaints with consequence for failure. Tools used can include suggestion boxes, fault reporting, electronic complaints registration systems, consumer forums etc.
- **Compliance** – This refers to the role of the local communities in municipal oversight through the use of citizen report cards to monitor the performance of the municipality, customer satisfaction surveys, use of Water Safety Plans as a management tool to reduce exposure risks for the consumers of water and sanitation services.
- **Transparency** – This refers to the willingness of municipality to subject itself to public scrutiny through subjecting its operations to regular independent financial audits. Transparency requires open flow of information to the public and active involvement of stakeholders in giving the feedback on service delivery. It also empowers the citizens to put pressure on government to deliver services properly. Indicators of transparency can include the following: transparent processes of

appointing staff, independent financial audits and audits of sanitation services by the sector regulator.

5.2 Role of multi-stakeholder cooperation in good governance

The achievement of good governance requires all stakeholders to play their roles as described below (Parigi et al., 2004):

The government

In terms of the law the government is accountable to the people and it is bound by the law to act in the interest of the people. Effective leadership is crucial for the achievement of good governance. The government must pass laws, reform the civil service, promote economic liberalisation and promote public awareness on specific issues that affect the public. A transparent government must be open to public scrutiny instead of making secrecy a norm.

Private sector

The private sector has an important role to play in creating employment which generates revenue for government through taxes. The government depends on these taxes to fund social programmes that benefit the citizens. This interdependency between the government and the private sector demonstrates the importance of good cooperation between these two sectors in creating better opportunities for the citizens. Transparent corporate governance is mandatory for a responsible private sector.

Non-Governmental Organizations and Community Based Organizations

The NGOs and CBOs play a major role in representing the interests of citizens, especially those of marginalized groups such as the poor communities and other vulnerable groups. These entities must be transparent in terms of their non-profit orientation and their advocacy roles should be supported by democratic internal processes.

Media

The media plays an important role in the promotion of good governance but its role should not be limited to identification and exposure of corruption but it must also recognize good practice and highlight government's successes in the achievement of development goals.

Professional associations

The professional associations have a responsibility of upholding high professional standards and these standards must be published and disseminated. Professionals who violate the code of ethics must be sanctioned in order to create a culture of intolerance to inappropriate professional practices and corruption.

Individual citizens

Committed individual citizens have an important role to play in promoting good governance. They must participate in decisions that affect their lives, take leadership roles and as office holders they must act with integrity on behalf of those they represent.

5.3 Appropriate methods and tools for engaging citizens at the local government level

Democracy means that power belongs to the people; therefore, systems must be put in place to make government accountable to the people. The following methods and tools can be used by municipalities to engage citizens in promoting good governance at the local level (Parigi et al., 2004):

Consultation – People should be consulted regarding the service levels & quality of service in order to ensure that services are affordable.

Services standards – Municipalities have a responsibility for informing their customers of the quality and level of service they can expect and actions they can take if the municipalities fail to meet the service standards.

Access – Equal access to services for all based on what people are entitled to.

Courtesy – People should be treated with respect and consideration by government and municipal officials.

Information – People have a right to receive full and accurate information about their services.

Openness and transparency – People should be kept informed about the municipality's operations, budget and management structures.

Redress – People must be provided with an explanation and remedial action if the services provided by the municipality fail to meet the promised standard and service levels.

Value for money – municipal services must be provided economically and efficiently.

5.4 Introducing the Capability, Accountability and Responsiveness (CAR) governance framework

The assessment of sanitation governance is guided by the capability, accountability and responsiveness (CAR) governance framework which was developed by the UK-DFID. The sanitation governance indicators used are informed by the SA Local Government policy and legislative requirements for good municipal governance and indicators identified from the five case study municipalities (eThekweni Metro, Buffalo City Metro, Amathole DM, Mopani DM and //Khara Hais LM).

Brief description of the CAR governance dimensions and associated indicators

Capability dimension

Plummer & Slaymaker (2007) described capability in relation to water services as the ability and authority of political leaders and government officials to put in place effective policies for delivering water services to the citizens and implementation of good practice. A capable municipality must have competent officials and it must allocate adequate financial resources for water and sanitation services, and it must have functional information management systems for tracking progress towards the achievement of universal access to water services. The following are examples of indicators for the capability governance dimension identified by Plummer & Slaymaker, 2007):

- Adequate human and financial resources;
- Availability of dedicated human resources for sanitation service delivery
- Registration of sanitation technical officials with the relevant professional bodies
- Effective government institutions established with clear roles and responsibilities;
- Effective information and management systems for water services;
- The willingness of politicians and municipal officials in authority to act;
- Updated municipal sanitation policies and strategies

Accountability dimension

Accountability governance dimension refers to the power relations which are shaped by the different actors involved in the water services sector. The basic components of accountability for water and sanitation services are the understanding of the objectives of accountability by municipal councils and officials, the respect for the role of the civil society in holding municipal councillors and officials accountable for water services delivery and the ability of the civil society to fulfil this role of making municipal councillors accountable. Municipalities have a responsibility for empowering the citizens by creating awareness of their rights to sanitation services and the quality of service they are entitled to.

Accountability requires the establishment of functional forums and platforms for civil society engagement in planning, budgeting and monitoring. It requires use of appropriate media to disseminate information and communication channels for reaching the public, customers and stakeholders. Political leaders, government and public sector organisations must be answerable for their actions and decisions. Civil society organisations (CSOs), citizens and media have a responsibility for assessing the performance of public institutions and holding them accountable for their decisions and actions. CSOs and citizens must be empowered to play this role without fear. Accountability can only happen where there is respect for civil and political rights including transparency and access to information, and where citizens and civil society have the skills, resources and incentives to play their part in holding political leaders and government accountable.

Indicators of accountability include the following:

- Freedom of association for the civil society and access to information;
- Participation of CSOs in planning, budgeting, monitoring and evaluation of the sanitation services;
- Media playing a role in ensuring that municipal officials and councillors are accountable to the citizens;
- Mechanisms in place for registering customer complaints on the quality sanitation services;
- Citizens having access to information on their rights and responsibilities for sanitation services;
- Mechanisms put in place to track sanitation budget allocation and expenditure;
- NGOs or CSOs playing a role as sanitation sector watchdog;
- NGOs or CSOs undertaking activities to promote municipal accountability in the sanitation sector.

Responsiveness dimension

Responsiveness refers to how the municipality takes account of the needs and rights of the citizens to access water and sanitation services and ensures equitable access to water services for the poor and other vulnerable groups. Water and sanitation service regulation is a crucial element of the responsiveness because weak regulatory frameworks, non-compliance with the minimum service standards and discharge of non-compliant sewage effluents into the environments impact negatively on the public health of all citizens, especially the poorest households.

Indicators of responsiveness include the following:

- Municipality promotes pro-poor sanitation policies;
- Laws and regulations are in place to safeguard and regulate sanitation service delivery;
- Regulations put in place to enforce prevention of water pollution from sanitation services;
- Willingness of the municipality to learn from successful practices;
- Municipal sanitation policies are sensitive to the needs of women, people with physical disabilities and children;
- Processes put in place to address the misallocation or diversion of financial resources intended for sanitation service delivery;
- The municipality is prioritising anti-corruption agenda within the sanitation sector;
- The municipality is taking steps towards recognizing access to basic water and sanitation as a human right and taking steps for progressive implementation of this right.

5.5 Application of CAR governance framework for the assessment of good sanitation governance in selected case study municipalities

The appropriateness of the CAR governance framework for the assessment of good sanitation governance in municipalities was tested in 5 selected case study municipalities, namely, eThekweni Metro, Buffalo City Metro, Amathole DM, Mopani DM and // Khara Hais LM. These were selected from a total of 37 municipalities (WSAs) because they demonstrated elements of good sanitation governance. The selection of case studies was based on pro-poor sanitation governance practice, representation of the different categories of municipalities and inclusion of municipalities operating under diverse socio-economic conditions.

The elements of good sanitation governance practices identified from an in-depth assessment of sanitation governance in 5 case study municipalities are presented below. Detailed case study reports are available on request from the Water Research Commission.

Capability dimension of sanitation governance

The following indicators of capability dimension were identified from the selected case study municipalities:

- Strategic and visionary leadership was crucial to the implementation of good sanitation governance;
- Investment in human capital such as supporting technical staff to register with the relevant professional bodies, financial support for officials who wanted to improve their qualifications and allocation of bursaries for scarce skills;
- Implementation of training programmes for councillors and officials to build the relevant technical, managerial and leadership skills;
- Training of Ward Councillors to empower them to perform their roles and responsibilities effectively.
- Supporting the building of the technical skills pipeline by giving awards to top performing schools in Mathematics and Physical Science in order to encourage students to study these subjects;
- Institutionalized knowledge management through the building of research partnerships with local universities;
- Signed performance agreements for the executive management team which were aligned with the municipal strategies and the performance was assessed every six months by the Municipal Council. The signed performance contract of the municipal manager was posted on the municipal website for public scrutiny;
- Municipalities had dedicated sanitation units and/or dedicated sanitation officials;
- An integrated performance management system was in place and structures were established for performance review and incentives were in place to motivate officials to excel in the performance of their jobs;
- Talent management strategies were in place to attract and retain talented officials and succession planning was institutionalized

- Succession planning for the top six critical executive positions was supported by offering generous bursaries for managers to obtain qualifications necessary for appointment to the top six critical municipal positions.

Accountability dimension

The following indicators of accountability were demonstrated by the case study municipalities:

Public Participation

- A Council approved public participation strategy was in place and it served as a guide for the institutionalization of public participation. Public participation was a key performance area for the senior managers responsible for service delivery units;
- The municipalities established several forums for engaging the different stakeholders in the IDP and budget review meetings;
- The municipality coordinated and monitored the activities of Community Development Workers and ensured that they supported the activities of ward committees, such as, securing meeting venues and providing secretarial services for the monthly meetings of ward committees;
- A Community Education and Empowerment Programme was developed and implemented in all local communities. Its aim was to empower local communities to have a better understanding of how the district municipality operated so that they could make a meaningful contribution to the public participation processes.

Community engagement structures

- The Metro established dedicated representative structures for engaging communities in water and sanitation decision-making processes; these included user platforms for engaging representative of communities in water and sanitation decision-making processes and focus groups which included ordinary citizens who represented different interest groups (formal and informal settlements) from the entire metro;
- One municipality conducted an annual programme called, “*Council meets the people*”. This programme was used by the mayor and the councillors to visit all the wards to report back to local communities on progress made in the delivery of the infrastructure projects and to listen and respond to service delivery problems experienced by the different communities;
- Establishment of functional Local Water Committees which represented water and sanitation interests of the local communities in the DM. These committees played a role in monitoring progress in the implementation of basic sanitation infrastructure projects at the local level;
- The DM established Project Steering Committees (PSCs) in communities where sanitation infrastructure projects were being implemented. These PSCs were responsible for driving the implementation of sanitation projects at the local community level and they were accountable to the Ward Councillors, Ward Committees and municipal officials responsible for sanitation infrastructure delivery;

- The municipalities set aside a budget for out of pocket expense allowances for members of ward committees to support them to fulfil their roles in local governance.

Accountability tools

- The accountability tools were developed by the Metro to enable its customers to hold it accountable for water and sanitation service provision, these tools included Water & Sanitation Customer Service Charter (translated into Zulu) and the Water & Sanitation Service Level Standards. All customers were made aware of these tools and actions they could take if the Metro failed to comply with the provisions of these accountability tools.
- All beneficiary households were made aware of their roles and responsibilities for operation & maintenance (O&M) of their free basic sanitation facilities.

Communication, information dissemination and customer services

- The Metro institutionalized communication through the development of a communication strategy and appointment of a communications manager;
- The municipalities presented regular radio programmes in their operating area and customers could call in with their water and sanitation service problems during the water and sanitation radio programmes;
- Local newspapers in three major local languages were used to communicate with the public, customers and stakeholders;
- Public meetings convened by municipalities were advertised in local radio stations, local newspapers, pamphlets in all local languages were distributed to households and loud-hailing was used to announce public meetings in rural areas;
- The municipal Newsletters were translated into the major local languages to keep all customers informed of new developments within the municipality;
- The Metro produced a DVD which was shown in all municipal offices to educate customers about their rights and responsibilities for municipal services;
- The municipal by-laws were published in all local languages to ensure that all customers and the public understood the information;
- Free internet service was provided to customers at the municipal libraries to enable them to access to key municipal documents posted on the municipal websites;
- The Metro established dedicated water and sanitation technical units within 5 out of the 35 Sizakala customer service centres to ensure that customer complaints and water & sanitation service problems were resolved promptly closer to where communities live;
- The Metro employed 55 local customer services agents using funding from the Expanded Public Works Programme (EPWP). These agents walked the streets in their townships to identify and report water and sanitation service problems experienced by the local communities;
- Annual customer satisfaction surveys were conducted to assess the level of customer satisfaction with water and sanitation services provided by the municipality. The

results of these surveys were helping the municipalities in their efforts to improve the quality of water and sanitation services provided to their customers;

- The District Municipality had a Customer Care Charter and a Water ‘hotline’ where customers could report their water and sanitation service problems, and it also established satellite offices at the local community levels to make it easy for the customers to report their water services problems.

Health and Hygiene Education and awareness

- The Metro appointed its dedicated education officers who were responsible for sanitation- related health and hygiene education and these officers were assisted by the Environmental Health Practitioners to promote H&HE as part of sanitation service delivery;
- Local health facilitators were also employed under the EPWP funding to conduct door- to-door health & hygiene promotion in their local communities;
- The DM conducted regular school visits to promote awareness about water, sanitation and Health & Hygiene education to school children.

Responsiveness dimension

The following indicators of responsiveness were identified from the case study municipalities:

Pro-poor sanitation policy

- All case study municipalities had an indigent support policy for the provision of free basic sanitation services to poor households who met the qualification criteria.
- The Metro simplified the process of targeting free basic water and sanitation services to the indigent households by using the property value of R250 000 or less to target free basic water and sanitation services to poor households. This method removed the burden of administering the indigent register.

Consideration of basic sanitation needs of physically disabled people and other vulnerable groups

- Prior to the implementation of basic sanitation infrastructure projects, the Metro conducted surveys to identify households with physically disabled people and made provision for additional sanitation budgets for constructing toilets that met the special sanitation needs of these households.
- The Metro employed a social worker who was responsible for conducting the assessment of child-headed households to determine whether they qualified for free basic water and sanitation services and to make recommendations for the provision of free basic water and sanitation services to qualifying households.
- The Metro established a Disability Forum which represented different groups within the disability sector and this ensured that concerns and interests of people with disabilities were taken into consideration in all municipal programmes.

Prioritization of sanitation infrastructure for the poorest communities

- The Metros prioritised the provision of communal ablution blocks to dense urban informal settlements and they hired caretakers who kept these toilets clean and operated properly. The caretakers were employed by the metros using EPWP funding.

Responsiveness to customer service problems and complaints

- The Local Municipality established a functional electronic registration system for customer complaints and service problems, this system generated a monthly complaints report which was tabled at the monthly meetings of municipal council for action.
- The LM entrenched the *Batho Pele* principles into the municipal operations and all its officials were expected to follow these principles when interacting with customers and the public.
- The Metro through its Water & Sanitation Service Level Standards committed itself to a limit of 6 hours for fixing service faults and 24 hours for major service problems. If these service standards were not met, customers were provided with information on the steps they could take to report their dissatisfaction.

Compliance with wastewater effluent discharge quality standards

- The LM and DMs took steps to address the problem of non-compliant effluent discharged from their wastewater treatment plants; they trained process controllers and improved the monitoring of the quality of wastewater effluents.

O&M of sanitation infrastructure and pit emptying

- The LM had put in place a sanitation maintenance plan and it increased the budget allocation for O&M of sanitation infrastructure to 7% in 2012/13 financial year.
- The LM conducted an annual cleaning programme for full household Ventilated Improved Pit and Urine Diversion Sanitation toilets.
- The Metro provided households with pit emptying services once every 5 years.

5.6 An assessment framework for sanitation governance in municipalities

The assessment framework for sanitation governance is based on the Capability Accountability and Responsiveness framework and SA Local government policy and legislative framework for good municipal governance. Each governance dimension has several indicators which are further sub-divided into sub-indicators which were identified from the case study municipalities.

Figure 1 shows a diagrammatic presentation of the sanitation governance framework:

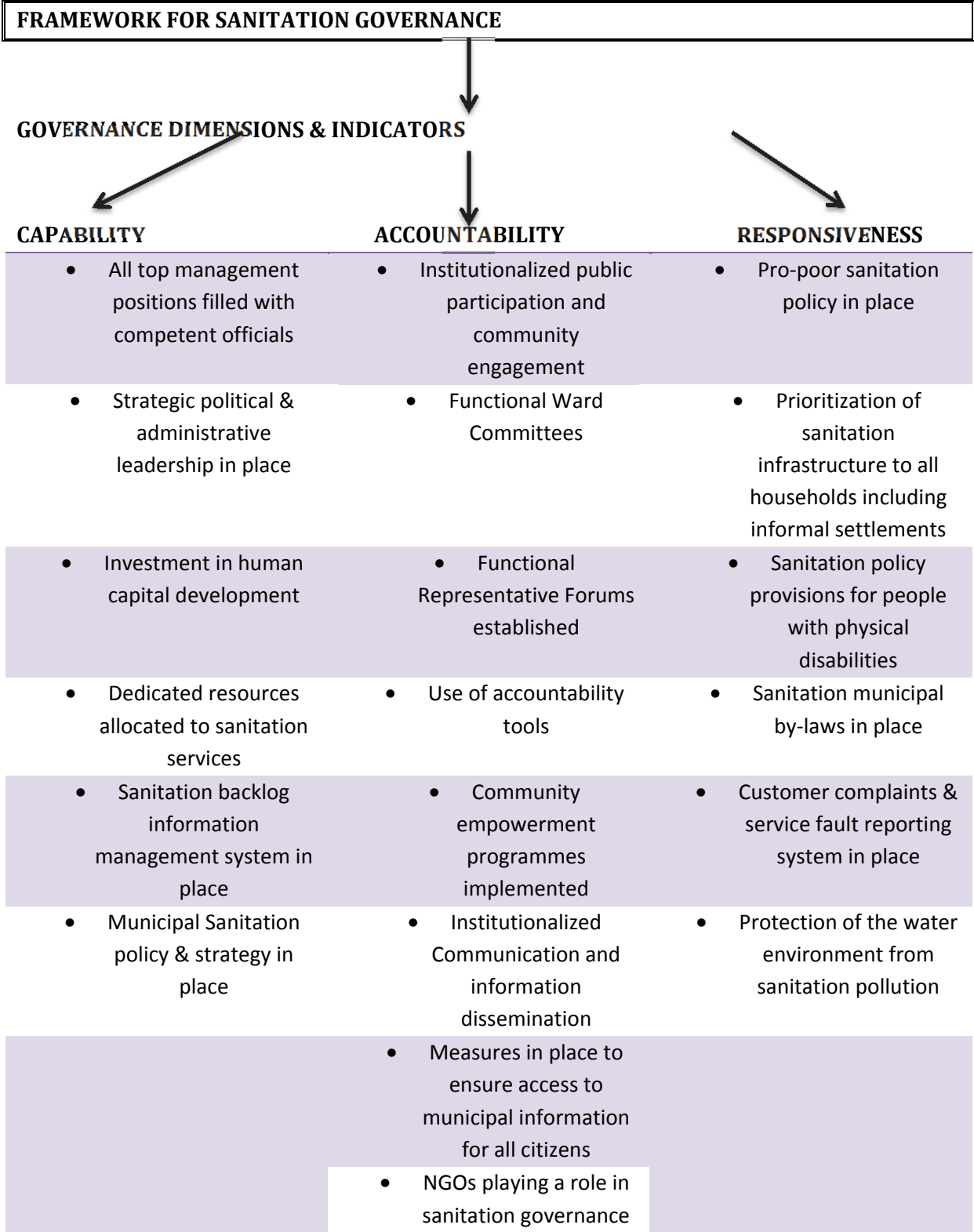


Figure 1: Sanitation governance framework

Sanitation Governance Assessment Tool (SANGAT)

The indicators and sub-indicators of governance for the CAR framework are listed in the **Sanitation Governance Assessment Tool (SANGAT)** which is available from www.wrc.org.za . The lists of indicators and sub-indicators for each of the three governance dimensions are not comprehensive because they are based on the good sanitation governance practices identified from the Local government policy and legislative framework and elements of sanitation governance identified from the five selected case study municipalities. (Please refer to Annexure A for the list of indicators and sub-indicators for sanitation governance). It is anticipated that more indicators and sub-indicators will be added as further studies reveal additional indicators of good sanitation governance. The framework for sanitation governance aims to provide municipalities with a self-assessment tool for improving sanitation governance, it is not meant to be a tool for regulating sanitation governance in municipalities (WSAs).

6. CONCLUSIONS AND RECOMMENDATIONS

6.1 Conclusions

The development of the framework for sanitation governance is informed by international and national good water and sanitation governance practices. Indicators and sub-indicators of good governance are based on elements of good sanitation governance demonstrated by the five case study municipalities and good governance requirements in terms of the SA Local Government policy and legislative framework for municipal governance.

The South African Local Government is in a good position to implement good governance because the Constitution and the Local Government policy and legislative framework make provision for the implementation of good governance as a part and parcel of people-centred development.

The five case study municipalities which were selected for an in-depth assessment of sanitation governance demonstrated that good water and sanitation governance could be achieved where there was committed strategic leadership and competent officials. eThekweni Metro -Water and Sanitation Unit performed very well in all three CAR governance dimensions and associated indicators. All the case study municipalities had built a good relationship with their communities, they had established effective communication channels and functional platforms for engaging their local communities in all decision-making processes on sanitation service delivery and they also kept local communities informed of progress towards the eradication of basic sanitation backlogs using different communication channels such as Newsletters, ward-based public meetings and radio programmes. Local languages were used to ensure access to information for all citizens.

Policy gaps

The following gaps were identified from the review of policy and legislative framework for good governance:

- There was no guidance on how citizens and civil society could deal with municipalities that failed to comply with the policy and legal requirements of good governance.
- There were no dedicated human and financial resources for enabling the provincial government to perform the oversight function effectively, consequently, the provincial government only acted when the municipalities were already dysfunctional.
- The Municipal Finance Management Act (MFMA) of 2003 Section 34(1) makes provision for the national and provincial governments to assist municipalities in building the capacity of municipalities for efficient, effective and transparent financial management. This requirement has not been extended to the support for building technical capacity which is crucial for sustainable sanitation service delivery to all citizens.
- The MFMA Act requires municipalities to place all key municipal documents on the municipal websites, but, there is no provision for ensuring access to these documents

for the majority of citizens without access to the internet. There is also no explicit requirement for the translation of these key municipal documents into all relevant local languages.

- There was no clarity on how citizens could deal with municipalities that were not accountable and unresponsive to the needs of the citizens, other than wait for the next local government elections to vote out the non-performing municipal councillors.

6.2 Recommendations

The following policy gaps should be addressed to entrench good sanitation governance and deepen democracy at the local government level:

- Dedicated resources should be allocated to empower citizens and civil society to hold municipal councillors and officials accountable for their decisions and actions.
- The national government should support municipalities to establish community radio stations as effective communication channels that are accessible to all communities especially the poor.
- All key municipal documents such as policies, laws, Integrated Development Plans, Annual budgets, Annual Reports, Indigent policies, Water and sanitation services charters, newsletters etc. must be translated into major local languages so that all citizens can have access to municipal information.
- An appropriate independent body with legal power (Municipal Ombudsman) should be established to enable customers to report municipalities who fail to respond to customer complaints or provide unacceptable municipal basic services. The City of Cape Town and eThekweni Metro already have functional Municipal ombudsman in place. The City of Johannesburg has passed an Ombudsman by-law and it was in the process of establishing an independent ombudsman to deal with consumer service complaints and to take the necessary corrective actions.
- The Provincial Government must allocate dedicated human and financial resources for performing its oversight roles on municipalities.
- All municipalities must be assisted to post all key municipal documents on municipal websites and to ensure free access to internet for citizens without access to internet.
- The minimum competency requirements for technical municipal officials should be enforced to ensure municipal capability to implement good sanitation governance. The National Government should assist municipalities to build technically competent human resources.
- It is recommended that the proposed sanitation governance framework should be piloted in several municipalities to assess the validity of the indicators and sub-indicators under different local contexts.

Concluding statement

The sanitation governance framework developed by the study will assist the municipalities to improve sanitation governance. The CAR governance framework serves as a simple tool for implementing good sanitation governance in municipalities because it is aligned with the

requirements of the SA local government policy and legislative framework for good governance.

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ANNEXURE A: INDICATORS AND SUB-INDICATORS OF THE SANITATION GOVERNANCE

A. CAPABILITY GOVERNANCE DIMENSION

Indicators	Sub-indicators
<i>All top management positions filled with competent officials</i>	Signed performance agreements in place for the municipal manager & executive managers
	All senior managers comply with minimum competency requirements in terms of National Treasury regulations
	Succession planning for top management in place
	Functional Performance Management System in place
<i>Strategic political and administrative leadership in place</i>	All municipal councillors are familiar with the policy and legislative framework for local government
	Clear roles and responsibilities for the political and administrative leadership
	Competent structure established for the evaluation of the performance of the municipality
	Performance evaluation of the Municipal Manager against strategic priorities of the municipality
<i>Investment in human capital development</i>	All sanitation technical officials accredited by the relevant professional bodies
	Allocation of funds for officials to improve their qualifications and registration with appropriate professional bodies
	Investment in building technical skills pipeline for the municipalities
	Allocation of bursaries for developing scarce skills
Dedicated resources allocated to sanitation service delivery	A dedicated sanitation unit with a full complement of technically competent officials
	Adequate budgets allocated to sanitation infrastructure and sanitation services
	Adequate O&M budgets for sanitation infrastructure
	Employment of dedicated sanitation community development workers and community liaison officers
Sanitation backlog information management system in place	Functional monitoring and evaluation systems of the eradication of basic sanitation backlog
	Reliable sanitation backlog figures updated regularly by the municipality
Municipal Sanitation policy and strategy in place	Updated Municipal sanitation policy and strategy
	Updated Water Services Development Plan with detailed information on sanitation aspects
SUB-TOTAL	20

B. ACCOUNTABILITY GOVERNANCE DIMENSION

Indicators	Sub-indicators
Institutionalized public participation and community engagement	Public Participation Strategy in place
	Dedicated human and financial resources for public participation
	All required annual IDP and Budget review meetings held
	Ward-based public meetings held every year
	Road shows organized by the municipality to engage local communities
	Community Liaison Officer employed to liaise with local communities
	Platforms established to engage local communities on sanitation service delivery issues
Functional Ward Committees	Dedicated officials responsible for coordinating activities of the ward committees
	Members of the ward committees elected by the local communities in a transparent manner
	All ward committees hold monthly meetings in their wards
	Community Development Workers employed to provide administrative support to the ward committees
	Capacity building programme supported for members of ward committees
	Stipends paid to members of ward committees to support their participation in the activities of the municipality
	Stakeholder Forums established by the municipality
	Meetings of the representative forums held every year
Use of accountability tools	Water & Sanitation service level standards in place and customers made aware of these standards
	Water & Sanitation customer service charter in place and customers know about it
	Annual Report meetings held to inform the public and stakeholders on expenditure on water and sanitation infrastructure
	Annual customer satisfaction surveys conducted
Community empowerment programmes implemented	Health & Hygiene awareness programmes implemented as a component of sanitation services delivery
	Environmental Health Practitioners employed to conduct on-going H&HE at the local level
	Communities educated on the operation and maintenance of their sanitation facilities
	Communities are aware of their rights and responsibilities for sanitation services
	Establishment of functional local sanitation project steering committees
Institutionalized communication and information dissemination	Approved Communications policy and strategy in place
	Communications unit established with dedicated human and financial resources
	Regular Radio programmes conducted by the municipal officials to discuss water & sanitation policy issues and service problems with the customers
	Municipal Newsletters published regularly in all major local languages

<i>Indicators</i>	<i>Sub-indicators</i>
	Appropriate media used to advertise public meetings convened by the municipality
	Key municipal documents posted on the municipal website
	Availability of free internet access for the local population in municipal libraries
	Customers Services Centres established closer to communities to improve service delivery
	Use of electronic and social media to communicate with the customers and stakeholders regularly
NGOs playing a role in sanitation governance	Involvement of NGOs in the implementation of the municipal sanitation policy
	Participation of NGOs in the planning, budgeting and M&E of the sanitation sector at the LG level
	Involvement of NGOs in capacity building for local communities and ward committees
SUB -TOTAL	36

C. RESPONSIVENESS GOVERNANCE DIMENSION

Indicators	Sub-indicators
Pro-poor sanitation policies in place	Transparent criteria for targeting free basic sanitation services to the poor
	Cost-effective approaches for targeting free basic sanitation services to the indigent households
	Annual review of the indigent policy and the criteria for indigent status
	Exit strategies for registered indigent households to improve their socio-economic status.
Prioritization of sanitation infrastructure delivery to all households including of the poor	Urban informal settlements provided with basic sanitation services
	Target date set for the eradication of basic sanitation backlog from formal urban and rural settlements
	100% of the sanitation infrastructure budget spent on sanitation projects every year
Sanitation policy provisions for people with physical disabilities	Identification of households with physically disabled people during the sanitation project feasibility phase
	Allocation of additional budgets for sanitation facilities that meet the special needs of people with physical disabilities
	Establishment of disability forums within the municipality to look after the specific interests of people with disabilities
Sanitation municipal by-laws	Enforcement of municipal by-laws and regulations for safeguarding and regulation of sanitation services
	Compliance with wastewater discharge quality standards to prevent water pollution
	Public participation in the development of sanitation municipal by-laws
	Translation of municipal by-laws into all major local languages
	Plans put in place by the municipality for emptying and disposal of sludge from full VIP toilets
Customer complaints and service fault reporting system in place	Availability of toll-free numbers for customers to report service faults
	Electronic registration system for service fault reports linked to the Water and Sanitation Department
	Location of sanitation technical response teams closer to communities
Protection of the water environment from sanitation pollution	All wastewater treatment works achieving Green Drop certification awards in the most recent Green Drop assessment report
	Interventions put in place by the municipality to prevent water pollution from wastewater treatment plants
	All plant operators of wastewater treatment works employed by the municipality are technically competent and registered with appropriate professional bodies
SUB-TOTAL	21

Score 1 point for each sub-indicator demonstrated

Score 0 for each missing sub-indicator

Rating of sanitation governance performance for each dimension:

Excellent = 80-100% of the sub-indicators demonstrated

Good = 50-79% of the sub-indicators demonstrated

Weak = 0-49% of the sub-indicators demonstrated

A. CAPABILITY GOVERNANCE DIMENSION

Indicators	Sub-indicators	Score %
<i>All top management positions filled with competent officials</i>	Signed performance agreements in place for the municipal manager & executive managers	
	All senior managers comply with minimum competency requirements in terms of National Treasury regulations	
	Succession planning for top management in place	
	Functional Performance Management System in place	
<i>Strategic political and administrative leadership in place</i>	All municipal councillors are familiar with the policy and legislative framework for local government	
	Clear roles and responsibilities for the political and administrative leadership	
	Competent structure established for the evaluation of the performance of the municipality	
	Performance evaluation of the Municipal Manager against strategic priorities of the municipality	
<i>Investment in human capital development</i>	All sanitation technical officials accredited by the relevant professional bodies	
	Allocation of funds for officials to improve their qualifications and registration with appropriate professional bodies	
	Investment in building technical skills pipeline for the municipalities	
	Allocation of bursaries for developing scarce skills	

Dedicated resources allocated to sanitation service delivery	A dedicated sanitation unit with a full complement of technically competent officials	
	Adequate budgets allocated to sanitation infrastructure and sanitation services	
	Adequate O&M budgets for sanitation infrastructure	
	Employment of dedicated sanitation community development workers and community liaison officers	
Sanitation backlog information management system in place	Functional monitoring and evaluation systems of the eradication of basic sanitation backlog	
	Reliable sanitation backlog figures updated regularly by the municipality	
Municipal Sanitation policy and strategy in place	Updated Municipal sanitation policy and strategy	
	Updated Water Services Development Plan with detailed information on sanitation aspects	
SUB-TOTAL		

B. ACCOUNTABILITY GOVERNANCE DIMENSION

Indicators	Sub-indicators	Score
Institutionalized public participation and community engagement	Public Participation Strategy in place	
	Dedicated human and financial resources for public participation	
	All required annual IDP and Budget review meetings held	
	Ward-based public meetings held every year	
	Road shows organized by the municipality to engage local communities	
	Community Liaison Officer employed to liaise with local communities	
	Platforms established to engage all local communities on sanitation service delivery issues	
	Dedicated officials responsible for coordinating activities of the ward committees	
	Members of the ward committees elected by the local communities in a transparent manner	
	All ward committees hold monthly meetings in their wards	
Functional Ward Committees	Community Development Workers employed to provide administrative support to the ward committees	
	Capacity building programme supported for members of ward committees	
	Stipends paid to members of ward committees to support their participation in the activities of the municipality	
	Stakeholder Forums established by the municipality	
	Meetings of the representative forums held every year	
	Water & Sanitation service level standards in place and customers made aware of these standards	
	Water & Sanitation customer service charter in place and customers know about it	
	Annual Report meetings held to inform the public and stakeholders on expenditure on water and sanitation infrastructure	
	Annual customer satisfaction surveys conducted	
	Use of accountability tools	Public Participation Strategy in place
Dedicated human and financial resources for public participation		
All required annual IDP and Budget review meetings held		
Ward-based public meetings held every year		
Road shows organized by the municipality to engage local communities		
Community Liaison Officer employed to liaise with local communities		
Platforms established to engage all local communities on sanitation service delivery issues		
Dedicated officials responsible for coordinating activities of the ward committees		
Members of the ward committees elected by the local communities in a transparent manner		
All ward committees hold monthly meetings in their wards		

Community empowerment programmes implemented	Health & Hygiene awareness programmes implemented as a component of sanitation infrastructure delivery
	Environmental Health Practitioners employed to conduct on-going H&HE at the local level
	Communities educated on the operation and maintenance of their sanitation facilities
	Communities are aware of their rights and responsibilities for sanitation services
	Establishment of functional local sanitation project steering committee
Institutionalized communication and information dissemination	Approved Communications policy and strategy in place
	Communications unit established with dedicated human and financial resources
	Regular Radio programmes conducted by the municipal officials to discuss water & sanitation policy issues and service problems with the customers
	Municipal Newsletters published regularly in all major local languages
	Appropriate media used to advertise public meetings convened by the municipality
NGOs playing a role in sanitation governance	Key municipal documents posted on the municipal website
	Availability of free internet access for the local population in municipal libraries
	Customers Services Centres established closer to communities to improve service delivery
	Use of electronic and social media to communicate with the customers and stakeholders regularly
	Involvement of NGOs in the implementation of the municipal sanitation policy
SUB-TOTAL	Participation of NGOs in the planning, budgeting and M&E of the sanitation sector at the LG level
	Involvement of NGOs in capacity building for local communities and ward committees

C. RESPONSIVENESS GOVERNANCE DIMENSION

Indicators	Sub-indicators	Score
Pro-poor sanitation policies in place	Transparent criteria for targeting free basic sanitation services to the poor	
	Cost-effective approaches for targeting free basic sanitation services to the indigent households	
	Annual review of the indigent policy and the criteria for indigent status	
	Exit strategies for registered indigent households to improve their socio-economic status.	
Prioritization of sanitation infrastructure delivery to all households including of the poor	Urban informal settlements provided with basic sanitation services	
	Target date set for the eradication of basic sanitation backlog from formal urban and rural settlements	
	100% of the sanitation infrastructure budget spent on sanitation projects every year	
Sanitation policy provisions for people with physical disabilities	Identification of households with physically disabled people during the sanitation project feasibility phase	
	Allocation of additional budgets for sanitation facilities that meet the special needs of people with physical disabilities	
	Establishment of disability forums within the municipality to look after the specific interests of people with disabilities	
	Enforcement of municipal by-laws and regulations for safeguarding and regulation of sanitation services	
Sanitation municipal by-laws	Compliance with wastewater discharge quality standards to prevent water pollution	
	Public participation in the development of sanitation municipal by-laws	
	Translation of municipal by-laws into all major local languages	
	Plans put in place by the municipality for emptying and disposal of sludge from full VIP toilets	

<p>Customer complaints and service fault reporting system in place</p>	<p>Availability of toll-free numbers for customers to report service faults</p>	
	<p>Electronic registration system for service fault reports linked to the Water and sanitation Department</p>	
	<p>Location of sanitation technical response teams closer to communities</p>	
<p>Protection of the water environment from sanitation pollution</p>	<p>All wastewater treatment works achieving Green Drop certification awards in the most recent Green Drop assessment report</p>	
	<p>Interventions put in place by the municipality to prevent water pollution from wastewater treatment plants</p>	
	<p>All plant operators of wastewater treatment works employed by the municipality are technically competent and registered with appropriate professional bodies</p>	
<p>SUB-TOTAL</p>		