

CHAPTER 5

SUMMARY AND CONCLUSION

“Education and training is a life-long learning process.”

- Mr. Nelson Mandela, 16 February 1995

5.1 INTRODUCTION

Local government in South Africa is undergoing a major process of transformation that will result in a new system of local government after the December 2000 elections. Democratic and developmental local government depends on responsible and accountable officials and councillors, and good relations between them and the citizens of a municipality. In response to these changes there is a new set of skills and competencies needed to give effect to the vision of developmental local government.

In terms of section 152 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), the Local Government Transition Act, 1993 (Act 209 of 1993), the Local Government : Municipal Structures Act, 1998 (Act 117 of 1998) and the Municipal Systems Bill, 1999 (Government Gazette no. 20357 of 1999) municipalities are expected to meet the development needs of the communities, to build financial capacity, improve local-provincial intergovernmental relations, create economic development, and ensure effective service delivery. Municipal councils are faced with challenges of integrating budgets, meeting the basic needs of communities, and managing scarce resources and finances. These challenges have to be met in the framework of democratic, accountable and developmental

local government. In this regard it is important to adequately prepare councillors for their governing and representative responsibilities (Cloete, 1997 : 121-123; Botes, 1997 : 241-242).

The determination of objectives for this research project is based on information gathered on a number of surveys; interviews; observations; information gathered from the Gauteng Local Government Association (GALA) on the 1043 councillors in the 51 councils in the Gauteng Province; the internet; relevant literature and the media. From this was deduced that councillors elected in the 1995 Gauteng municipal elections are predominantly male with a varying degree of expertise and qualifications. Training of councillors will therefore have to accommodate, not only for people with tertiary qualifications, but also for those without a matriculation qualification. Apart from this, the training of councillors will have to make provision for both people that are seasoned councillors and for those that have been elected for the first time.

The aim of this chapter is to summarise the findings reached in this thesis as well as to draw a number of conclusions regarding the training of newly elected councillors in South Africa.

5.2 A NEED FOR COUNCLLOR TRAINING

According to the Mosley and the Solace reports local government training in South Africa is uncoordinated, fragmented, and largely of poor quality. In this regard outdated teaching methods have not been updated and most training is conducted in the absence of any effective systems of monitoring and control. In addition to this, training has been underfunded and what funds have existed have been spent more on personnel and infrastructure than on the actual provision of training. It was concluded that a more coordinated strategy for municipal training should be devised that is guided by a national vision and a set of priorities needs to be worked out.

The South African Local Government Association (SALGA), through its representation on a SETA, is responsible for the training of councillors and plays a pivotal role in building the capacity of municipal officials in supervisory positions. Such an approach will ensure a holistic integrated approach to training and capacity building that will lead to effective and efficient councils building strong democratic and developmental local government. In this regard SALGA will develop its own in-house capacity in order that it and the provincial associations are able to take full responsibility for the training of councillors as elected municipal representatives.

SALGA has, for the interim, identified a number of training areas, *inter alia*, integrated development planning; municipal budgeting and finance; local economic development; legislation impacting on local government; strategic planning and service delivery; and change management.

SALGA does however envisage developing a set of core training modules that every newly elected councillor should receive on being elected to office. The determination of a set of core training modules should include a comprehension of the structures, powers and functions of municipalities; a discernment for municipal finance and budgeting; an understanding of the ethical and procedural environment in which a council operates; and the development of basic management skills such as decision-making, conflict management, change management and negotiations skills.

The focus of this thesis was on the determination of core modules and the relevant subject matter for the training of newly elected councillors. This was done by analysing what the responsibilities of councillors are in terms of their governing and representative functions. As the need arises, advanced training could be conducted on any of the identified core training modules.

5.3 HYPOTHESIS AND RESEARCH OBJECTIVES

The acceptance of a set of core training modules and the relevant subject matter for the training of municipal councillors by SALGA and implementation thereof by the education and training boards in each province in conjunction with municipalities, will ensure a more coordinated approach to councillor training, proving the hypothesis correct. Given the disparity between the percentage of re-elected councillors versus the percentage newly elected councillors; the gap that exists in educational qualifications; and the balance of political power it was the assumption of this thesis that **effective local government can be brought about if councillors receive appropriate training**. The development of a set of core training modules and relevant subject matter would provide councillors with the required basic knowledge regarding their institutional and organisational roles.

The study objectives were, firstly to examine the institutional and organisational environment in which councillors function, secondly, to depict the powers, functions and structure assigned to municipalities, and thirdly, to delineate the policy-making process in municipalities, as well as the policy environment in which councils function in. Fourthly, to examine a council's role in municipal finances and financial challenges confronting municipalities, and fifthly, to consider the utilisation of human resources in municipalities in order to ensure that municipal officials are used in such a way that a municipality obtains the greatest possible benefit. Finally, to determine how control is exercised over municipal activities in order to ensure that they are accomplished as planned and that any significant deviations are corrected.

By following this approach it was possible to determine what is expected of councillors in terms of their representative and governing functions. These elements are included in the ensuing paragraphs as part of guidelines for the training of councillors.

5.4 GUIDELINES FOR THE TRAINING OF NEWLY ELECTED COUNCILLORS

South Africa's transition from being segregated racially based and undemocratic to becoming a non-racial, democratic state brings about many training challenges. The process of integrating budgets and amalgamating administrations, and the fact that the majority of the 11 300 elected councillors were first time councillors presented with the challenge of transforming old administrative structures into centers of democracy and development, brings new training needs. The restructuring of the local government training system has to be pursued within the wider context of challenges facing municipalities to transform from its narrow service delivery orientated character, to one that is more development orientated, participatory and responsive to the needs of the community.

A number of areas in which newly elected councillors need to undergo training in order to effectively and efficiently function as governors and representatives of their communities, have been identified. These training areas are *inter alia*, municipal statutory framework; municipal administration; representing and governing a municipality; policy-making; utilising human resources; municipal budgeting and finance; control and accountability; and interpersonal skills.

In the ensuing paragraphs the broad subject matter for each of these training areas, is presented. A more detailed proposal for the training of newly elected councillors is provided in Appendix B.

5.4.1 Municipal statutory framework

Municipal councillors should have a thorough comprehension of the statutory framework in which they operate. Although there are a vast number of laws that pertain to local government, 4 primary and 8 secondary laws have been identified that will directly affect councillors in their governing and representation functions.

Primary legislation refers to the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996); the Local Government Transition Act, 1993 (Act 209 of 1993) as amended; the Local Government : Municipal Structures Act, 1998 (Act 117 of 1998) and; the Municipal Systems Bill, 1999 (Government Gazette no. 20357 of 1999). Secondary legislation refers to the Occupational Health and Safety Act, 1993 (Act 85 of 1993); the Public Finance Management Act, 1999 (Act 1 of 1999); the Auditor-General Act, 1989 (Act 52 of 1989); the Public Service Act, 1994 (Proclamation 103 of 1994); the Labour Relations Act, 1995 (Act 66 of 1995); the Environment Conservation Act, 1974 (Act 41 of 1974) and; the Employment Equity Act, 1998 (Act 55 of 1998).

Primary legislation is imperative because it impacts directly on a councillors' representative and governing functions, whilst although an understanding of secondary legislation is important, it could be dealt with on a need-to-know basis. This module should focus mainly on primary legislation whilst secondary legislation should be covered in broad terms.

5.4.2 Municipal administration

In terms of section 152 (1) of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) political systems are organised to ensure that municipal councils are accountable and respond to the needs of their constituencies by allowing the local community to participate effectively in the policy formulation process. The local political leadership is ultimately responsible to ensure that the needs of the community are translated into workable programmes. Municipal councillors should therefore have a discernment of the powers, functions and structure assigned to municipalities.

The current municipal structures were established with the purpose of transforming apartheid based municipal structures into the structures implied and envisaged by

non-racial and democratic local government. For this reason they are referred to as “transitional” structures. These structures will however be replaced and/or adjusted with the intended repeal of the Local Government Transition Act, 1993 (Act 209 of 1993). In this regard section 2 of the Local Government : Municipal Structures Act, 1998 (Act 117 of 1998) three categories of municipalities are proposed: metropolitan councils, district councils and local councils in towns and rural areas. Councillors should be informed regarding these changes and the implications of the new municipal structures and how to implement these structures.

Councillors should have an understanding of the powers and functions that are assigned or delegated to a council and how to identify alternative sources of income and ways of providing new and better services with fewer resources. Councillors should comprehend the objectives of local government as well as the new structures and responsibilities as required in terms of the Local Government : Municipal Structures Act, 1998 (Act 117 of 1998).

Councillors should be able to identify and prioritise a community’s most urgent needs, desires and demands; and be able to put action plans in place that would effectively deal with them. Councillors should have an understanding of the implications of the code of conduct; how to promote and deal with aspects relating to citizen participation; basic communicative skills; as well as a comprehension of the roles and responsibilities of municipal officials in the administration of a municipality.

5.4.3 Representing and governing a municipality

In terms section 156 (1), (2), and (4) of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) municipalities have the power to legislate (adopt by-laws); to govern by resolution (to close a street due to maintenance work in the area) and; to control (to issue licenses or permits). The representative

responsibility councillors fulfil, is influenced by the attitude councillors have toward local points of view, interest groups, their geographical focus and attitude as well as their involvement in politics. In this regard councillors need to have an understanding of their responsibility to govern and to represent.

The role interpretation of a councillor, and more specifically the representative role, can be carried out in various ways. The role of a representative requires particular human skills. These skills include communication, influencing, public speaking, dealing with the media, and dealing with local issues. It could be argued that these skills should also be included in a training programme for newly elected councillors.

5.4.4 Policy-making

The administration of a municipality takes place in a political milieu and it is only after the legislator (council) has made a decision, that specific administrative action should take place. From this it can be deduced that local policy is two-dimensional, i.e. it has a **political** and an **administrative** dimension. The political dimension refers to the extent in which a council is involved in deciding on the activities and resources necessary to attain local objectives. The administrative dimension refers to actions taken by executive local departments to realise the goals envisaged by council within the ambits of a council's decision and the resources allocated.

A local council formulates policy that provides the direction to be followed by the by executive departments to attain specific goals. Without laying down clear, written policies no activity of a municipality can be executed. Although the goals of municipalities are normally fixed and rigid, the comparable policy should continuously be tried against changing circumstances to determine whether the policy still fulfils the needs, desires and demands of the local community.

Councillors should have an understanding of the manifestations of local policy; identifying strategic policy issues and how to operationalise these goals through its organisational structure; as well as an ability to take the perspectives of other stakeholders in the policy-making process into account. Newly elected councillors should comprehend the different policy-making phases in order to ensure that all the relevant policy information has been gathered to make an appropriate decision. Councillors should have a knowledge of factors that influence policy and to effectively analyse its impact or the effects of a combination of these factors, could have on the policy-making process; and finally a comprehension of policy instruments through which a council can be made aware of the needs, desires and demands of the community.

5.4.5 Utilising human resources

The personnel function is regulated through clear policy guidelines from the Public Service Commission; explicit general personnel policy of the Public Service Act, 1994 (Proclamation 103 of 1994); and personnel regulations and codes. It is expected of municipal officials to act in good faith, diligently, honestly and in a transparent manner and to treat residents with courtesy and consideration, as well as to consult them. Municipal councils will have to organise their administrations in a manner that is responsive to the needs of the community, that facilitates a culture of public services among personnel and; that is performance orientated. Instead of councillors merely ratifying administrative decisions at monthly meetings, they will become central figures as the accountable representatives of the people. The utilisation of human resources is aimed at increasing the efficiency of a municipality and at the same time have satisfied municipal officials.

Councillors should have an understanding of how to recruit the most suitable candidate for each municipal post; the development an effective performance evaluation system; and a basic understanding of all the laws, rules and

regulations that pertain to labour relations. Councillors should apply appropriate leadership styles according to specific situations and have the ability to create an environment wherein municipal officials can function optimally.

5.4.6 Municipal budgeting and finance

South African municipalities are increasingly expected to deliver more services with less resources – such expectations make increasing demands on the available financial resources of municipalities. The non-payment for local services, insufficient resources, the amalgamation of municipalities, inadequate trained financial personnel, and a lack of political direction and decision-making necessitates a review of the South African system of financing municipalities. In this regard the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996); the Auditor-General Act, 1989 (Act 52 of 1989) and the Public Finance Management Act, 1999 (Act 1 of 1999) creates a financial framework within which other spheres of government can supervise and guide municipalities in an attempt to guarantee financial stability.

The establishment of proper financial administration entails **inter alia**, the application of effective financial management principles in the handling of municipal finances. It requires that special attention be given to the administering and collection of taxes and levies. Financial viability and sustainability can only be secured if a municipality is assertive in credit control and strict in the handling of debt.

Councillors need to be innovative in an environment where the increasing needs, desires and demands of communities have to be satisfied with limited financial resources. The political, economical and social factors that have an influence on a municipality's financial resources should be identified. Councillors should have an understanding of how to embark on national (i.e. Masakhane and Project

Liquidity) and local (i.e. debt collection agencies) initiatives to ensure the financial well-being of municipalities.

Councillors should have a knowledge of how to improve the value of money for the community, through applying cost-benefit analysis, performance reviews, planned programming budgeting, management techniques, privatisation and compulsory competitive tendering. A comprehension of how to enter into public private partnerships if the cost of establishment of such a service is too high or if a council can not provide the service to its community in a cost effective manner. The dynamics involved in the budgetary process as well as the limitations of a municipality's financial resources. The involvement of the community in identifying societal needs and to assist in compiling and monitoring the budget as a valuable support base in community projects should form an integral part of a training programme for newly elected councillors.

Councillors should promote economic growth, reducing inequality, increasing participation and tackling poverty. It includes the ability to organise municipal administrations that are responsive to the needs of the community, that facilitates a culture of public services among personnel and that is performance orientated. It is a council responsibility to determine salary packages and to ensure that the personnel budget is not excessive in relation to the total municipal budget.

5.4.7 Control and accountability

In terms of section 152 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) municipalities are entrusted with the effective and efficient rendering of public goods and services to their communities as articulated in the local political policy-making process. In order to ensure that service delivery takes place, municipalities should utilise vast quantities of local resources financed by local funds. For this reason, and to ensure that municipalities strive towards the

will of a council, it is important that effective control of all activities within municipalities takes place. This implies that plans would have been formulated, local departmental objectives would have been identified and, through the process of management by objectives, municipal officials would have been involved in the formulation of job-specific objectives.

Control concerns **inter alia**, the monitoring of local activities to ensure that they are being accomplished as planned and implementing corrections when significant deviations occur. Control is essential to determine if local activities are conducted as planned, or if circumstances have changed. The implementation of proper control by a council leads to standardisation, reduced waste and improves quality services. Councillors should have an understanding of the necessity of control measures and how to ensure accountability to the community by rendering full account of deeds and misdeeds.

5.4.8 Interpersonal skills

Resulting from the requirements in terms of the guidelines as set out above, a number of interpersonal skills training areas have been identified. These skills will assist councillors to be more effective in applying themselves in their governing and representative functions. These skills are, *inter alia* transformation management, negotiation skills, meeting procedures, conflict management, self and time management, project management, ethical and value considerations and, decision-making techniques.

The modules can be integrated into one extensive training programme, or be divided into a number of separate training modules.

5.5 EPILOGUE

Municipalities are expected to meet the development needs of the communities, to build financial capacity, improve local-provincial intergovernmental relations, create economic development, and ensure effective service delivery. Municipal councils are therefore faced with challenges of integrating budgets, meeting the basic needs of communities, and managing scarce resources and finances. These challenges have to be met in the framework of democratic, accountable and developmental local government. In this regard it was determined that it is important to adequately prepare councillors for their governing and representative responsibilities. The proposed training programme accommodates, not only people with tertiary qualifications, but also for those without a matriculation qualification. Apart from this, the training of councillors makes provision for both people that are seasoned councillors and for those that have been elected for the first time.

The aim of this chapter was to summarise the findings of the thesis as well as to draw a number of conclusions regarding the training of newly elected councillors in South Africa, proving that effective and efficient local government can be brought about if councillors receive appropriate training.