

APPENDIX A

QUESTIONNAIRE DISTRIBUTED TO COUNCILLORS IN GAUTENG IN FEBRUARY 1999

QUESTIONNAIRE

THE TRAINING OF NEWLY ELECTED COUNCILLORS

Thank you for taking time to complete this questionnaire. Your answers are valuable and will be used in the determination of guidelines for the training of newly elected councillors.

SECTION 1 : PERSONAL DETAILS

1. Name : _____
2. Surname : _____
3. Sex : _____
4. Age : _____
5. Portfolio on council : _____
6. Councillor for: _____
7. Party represented : _____
8. Qualifications : _____

SECTION 2 : EXPERIENCE

9. Do you have an occupation, apart from being a councillor?

YES	NO	RETIRED
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10. If yes, what is your occupation.

11. How many years of experience do you have as a councillor?

12. How many training courses have you attended in your capacity as councillor?

13. List the courses that you have attended.

YEAR	COURSE	PRESENTED BY

14. Did the courses that you have attended add value to your ability to function as a councillor?

YES	NO
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15. If no, why not?

16. Should the training of councillors be accredited by a tertiary institution?

YES	NO
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17. Motivate your answer.

18. What do you consider to be the major roles and tasks of a councillor?

19. What do you consider to be the most cumbersome aspect of your task.

20. What measures do you utilise (individually and as a council) to determine the needs, desires and demands of the community.

21. Should there be a nationally accepted curriculum for the training of newly elected councillors?

YES	NO
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22. Motivate your answer.

APPENDIX B

GUIDELINES FOR THE TRAINING OF NEWLY ELECTED COUNCILLORS

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. Subject matter pertaining to the municipal statutory framework should therefore include the following.

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 (Act 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. The focus of this module should therefore mainly be on primary legislation whilst secondary legislation should be covered in broad terms. Apart from this, the module should also focus on how by-laws are made.

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 in local government are organised to ensure that municipal councils are accountable, transparent 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. This module should include the following topics:

- (a) The right to existence of municipalities.
- (b) Objectives of local government.
- (c) Municipal organisation and structure.
- (d) Administrative role-players : The CEO and departmental heads.
- (e) Understanding the needs, desires and demands of the community.
- (f) Community expectations of a council.

(g) Promoting local democracy.

(h) Promoting efficiency.

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.

3. REPRESENTING AND GOVERNING A MUNICIPALITY

In terms of 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. This module will include the following topics:

- (a) Duties entrusted to a local council
- (b) Role-players in council

(c) Responsibility to govern

(d) Responsibility to represent

- as a listener;
- as an advocate; and
- as a mediator between the community and a municipality.

The role interpretation of a councillor, and more specifically the representative role, can be carried out in various ways. The role of 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.

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. Policy-making is an inherent part of a councillor's task and should therefore be included in any training programme for councillors. This module includes the following topics:

- (a) The nature of local policy
- (b) Characteristics of local policy
- (c) Manifestations of local policy
- (d) Policy-making levels
- (e) Departmental personnel policy; financial policy and control policy.
- (f) Policy-makers in a municipality
- (g) The local policy process
- (h) Phases in the public policy-making process
- (i) Factors influencing policy-making
- (j) Policy instruments for municipal councils
- (k) The use of policy analysis in a municipality
- (l) Integrated Development Planning (IDP's)
- (m) Handling uncertainty in policy-making
- (n) Guidelines in handling uncertainty

A council formulates policy that provides the direction to be followed by the 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.

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. This module includes the following topics:

- (a) The role of the municipal personnel manager
- (b) The personnel department
- (c) The personnel establishment
- (d) The personnel function in a municipality
- (e) Job analysis and evaluation
- (f) Remuneration packages

- (g) The planning of human resources
- (h) Recruitment and selection
- (i) Education training and development (ETD)
- (j) Performance evaluation
- (k) Labour relations for municipal councils and officials
- (l) Motivation of councillors and officials
- (m) Political and administrative leadership

The personnel function in a municipality covers a wide and varied field and its application is to be found wherever municipal officials are deployed. The main thrust of municipal personnel administration is to increase the efficiency of a municipality and at the same time have contented municipal officials.

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. This module includes the following topics:

- (a) Factors influencing municipal finance
- (b) The financial administration environment
- (c) The consolidated municipal infrastructure programme (CMIP)
- (d) Governmental relations
- (e) Administrative capacity
- (f) The role of the Financial and Fiscal Commission (FFC)
- (g) Strategies to improve municipal finances
- (h) Alternative sources of revenue
- (i) Improving value for money
- (j) Public private partnerships for municipal services (PPP's)
- (k) Campaigning and educating communities (Masakhane)
- (l) Participatory budget
- (m) Local economic development (LED)

The employment of proper financial administration entails 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.

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 of cardinal importance 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. This module includes the following topics:

- (a) The necessity for control in a municipality
- (b) Steps in the municipal control process
 - Setting performance standards
 - Measuring performance
 - Comparing performance with standards
 - Corrective action

- (c) Key performance areas (KPA's) and strategic control points
- (d) Types of municipal control points
- (e) Municipal quality control and productivity
- (f) The management information system
- (g) Setting of control targets
- (h) Response to control by councillors and officials
- (i) The characteristics of effective controls
- (j) Accountability in a municipality
- (k) Exposing poor performance and maladministration

Control is concerned with 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 going as planned, not going as planned or if circumstances have changed. The implementation of proper control by a council leads to standardisation, reduced waste and better quality services.

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:

- (a) Transformation and change management
- (b) Negotiation skills
- (c) Meeting procedures
- (d) Conflict management
- (e) Self and time management
- (f) Project management
- (g) Ethical and value considerations
- (h) Decision-making techniques