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**AN ANALYSIS OF THE IMPLEMENTATION OF THE INDIGENT POLICY BY THE CITY OF
TSHWANE METROPOLITAN MUNICIPALITY**

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DEDICATION

This study is dedicated to Ms Bonny G. D. Leburu. Mummy, your inner strength and infallible resolve have been my constant inspiration. You are indeed a spirited warrior, yet a tactical diplomat. The value you placed on education saw me reaching this level in my studies and I hope the fruits harvested from all your sacrifices are not only validating, but exhilarating.

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ABSTRACT

Many policies and programmes geared toward eliminating poverty have been formulated, as the government of South Africa believes that the poorest of the poor need a social safety net which all municipalities ought to provide. As part of the broader social agenda and anti-poverty strategy of South Africa, each municipality is required to develop an indigent policy. Indigent policies aim to include individuals excluded from access to basic services crucial for survival, such as water, sanitation, electricity and refuse removal. The focus of this research is to provide an analysis of the implementation of the City of Tshwane Metropolitan Municipality (CTMM) Indigent Policy. In order to do so, the research begins with a theoretical framework, laying down the basis of the research, as well as using the relationship between the seven dimensions of policy implementation by Bhuyan, Jorgensen and Sharma (2010:5).

Furthermore, a comprehensive overview of the *status quo* of the CTMM with regard to its indigent policy is also explored – highlighting the underlying factors that contribute to its effective implementation. The research identifies gaps in the provision of free basic social services for the marginalised population (referred to as indigents) and also highlights the challenges that the CTMM is facing pertaining to the efficient implementation of the indigent policy. This study concludes with suggestions on measures that can be put into place to improve the efficient implementation of the indigent policy. The research is significant because it provides recommendations to support the City of Tshwane Metropolitan Municipality in remedying implementation shortcomings for its indigent policy.

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LIST OF ABBREVIATIONS AND ACRONYMS

BRR	Basic Refuse Removal
CTMM	City of Tshwane Metropolitan Municipality
COGTA	Cooperative Governance and Traditional Affairs
DCOG	Department of Cooperative Governance
DoE	Department of Energy
DEA	Department of Environmental Affairs
DHS	Department of Human Settlements
DPLG	Department of Provincial Local Government
DWA	Department of Water Affairs
EPWP	Expanded Public Works Programme
FBE	Free Basic Electricity
FBS	Free Basic Services
FBSan	Free Basic Sanitation
FBW	Free Basic Water
IDP	Integrated Development Plan
IES	Indigent Exit Strategy
LED	Local Economic Development
LGES	Local Government Equitable Shares
MMC	Members of the Mayoral Committee
MTREF	Medium-term Revenue and Expenditure Framework
MTSF	Medium Term Strategic Framework
NDP	National Development Plan
NGO	Non-Governmental Organisation

NHI	National Health Insurance
NT	National Treasury
PERSAL	Personnel and Salary Information System of Government
RSA	Republic of South Africa
SALGA	South African Local Government Association
SAIRR	South African Institute of Race Relations
SERI	Socio-Economic Rights Institute of South Africa
SIU	Special Investigating Unit
SMME	Small Medium Micro Enterprise
Stats SA	Statistics South Africa
UNDP	United Nations Development Programme
WBOT	Ward Based Outreach Teams

CHAPTER ONE: INTRODUCTION TO AN ANALYSIS OF THE IMPLEMENTATION OF THE INDIGENT POLICY BY THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY

1.1 INTRODUCTION

Avoiding the topic of Apartheid when referring to the history of South Africa is almost impossible. Since 1994 when Apartheid ended, the government of South Africa has been implementing policies to improve the efficacy of public service delivery. Inadequate provision of basic services to the population represents one of the major obstacles to development in the country, which is evident from the frequent protests across municipalities. As part of the broader social agenda and anti-poverty strategy of South Africa, the former Department of Provincial Local Government (DPLG) (now the Department of Cooperative Governance and Traditional Affairs [COGTA]) developed the National Framework for Municipal Indigent Policies in 2005. The National Framework for Municipal Indigent Policies is “aimed at including individuals currently excluded from access to basic services, through the provision of a social safety net” (DPLG National Framework 2005:3). The National Framework defines the term *indigent* as “lacking the necessities of life” (DPLG National Framework 2005:13) which are crucial for an individual to survive, such as water, sanitation, electricity and refuse removal. In order to supplement the National Framework for Municipal Indigent Policies, the former DPLG published Implementation Guidelines for Municipal Indigent Policies in 2006, to ensure a minimum degree of uniformity in municipalities providing free basic social services to benefit the indigent. Both the framework and implementation guidelines, therefore provide a foundation on which municipalities can construct their own indigent policies. The implementation of indigent policies is thus made by municipalities through the provision of subsidised services often referred to as free basic services (FBS). When dealing with indigents, there cannot be a uniform solution for all municipalities, and thus each municipality uses their discretion as to which approach they deem fit to provide free basic services.

This study analyses the implementation of the City of Tshwane Metropolitan Municipality (hereafter referred to as the CTMM) Indigent Policy, as operationalised and governed by the

Department of Health and Social Development and the Department of Finance for the CTMM. This chapter will provide the literature review of the study, outline the motivation for the research, discuss the problem statement and map out the research methodology.

1.2 BACKGROUND AND LITERATURE REVIEW

The eradication of extreme poverty is a key component in the post-2015 Millennium Development Goals process and the Africa Union's Agenda 2063. The CTMM Indigent Policy illustrates the city's commitment towards reducing the burden of poverty and to enhance the lives of the community. In June 2012, the CTMM revised its indigent policy for various reasons. Firstly, when implementing the previous indigent policy, major gaps were identified which indicated that a review was in order, as the free basic social service needs of the community were not being met. Secondly, because each municipal indigent policy has to be cohesive with the municipalities' integrated development plan (IDP), the CTMM had an opportunity to review their existing policy to align it with their 2014/2015 IDP, which was being developed. The above-mentioned is a critical factor as there is a pressing need for unified planning in municipalities due to limitations of funds, resources and capacity, which impact on the FBS programme. Each municipality is therefore expected to analyse the relevance of all their policies whenever the IDP review is carried out. Furthermore, the review was also in order as both the Metsweding District Municipality and the Kungwini Local Municipality were incorporated into the CTMM, and as such, developments in these areas were now to be the responsibility of the city.

The main purpose of the revised CTMM Indigent Policy is to ensure that "registered indigent households have access to a basket of basic municipal services, which include water and sanitation, electricity, refuse removal, and burials" (City of Tshwane Indigent Policy 2012:17). The CTMM thus provides any household that, due to a number of social or economic factors, is unable to pay for municipal services, with free basic services. In 2010, the CTMM developed an indigent exit strategy (IES), which is a poverty reduction plan of action that complements the CTMM Indigent Policy. The CTMM Indigent Exit Strategy intends to free the poor from the cycles of poverty by providing capacity building and empowerment for self-

sustainability of beneficiaries of the indigent policy. The CTMM Indigent Exit Strategy is a mechanism that tracks households deemed indigent, in order to determine when they should be graduated off the indigent register (IES 2010:1). The strategy thus “seeks to stimulate a variety of different stakeholders to actively contribute to poverty reduction in the CTMM, and to provide clear opportunities and channels for this” (IES 2010:2).

An extensive literature review has been undertaken in order to contribute to a clearer demarcation of the research problem. A literature review is essentially a comprehensive and updated analysis of research done by experts in a particular field, with the main aim of providing an intellectual framework for the proposed study. The literature review thus evaluates previous research methodologies used to analyse the envisioned topic and ultimately establishes any existing gaps (Mouton 2008:86).

Numerous government departments, non-governmental organisations (NGOs) and research institutions have published barriers to effective implementation of indigent policies which are both operational and systemic in nature. This section provides a background on what academics, scholars and researchers on policy implementation have written, with reference to municipal or basic services. For the purpose of the literature review, the following four main categories will be explored: the influence democracy has on the provision of basic services, implementation of the provision of basic services for the underprivileged in society, challenges of effectively implementing basic services to alleviate poverty, and lastly, financing mechanisms to combat poverty.

1.2.1 The influence that democracy has on provision of basic services

In 2014, South Africa commemorated twenty years of freedom since the Apartheid governance system ended in 1994. The racial segregation, which was a result of the Apartheid governance system, not only institutionalised discrimination and enslavement, but also contributed to spatial separation, inequity and unevenly distributed resources. Ortiz and Cummins (2011:45) maintain that inequality results in health and social problems, slow economic growth and the potential to generate political instability. Furthermore, Ortiz and Cummins (2011:45) state that inequality is dysfunctional and emphasise that equity ought to

be prioritised in the development agenda. According to the Development Policy Research Unit (2012:20) of the School of Economics at the University of Cape Town, high and persistent levels of poverty and inequality can threaten the quality of democracy. Borat and Van Der Westhuizen (2012:20), contend that economic growth on its own is not sufficient to guarantee the sustainability of a democracy. However, economic growth, combined with equitable distribution of income, investment in assets and provision for basic services, are critical for both the quality and endurance of democracy (Bhorat and Van Der Westhuizen 2012:20).

A study to ascertain whether democratic states improve the provision of basic services was conducted by Harding and Stasavage. In the study, Harding and Stasavage (2014:244), indicate that when countries shift from autocracy to democracy, the policy changes involved are influenced by government objectives. Governments set out objectives to maintain order, enhance prosperity and to provide essential welfare services for citizens through various public policy outcomes. According to the South African Local Government Association (hereafter referred to as SALGA), the government of South Africa has instituted policy frameworks in order to better citizens' welfare as a strategy to eliminate poverty (SALGA 2010:1). "The struggle to eradicate poverty has been, and will continue to be, a central part of the national effort to build the new South Africa" (President Thabo Mbeki 2004). As the term poverty is a multidimensional concept, the definition varies depending on the poverty measures used. Individuals may subjectively perceive poverty as a lack of access to basic services, as a lack of income, or they may base this perception on their unemployment status (Statistics South Africa 2012a:9). In an effort to establish a universal measurement of poverty, South Africa published a set of three national poverty lines in 2012. The first was the food poverty line, the second was the lower-bound poverty line and the third was the upper-bound poverty line. A poverty line, according to Statistics South Africa, refers to a line drawn at a particular level of income or consumption, in which households whose incomes fall below a given level of the poverty line or whose "consumption level is valued at less than the value of the poverty line are classified as poor" (Statistics SA 2014:7).

A milestone for the first democratic government of South Africa was realising the impact that improving the quality of life for residents of poor communities would have in terms of economic development. “No political democracy can survive and flourish if the majority of its people remain in poverty” (African National Congress 1994:5). Political democracy thus becomes unsustainable, particularly when the majority of citizens are impoverished and without prospects for a better life. Poverty reduction programmes, such as the Social Welfare Programme, are therefore a cornerstone in government's efforts to improve the lives of the poor in South Africa (Statistics SA 2014:8). Social welfare programmes in South Africa are provided through a wide array of policies. This includes, but is not limited to, social grants such as the old-age pension, the child support grant and the provision of free basic services to households, namely water, electricity and sanitation (National Treasury 2015:2). Social grants contribute significantly to protecting the indigent households against poverty. According to the National Treasury Budget Speech (2015:11), social assistance beneficiaries in 2014 amounted to 16.4 million. In order to accommodate the growth in numbers for the 2015/2016 Financial Year, the national budget proposed to include an additional R7.1 billion on the Social Development vote (National Treasury 2015:11). In assessing the impact of social packages in South Africa and comparing the various periods of implementation, Statistics SA (2014:26) notes that, although 56.5% of the South African population was living in dire poverty conditions in 2009, this declined to 45.5% in 2011 and significantly lowered to 35.9% in 2012, as indicated in the Central Intelligence Agency World Fact Book (2017). Harding and Stasavage (2014:244), indicate that in theory, democracy gives rise to the provision of basic services and assists with poverty alleviation and wealth creation.

In an effort to investigate the impact of the provision of housing and basic services on poor communities in South Africa, Meyer (2014:11) states that service delivery backlogs in poor communities have prompted an increase in violent protest marches throughout the country, as poor communities seem frustrated with the rate of service delivery. The lack of efficient service delivery is an underlying factor leading to social protest in South Africa (Mashamaite 2014:236). Service delivery protests and demonstrations in most municipalities around the country are rising, as communities express their dissatisfaction and frustrations with the

inadequate provision of basic services such as sufficient water, electricity and sanitation (Mashamaite 2014:231).

The South African Institute of Race Relations (hereafter referred to as SAIRR), disagrees with the notion that disgruntled community members attribute service delivery grievances to deficits in water, sanitation and electricity (SAIRR 2014:2). According to the SAIRR (2014:2), although irregular water supply, electricity disconnections and incidents of sewerage leaking through the streets may spark protests, the core foundation of dissatisfaction is due to high levels of youth unemployment which has led to dependency on the state to improve citizens' living standards. Both the standard of living and the unemployment rate in South Africa have experienced an increase in inverse proportions. On a quest to improve living standards, government policies create yet higher expectations which inevitably result in societal anxiety. Insufficient public service provision persistently contributes to service protests, mainly at local level. Municipal ineffectiveness and the poor organisational and weak administrative capacities of public servants diminish the reputation of public authorities at all three spheres of government (Mashamaite 2014:232).

According to Nleya (2011:3), municipalities should have effective communication channels in order to resolve service delivery grievances to improve the quality of life for the indigents. Solving service delivery grievances in municipalities is therefore just as important as the lack of basic services themselves. Nleya (2011:11) asserts that because service delivery in municipalities is based on needs and not performance or productivity, the role of local government, as the sphere of government closest to citizens, is thus significant in three ways. Firstly, in assessing the needs of the community and identifying basic gaps in poor areas, secondly, in making appropriate plans for those established needs, and thirdly, in providing and maintaining basic services (Nleya 2011:11). Efforts by municipalities to address the concerns of communities across the country are associated with an increase in the dignity of the poor.

1.2.2 Implementation of the provision of basic services for the underprivileged in society

In the *Make Poverty History* campaign in 2005, Nelson Mandela addressed global poverty and stated how eliminating poverty was critical to the “protection of a fundamental human right, the right to dignity and a decent life”. Mandela (2005) asserted that “while poverty persists, there is no true freedom”. In addition, “overcoming poverty is not a task of charity, rather it is an act of justice. Like slavery and Apartheid, poverty is not natural. It is man-made and it can be overcome and eradicated by the actions of human beings” (Mandela 2005). The government of South Africa has implemented an efficient system of social allowance for vulnerable citizens, particularly the less privileged, children, the old and people that are incapacitated (Agholor and Obi 2013:90). Poverty levels have decreased due to the expansion of the social grant system and other pro-poor government programmes, in areas such as free basic services (The Presidency 2014:80). According to Meyer (2014:18), the social welfare programmes result in improved quality of life for the indigent population, as social grants have increasingly become a source of livelihood in South Africa, thus contributing significantly to reducing poverty levels. Indigent policies are used by municipalities to fulfil the role of developmental local governance and to access to free basic services to the poorest of the poor (DPLG National Framework 2005:3). As there is still a significant proportion of the South African population that is poor and unemployed, Meyer (2014:14), outlines the urgency in which the pace of the provision of basic services ought to be maintained, while service delivery improvements accompanied by rapid economic growth too, are vital (Meyer 2014:14).

Policy reforms are required with a transition from the delivery of large scale free basic services to job creation and deregulating the economy, in order to remove barriers to investment (SAIRR 2014:4-5). Although free basic service delivery improves the quality of life of poor communities, without job creation, free basic services alone will not lead to a substantial reduction of poverty. In redressing inequalities of the past, a steadfast contention continues between creating favourable conditions for a fast growing economy and the eradication of basic service backlogs. According to Meyer (2014:82), South Africa has not

placed enough emphasis on job creation strategies which continues the cycle of poverty within communities. The SAIRR (2014:4) supports the above-mentioned notion by Meyer, arguing that poverty will continue unless employment opportunities are created to help citizens find jobs and steady incomes, in order to advance their own lives. Jobs will not increase unless South Africa is able to attract higher levels of direct investment which will inevitably lead to accelerating rates of economic growth (SAIRR 2014:4). Crucial to securing the country's democracy is job creation through private sector partnerships, while ensuring a reduction in poverty, inequality and unemployment (Meyer 2014:82).

According to *South Africa's twenty-year review*, focus needs to be on addressing the shortage of social service professionals in order to tackle the remaining basic municipal service backlogs which include maintenance problems and operation of municipal services in some municipalities (The Presidency 2014:81). Municipalities, therefore, ought to improve the process of integrated planning, in order to ensure that the poor sections of communities have access to services and economic opportunities by means of effective spatial planning actions (Meyer 2014:19). The City of Tshwane upholds reducing the number of households living in informal settlements with a view to promoting security and enhancing a restored dignity by virtue of providing basic services which will, in turn, propel a vast degree of sustainability to those most excluded within the city. In implementing the desired spatial form within those strategically located areas of the city, an improvement in service delivery through investing in impactful infrastructure is of the utmost importance (The City of Tshwane Metropolitan's Integrated Development Plan 2014:75).

1.2.3 Challenges in effectively implementing basic services to alleviate poverty

Notwithstanding that there is some notable evidence suggesting that a positive impact has been made by policy and institutional development towards the vulnerable groups in South Africa, there still remains an obstacle in achieving an equal balance between conventional strategies and those interventions targeted through dedicated programmes. Monitoring the extent to which mainstreamed policies are being implemented by all stakeholders has not been adequately enforced, resulting in delivery and impact assessment flaws (The

Presidency 2014:77). The former DPLG Implementation Guidelines for Municipal Indigent Policies (2006:37), for example, mandate municipalities to be in a position to assess whether the services implemented are “appropriate, functioning adequately and directed at the correct people”. Only a few municipalities have been closely assessing the implementation of their FBS programme, and even fewer municipalities are able to effectively elaborate on the notable changes and impacts in relation to the quality of life of its beneficiaries, which have been brought about by the programme (DPLG 2006:37). Tissington (2013:44) confirms the above-mentioned, by stating that in certain municipalities there is no stakeholder structure to monitor the implementation and impact regarding the quality of life for beneficiaries of free basic services.

Another key challenge for implementing policies by municipalities stems from corruption that results in outsourcing funds to agencies to deliver basic services (Harding and Stasavage 2014:232). Various municipalities around South Africa have been put under provincial administration with certain officials being investigated for fraud and corruption. Both local government elites and politicians in national government have been accused of corruption in terms of illegal tendering, accepting bribes and unauthorised expenditure (Managa 2012:4). Corruption weakens the integrity of municipalities to provide basic services to communities and thus violates citizens’ human rights and undermines the values enshrined in the Constitution (Mashamaite 2014:231). According to Managa (2012:4), the foundation of corruption is rooted in South Africa’s bureaucratic traditions, political development and social history. The high levels of perceived corruption need to be addressed, together with poor maintenance of infrastructure and development of new infrastructure. The lack of balance between developing new infrastructure and maintaining existing infrastructure impacts the sustainability of programmes (ANC National General Council 2015:38).

Municipalities have been subject to criticism for failing to implement their developmental mandate with limited wastage. The widespread financial mismanagement across all municipalities in South Africa is a fundamental challenge due to “understaffing, poor planning, poor management and lack of financial and managerial skills, which intensify overspending as well as unauthorised, irregular and wasteful expenditure” (Mashamaite 2014:234). According

to Madzivhandila and Asha (2012:371), the lack of co-operation and horizontal integration has impeded the effectiveness of local government planning and has consequently made a significant contribution to the weakening of service delivery within the local sphere.

Siddle and Koelble (2012:153) maintain that municipalities are completely overwhelmed by the functions mandated by government. Furthermore, municipalities are poorly capacitated and very few people in the municipalities are able to discharge the required objectives which inevitably transform into implementation problems, due to a lack of clear distribution of roles. Siddle and Koelble (2012:153) emphasise the importance of effective implementation and contend that a timely transition is imperative in response to the accelerated pace of service delivery protests. It has been suggested by Spector (2013:25) that the South African government is currently not well positioned to cater for the efficient alignment of various national departments and different governmental spheres. According to Spector (2013:5), in order to overcome this challenge, South Africa would need to significantly increase its implementation capacity. The transformation of public administration at all three spheres of government remains a challenge. Lines of authority, structures and procedures for coordinated decision making are insufficiently defined. The powers and functions of government entities are often unclear and not allocated to the most appropriate level of government on a rational, principled and sustainable basis. Spector (2013:25) maintains that coordination and policy coherence is relatively poor and the restructuring of national government departments is in order, particularly in the mandated roles and functions.

According to *South Africa's twenty-year review* (The Presidency 2014:79), the National Development Plan (NDP) 2030 has identified policy coherence and intergovernmental cooperation as important factors to improve public service delivery in all spheres of government. The National Development Plan (NDP) sets various goals to reduce poverty, unemployment and inequality through a variety of proposals for transforming society. These proposals prioritise improving access to quality education, healthcare and basic services, as well as enabling access to employment and transforming ownership patterns and other imbalances of the past (The Presidency 2014:79).

Effective service delivery can have a positive impact on poverty levels and should be used in conjunction with local economic development strategies (Meyer 2014:18). The main objective of a local economic development (LED) programme is to derive local solutions to local problems. Municipalities are therefore encouraged to manage their resources by entering into partnerships with non-governmental organisations (NGO's) with a view to generating new employment and enhancing economic activity in the area (Agholor and Obi 2013:91). According to Agholor and Obi (2013:92), poverty reduction must be a priority, not only for the government, but for donors, civil society and NGOs, as the impact of poverty on a nation is dire and its consequences threatening to global stability.

1.2.4 Financing mechanisms to combat poverty amongst the indigent population

There is no country immune to poverty and its effects and South Africa is by no means an exception. In South Africa, due to the large social welfare backlogs in poverty and inequality, the social welfare expenditure allocated in the national budget is greater than the developmental expenditure. In 2015 over 60% of the national expenditure was devoted to social development in order to support the social welfare of South African citizens (National Treasury 2015). There is a need for municipalities to develop subsidy frameworks which are based on targeting approaches, so that those who are well off or within the middle-class in society do not benefit from the FBS, while those who desperately need assistance do receive due services and do not have to pay for them. The above is in accordance with the DPLG National Framework for Municipal Indigent Policies (2005:26). How then are basic needs for indigents financed in efforts to combat poverty?

In the *Audacity of Freedom*, Hedke (2011:46) asserts that wealth cannot be multiplied by dividing it. By explicitly elaborating that the measures which one person receives without working for, another person must work for without receiving, Hedke conveys the impossibility of legislating the poor into freedom by legislating the wealthy out of freedom (Hedke 2011:46). When a portion of society gets the idea that they do not have to look for jobs or work because the government is going to take care of them, it leads to dependency on the government and reduces the labour force in a country, which has implications on economic growth. It is

important to note that the government cannot give to anybody that which they did not first take from somebody else. Therefore, when one portion of society gets the idea that it does no good to work because somebody else is going to get what they work for, that is the downfall of any nation (Hedke 2011:46).

In 2013, the Socio-Economic Rights Institute of South Africa (SERI) published a report which provided illuminating insight into the difficulties of implementing indigent policies across 137 municipalities in South Africa. The report aimed to update research and support strategies around the provision of municipal basic services, in order to contribute to improved access to basic services for citizens of South Africa. In the analysis of free basic services and municipal indigent policies the report conducted by SERI stated that “each year, billions of rands are distributed from the national fiscus to municipalities in terms of the Local Government Equitable Shares (LGES), however it is clear that this unconditional grant is not being used as intended by National Treasury and COGTA” (Tissington 2013:10). These two national government departments have “little faith in the indigent registers established by municipalities, and the money transferred to municipalities in terms of the LGES is falling short of having the desired impact on poor households” (Tissington 2013:71).

The mandate assigned to municipalities in implementing social welfare policies is indeed a complicated one. Due to local government functioning within different and complex settings, each municipality has discretion on implementing indigent policies to provide FBS. The exit strategy or process of removing identified indigents from the list of beneficiaries whose services are subsidised is however not planned very well, neither is it clearly outlined. What the FBS aims to achieve as an outcome is that the individuals who are in need of being relieved will in time see a great improvement in their standard of living, so much so that they no longer need the relief. Indigent policies are, in most of the municipalities, unclear and it can therefore not be clearly articulated how the exit strategies are to work in practice. In addition, it is also not clear whether the exit strategies provide commendable results which would lead to the households no longer being in the FBS (Tissington 2013:64). In order to have their populations exit from the indigent subsidies and registers, there is a need for municipalities to commence with the necessary planning, inclusive of exit strategies, for these aforesaid

municipal populations. There needs to be a drastic change for the better in the individuals' status and living conditions, in order for them to exit the indigent register. The evidence of the above would be the previously impoverished individual now being able to pay for these services. In order for this to ensue, a partnership must be initiated between other provincial and national spheres of government and the municipality with a view to doing away with poverty. For this plan to achieve success, committed skilled workers to monitor the implementation and impact of benefits received by the indigents are necessary. In theory, everything is attainable; however, the implementation phase is where the gaps are found as municipalities face numerous challenges in their duty to provide services. According to Pienaar, Belcher and Grobler (2011:141), the former Director-General of the Department of Water Affairs and Forestry, Muller, asserted that "the measure of how successful we are at implementing policy and legislation must be the extent to which it successfully achieves its objectives". The inefficient implementation of indigent policies by municipalities results in failure to meet their constitutional mandate of providing services to communities in a sustainable manner.

1.3 MOTIVATION FOR THE RESEARCH

In order to build an efficient and effective government, South Africa has developed a social agenda and anti-poverty strategy as a tactic to include those currently excluded from access to basic services. One of these strategies is to provide free basic services to improve the lives of marginalised citizens. The government in 2005 determined that each municipality should develop and implement an indigent policy in order to provide water, sanitation, electricity and refuse removal, as each of these are necessities of life. The government of South Africa has emphasised that in order for socio-economic conditions to improve, the eradication of water and sanitation backlogs is critical, particularly in impoverished communities. Since the primary purpose of indigent policies is to provide a social safety net for citizens, research should be conducted to analyse the implementation of the CTMM Indigent Policy with regard to alleviating poverty. Despite South Africa having a progressive constitution to protect and advance citizens' rights, there is often a significant gap between aspirations set out in official

policy documents and what actually happens in reality. The capacity of municipalities to deliver free basic services has come under the spotlight in recent years and there is increasing pressure on municipalities to deliver free basic services to previously excluded indigents. Ensuring quality service delivery remains one of the critical challenges facing South Africa today. While significant progress has been made over the past few decades in ensuring greater access to free basic services, the results of the 2016 Community Survey (Statistics SA 2016:17) convey that 89.8% of households used piped water, 63.4% used flush toilets connected to either the public sewerage or to a local septic system, 63.9% of households received refuse removal services, and 87.6% of households had access to electricity - the outcomes of the survey also show that backlogs still exist in South Africa. Backlogs have a tendency to bring about a fiscal challenge for municipalities, as they require those municipalities to make adequate plans and investments in service delivery infrastructure. The result of the aforementioned is the eradication of free basic service delivery backlogs, while continuing to be local government's responsibility.

Many municipalities struggle to effectively deliver on their FBS obligations. The SALGA Annual Report 2015/2016 (2016:57), states that many municipalities face the challenge of indigent households exceeding the quota of free basic services. According to the report, unfunded costs escalate year on year where many municipalities face challenges to meet their bulk water and electricity debts. The motivation for the analysis of the implementation of the CTMM Indigent Policy thus stems from the need to identify problems and challenges plaguing the effective implementation of FBS provision to indigents. Challenges of dysfunctional and poor infrastructure, limited engineering capacity and insufficient funds are other contributing factors that stifle effective implementation of the CTMM Indigent Policy and cannot be ignored. The research, therefore, will examine what causes ineffective policy implementation in the CTMM, with reference to the provision of FBS for indigents.

1.4 PROBLEM STATEMENT

As stated in the motivation of the research, the CTMM Indigent Policy is guided by the national initiative to improve access to free basic services, with the aim of providing a social

safety net to relieve poverty, which will enhance economic development. Indigent policies need to be aligned with other government interventions targeting poverty, in order to assist municipalities in exiting or graduating indigent households whose conditions of living have improved. The indigents need to be monitored to avoid the unintended and negative consequences of dependency on the policy, which can result in diminishing the labour force in a municipality.

According to the 2012 Special Investigating Unit (SIU) Interim Report, 8 002 deceased CTMM registered indigents were still receiving the grant. Additionally, 911 applicants were registered on the Personnel and Salary Information System of Government payroll system (PERSAL), which indicates that they were state officials and therefore were consequently not entitled to the grants. To improve the unfavourable consequences of the indigent policy on the CTMM there is a critical need for the policy implementation to be analysed in depth. Indeed South Africa has always been praised for strong policymaking, however, the criticism has frequently been the implementation or lack thereof. Schreiner and Hassan (2011:271) argue that South Africa has excellent policies and legislation in place. However, if the above statement is correct, why are there challenges in the implementation of these policies? Should effective implementation not be an important characteristic of any excellent policy? According to Schreiner and Hassan (2011:272), the “key challenge lies not in the policy so much as in the translation of this policy into practice”. Without improved implementation of municipal indigent policies, inclusive growth and the development which South Africa envisions for Vision 2030 may remain a myth. A transformation from a country with a wealth of policies, to one with better poverty implementation strategies, is in order.

The research problem is to determine the current challenges facing the implementation of the CTMM Indigent Policy. The research aims to analyse how the CTMM can effectively address the gaps in implementing the policy. A sub-question of the study is to determine how useful the 2010 CTMM Indigent Exit Strategy is, in relation to the CTMM Indigent Policy.

1.5 RESEARCH OBJECTIVES

Research as a scientific enquiry is meant to describe, explain and predict/propose. The main objective of the study is to analyse the current implementation of the CTMM Indigent Policy by both the Health and Social Development Department and the Finance Department in the City of Tshwane. In order to achieve this, the following research objectives have been identified for the study.

- To conceptualise policy implementation within the discipline of Public Administration.
- To outline the legislative and regulatory framework pertaining to the implementation of the CTMM Indigent Policy.
- To describe the challenges that the CTMM is facing pertaining to the implementation of the CTMM Indigent Policy.
- To suggest measures that can be put in place to improve the implementation of the CTMM Indigent Policy.

1.6 RESEARCH METHODOLOGY

This research forms an analytical and exploratory study of the indigent policy implementation by the CTMM, and follows an inductive methodology, due to the need to critically analyse the implementation of the CTMM Indigent Policy. There are three different research methodologies which a researcher can use, namely qualitative, quantitative or mixed research methodology. Quantitative research methodology is objective and it assumes what is a reality by using statistics and hoping to develop universal laws (McKereghan 1998). According to (McNabb 2004:314), qualitative research is a term used to accurately expand on enquiry techniques and processes which are non-statistical in nature. Such research is embarked on to collect information about social phenomena. Qualitative data is a term used to elaborate on a researcher gathering words and recording them in the form of pictures, numbers or symbols, which are altogether of paramount importance in a particular field of study. In other words, qualitative research surpasses vague descriptions and explanations of certain phenomena and rather serves as a platform where critical analysis and subjective

interpretation can ensue. Qualitative research thus focuses on phenomena that occur in a natural setting or the real world, and it involves studying those phenomena in all their complexities. Qualitative researchers do not simplify what they observe, instead, they recognise that the issue they are studying has many dimensions and layers, and so they try to portray the issue in its multifaceted form (Denzin and Lincoln 1998:8). The research may also decide to use both qualitative and quantitative research methodology simultaneously, which is referred to as a mixed research method. The analysis of the implementation of the indigent policy by the CTMM merits the method of qualitative research. The reason qualitative research was employed in the study is because the effectiveness of the implementation of the CTMM Indigent Policy can only be explained through descriptive theoretical research.

Bhuyan, Jorgensen and Sharma's (2010:5) discussion on the seven dimensions of policy implementation provides the context of the study, as it influences the criteria that need to be in place in order to result in effective implementation. Using the relationship between the seven dimensions outlined by Bhuyan et al. (2010:5) as a theoretical framework for the study, the missing implementation gaps in the CTMM Indigent Policy surfaced. These gaps contributed significantly to the recommendations for the effective implementation of the indigent policy.

1.6.1 Research instruments and target population

Both primary and secondary sources of data are used in the research. Primary sources of data entail the use of interviews. An interview refers to interactions between two or more people, with the main purpose of eliciting information. Interviews are reserved for a very small group of specially selected individuals called informants. The use of interviews is particularly valuable for the study in order to gain insight into the areas of enquiry that are not readily available, for example, the challenges the CTMM encounters regarding implementation. The interviews were semi-structured and field notes were taken for the purpose of data documentation. The interviews were carried out with the following stakeholder groups in the CTMM: the South African Local Association (SALGA), the Department of Health and Social Development and the Department of Finance, as the indigent policy is a competency of these

departments. The CTMM Water Department and the CTMM Energy and Electricity Technical Services Department were also interviewed. Six key official participants were interviewed who are mainly responsible for the implementation of the CTMM Indigent Policy. The number of interview respondents was kept to a minimum, due to the accessibility of experts who work in the aforementioned departments and who were part of the CTMM 2012 Indigent Policy revision. Thus purposive sampling was used in order to focus particularly on the characteristics of interest. The respondents were able to outline what objectives relating to the policy have been achieved to date, and some of the remaining challenges that need to be addressed in order for effective implementation to take place. Although scholars contend that the larger the sample, the more accurately the sample represents the population, for this study, six respondents are considered to be an appropriate sample.

Secondary sources of data, such as the revised 2012 City of Tshwane Indigent Policy, are important for the research. This document forms the basis of the analysis and provides specific objectives and targets that enable registered indigent households to have access to a basket of municipal services. Other key policy documents produced by the South African government, particularly the Department of Health and Social Development, the Department of Cooperative Governance and Traditional Affairs (COGTA) and the Department of Finance were used to gain further insight into the strategies to combat absolute poverty in the country.

The following secondary data was used as key resources in the study: the 1996 Constitution, related legislation, policies, laws, internet sources and library resources. The two methods mentioned above were most appropriate because they gave insight on the implementation of the indigent policy by allowing for the identification and interpretation of political, economic and social factors that characterise the study undertaken. For the purpose of the study, the following structure, namely frontline staff in municipalities, ward councillors, social workers, potential beneficiaries and registered indigents receiving FBS in the CTMM were not interviewed. This is due to the fact that the above-mentioned structures did not add value to what was being investigated. The research focuses on the top structures that make decisions for implementing the CTMM Indigent Policy. In addition, interviewing beneficiaries and

registered indigents has been explored by other researchers and it would thus be a duplication of research.

1.7 CLARIFICATION OF CONCEPTS

Within the scope of this theoretical framework, the clarification of concepts is in order to ensure that the reader interprets and understands the concepts in the way that the researcher meant them to be articulated, thus avoiding circumstances of confusion and misinterpretation. The concepts of public administration, public policy, and policy implementation, indigent population and local government will be explained in the following paragraphs.

1.7.1 Public Administration and public administration

According to Marini (2000:3), in accurately defining public administration, one ought to outline it as a discipline in which studies are undertaken in relation to the phenomenon of public administration. On the contrary, Venter and Landsberg (2011:84) are of the view that public administration entails a process by which the totality of state tools are administered, controlled, organised and managed. It must be kept in mind however, that public administration as an activity delivers services to society by using resources and adhering to rules outlined by administrative law. The Constitution of the Republic of South Africa states in Section 195 (1) (b) that efficient, economic and effective use of resources should be promoted. For the purpose of this research, Thornhill's (2006:793) definition of Public Administration will be relevant. Thornhill (2006:793) defines Public Administration "as a discipline traditionally associated with the domain of the public sector and the executive duties of government".

1.7.2 Public policy

Easton (1953:129) refers to policy as the "authoritative allocation through the political process, of values to groups in the society," while Ranney (1968:7) defines policy as "a declaration and implementation of intent." Policy therefore indicates a goal, a specific purpose, and a programme of action for what has been decided. Various academics, scholars and researchers have committed themselves to understanding the concept of public policy.

Baker, Michaels and Preston (1975:12) define public policy as a mechanism employed to realise societal goals and to allocate resources. Public policy is, in essence, a guide which governments design for direction and practice in certain problem areas, thus strategically using resources to alleviate national problems or governmental concerns. For the purpose of this study, the debates related to defining public policy were shortened by using Anderson's (2011:7) definition of public policy. Anderson (2011:6) defines public policy as those "policies developed by governmental bodies and officials" which encompass "whatever government chooses to do or not to do". Anderson (2015:7-9) highlights the following five aspects to public policy: i) goal-oriented, ii) courses of action by government officials and not separate discrete decisions, iii) important in pursuance of policy decisions and statements, iv) outcomes to have a function of either government action or inaction, either positive or negative and v) should be based on law and should be authoritative.

1.7.3 The concept and emergence of policy implementation

Policy implementation entails the translation of decisions into action. The meaning of the concept policy implementation differs from author to author and from context to context. Bhuyan et al. (2010:1) define policy implementation as the set of activities and operations undertaken by various stakeholders towards the achievement of goals and objectives defined in an authorised policy. Brynard and de Coning (2006:180) are of the view that policy implementation is a dimensional concept which has been attempted at various governmental levels and concurrently pursued with non-governmental organisations, the private sector as well as civil society. With regard to the government, naturally, the implementation of a public policy begins with the translation of policy into action, for example, the White Paper, followed by translation into administrative policy, and then monitoring and evaluating implementation (Hanekom 1987:54).

For the purpose of this research, O'Toole's (2000:266) definition of policy implementation will be relevant, as it aligns with what the objectives of the study intend to explore. O'Toole (2000: 266) defines policy implementation as "what develops between the establishment of an

apparent intention on the part of government to do something, or to stop doing something, and the ultimate impact in the world of action”.

Implementation means to carry out, accomplish, fulfil, produce, or complete a given task. Implementation problems occur when the desired result on the target beneficiaries is not achieved. Policy gaps in developing countries arise from issues of poor implementation, corruption, a lack of co-ordination, ineffective government, centralisation and distance of policy makers from practice (Ali 2006:5-7). Makinde (2005:63) attributes four critical factors that operate and interact simultaneously to aid or hinder policy implementation: communication, resources, dispositions or attitudes and bureaucratic structures. Implementation gaps could also transpire when there is an indication of ineffective leadership, a lack of harmony between stakeholders, the implementer’s lack of understanding the policy, lack of monitoring and evaluation mechanisms, and unavailability of human, financial and technical resources and capacity issues.

1.7.4 The indigent population

The indigent population refers to the poorest sections of communities. The basis on which a municipality determines whether a household is indigent (and the criteria used for such determination) varies. For the purpose of this research, the indigent population was classified as those lacking the following goods and services which are considered as necessities for an individual to survive: sufficient water, basic sanitation, refuse removal in denser settlements, environmental health, basic energy and health care. Anyone who does not have access to these goods and services is considered indigent (DPLG National Framework 2005:13).

1.7.5 Local government

Local government refers to the administration of the local sphere of government. In South Africa, the local government is a key component of South Africa’s three-sphere system of government, mandated by the *Constitution of the Republic of South Africa, 1996*, to operate closely with provincial and national government (Constitution, 1996:Section 40). This should be done in a system of cooperative governance that promotes democratic participation, good

governance and economic and social development through the sustained delivery of quality services to communities and support to the local economy.

The South African Local Government Association (SALGA) is a constitutionally mandated autonomous association of South African municipalities. It is the sole representative of local government in South Africa and is essential in streamlining the engagement between local government and other governmental and non-governmental structures. SALGA is the local government's voice in interactions with Parliament, Cabinet, provincial legislatures, national and provincial government departments, civil society, non-governmental organisations and international bodies (SALGA Annual Report 2016:25). SALGA is required to be responsive to the dynamic challenges and requirements faced by its member municipalities.

1.8 LIMITATIONS OF THE STUDY

Although the CTMM Indigent Policy falls within the capacity of two departments, namely the Department of Health and Social Development (responsible for the registration and assessment) and the Department of Finance (responsible for the funding of the policy), the research, however, mainly focused on narrowing the panel to be interviewed to six experts involved in the implementation process. Gathering information from some stakeholders was a challenge, as some organisations engaged were extremely opaque and current information regarding them was not easily obtained or accessible. In addition, due to the dynamic nature of development, statistics and figures on published articles relating to the topic were increasingly out of date. However, the scope of the study focused on what is available, and made recommendations for what is not.

1.9 FRAMEWORK OF THE RESEARCH

Chapter One serves as the introductory chapter. The purpose of this chapter is to provide a brief background, which highlights the problem at hand and demarcates the overall aim and objectives of the study, as well as the questions that the research intends to answer. The significance, scope, literature review and methodological aspects of the study are also explained in this chapter, as they relate to how the research will be undertaken. The

clarification of concepts will be given in this chapter to avoid circumstances of confusion and misinterpretation.

Chapter Two focuses on conceptualising the analysis of the implementation of the CTMM Indigent Policy within the discipline of Public Administration. Public administration and management, public policy and policy implementation are explained. In this chapter, Bhuyan et al.'s (2010:5) seven critical dimensions that relatively influence effective implementation are analysed with the CTMM Indigent Policy being the focus.

Chapter Three identifies the key legislation, regulations, policy and functional framework of FBS and indigent policies in South Africa. The focus is on the following related documents: Section 152 (1) of the 1996 *Constitution of the Republic of South Africa*, the 2005 DPLG National Framework for Municipal Indigent Policies, the 2006 Guidelines for the Implementation of Municipal Indigent Policies, the 2012 revised CTMM Indigent Policy and lastly, the 2010 CTMM Indigent Exit Strategy.

Chapter Four outlines the case of the implementation of the CTMM Indigent Policy. The chapter will explore the difficulties the CTMM has in implementing the policy and examines the underlying causes hampering effective implementation in the CTMM.

Chapter Five interprets and analyses the results of the study, linking them to the aims and objectives of the study. The research aims to cover a wide set of implementation strategies, research questions, outcome variables and factors affecting the CTMM Indigent Policy. The penultimate chapter thus critically analyses the implications of ineffective policy implementation and suggests strategic entry points at the national and local levels of government to improve indigent policy implementation.

Chapter Six provides a summary of each chapter, conclusions and recommendations made to the CTMM on ways to improve their indigent policy implementation and exit strategy, to be delivered both efficiently and effectively to poor marginalised households. Recommendations for future research are also discussed in this chapter.

1.10 CONCLUSION

Since the inception of democracy in 1994, the main economic objectives of government have been job creation, the elimination of poverty and the reduction of inequality. The national government has set out an exceptional plan to achieve improved provision of free basic services to poor and marginalised households through social welfare programmes. Ideally, the provision of such services comes to fruition in the functional realm of local government.

Although South Africa has come a long way from its difficult past, it still has a long way to go to become a nation of success. Reducing poverty levels in South Africa is vital for its economic development and this research analyses the implementation of the CTMM Indigent Policy as operationalised and governed by the Department of Health and Social Development and the Department of Finance for Tshwane. It is hoped that the output from the study would then be used as a guide for any possible recommendations to the delivery mechanisms of this policy.

CHAPTER TWO: CONCEPTUALISATION OF PUBLIC POLICY IMPLEMENTATION WITHIN THE DISCIPLINE OF PUBLIC ADMINISTRATION

2.1 INTRODUCTION

The previous chapter comprehensively introduced the research by outlining the background, the problem statement and the motivation for the study. It also reviewed a selection of literature on the provision of free basic services (FBS) by municipalities through the indigent policies, and mapped out a methodological framework for researching the topic. The purpose of this chapter is to contextualise and conceptualise the implementation analysis of the the City of Tshwane Metropolitan Municipality (CTMM) Indigent Policy within the field of Public Administration. In order to explain in detail the theoretical framework for the research, the foundations of Public Administration theory will be analysed. Public Administration (the discipline) *versus* public administration (the activity) will be discussed. This is crucial to the context of the study. Based on the overview of the study of Public Administration, the research will identify and appraise various contributors to the development of the discipline of Public Administration.

As Public Administration is a universal discipline in a multi-disciplinary context, it overlaps with other academic disciplines such as Public Policy. Both Public Policy and Policy Implementation are sub-disciplines of Public Administration, and this chapter explicitly explains the above-mentioned concepts and will analyse the link between the CTMM Indigent Policy and Public Administration. The seven distinctive characteristics of public policy will be identified. These are found in a well-drafted and communicated public policy and thus convey that the indigent policy adopts a practical approach in illustrating broader elements of policy-making.

Included in the processes that constitute public administration are public policy processes which can be categorised into public policy analysis, public policy-making and public policy implementation processes (Cloete 2006:90). Particular emphasis is placed on public policy, as one of the six generic functions of public administration. It is important to note, that

although it is possible to distinguish the various generic functions as an academic exercise, in practice they are interwoven. Furthermore, no activity of government, or provincial or municipal administration can be effective without a clear written policy. Policy implementation is the focus of the research, and in order to enhance the analysis of the implementation of the CTMM Indigent Policy, specific reference will be made to public policy implementation and its association or linkage to Public Administration.

2.2 PUBLIC ADMINISTRATION AND MANAGEMENT

Although the concepts of Public Administration, public administration, public management, public policy, and policy implementation were defined in the previous chapter, the following paragraphs explain the concepts in depth. The purpose of explaining the aforementioned concepts in detail, will enable the conceptualising of policy implementation within the discipline of Public Administration, which is one of the research objectives.

2.2.1 Public Administration and public administration

Public Administration (upper case) is a “university subject in which the operation of public administration (lower case) is studied” (Botes, Brynard, Fourie and Roux 1997:257). In accordance with Venter and Landsberg (2011:84), defining public administration can be said to be a progressive course in which the collective state instruments are controlled, organised, administered and managed. At the core, public administration in action is the utilisation of resources aimed at public service delivery. Public administration must occur within the bounds of administrative law. Public Administration is, therefore, the subject in which fundamental aspects of state institutions are studied exclusively and can be “dissected in systematic steps of study and research” (Botes et al. 1997:261). Thornhill (2006:794) defines Public Administration “as a discipline traditionally associated with the domain of the public sector and the executive duties of government”. For the purpose of this research, Thornhill’s (2006:793) definition of Public Administration will be relevant to articulate how the indigent policy is associated with the course content of Public Administration.

“Public Administration consists of all operations having for their purpose the enforcement of public policy” (Marume 2016:16). Public policy entails government decisions which are aimed at solving society problems through collective approaches to planning and implementation. Policy implementation is the “application of the policy by the government’s administrative machinery” (Anderson 2011:4). It aims to apply the government’s policy to a problem. Successful policy implementation lies in the hands of the public officials concerned.

Over time, public administration has gradually developed with a proliferating need for a value-orientated public service approach based on public administrative practices to provide efficient and effective services designed to meet the changing needs of society. Public Administration has the significant potential to “contribute to real-life challenges such as good governance, effective economical and efficient utilisation of resources for service delivery, as well as to cope with socio-political challenges” (Thornhill 2013:20).

According to Kent-Brown and Roux (2003:73), the relationship between public administration and public policy is that “public policy is essentially an institutional output and the relevant institutions are government institutions”. Although administration takes place under all circumstances and in different frames of reference and various dimensions and orders, one of the main aims of public administration is to implement government policies. Public policy administrators serve as political advisors, specifically in planning, organising, directing and coordinating government operations (Botes et al. 1997:263). Public policy administrators should thus be sensitive to the interpretation and execution of policies, for example, how does the design and content of legislation ease or complicate implementation? How does implementation affect its impact?

2.2.2 Public management/administration

Many fail to recognise the difference between public administration and management and use the two concepts interchangeably (Leonina-Emilia and Loan 2010:1022). In theory, public administration serves as the very core of public management. Affirming the above notion, Kauzya (2010:15), asserts that “conceptually, public administration constitutes the crust of public management.” According to Kauzya (2010:15), the “strengthening of public

administration will entail bringing together the best attributes of the two concepts of public administration and public management to construct a tool for effective, efficient, responsive, transparent, accountable and well-networked functioning of local governments”. As opposed to public administration, public management has its foundations in rendering quality public services to the satisfaction of its respective citizens. Public management includes, but is not limited to, procedures on results, establishing short and long term strategies and attention to the environment, depending on the external evaluation of services, especially by the citizens.

Thornhill (2005:180) defines management and administration as the “enabling functions required to give effect to political decisions and/or policies”. Public management is concerned with the establishment of an enabling framework for the performance of duties. Public management involves private sector techniques and a market-driven approach to the function of government. It is concerned with strategies and is results-oriented, which includes efficiency, effectiveness and service quality to decision making. Public management focuses on managing the total organisation through planning and leading the organisation of the people in the workplace, in order to achieve the agreed set strategic goals.

Predominantly administration deals with the establishment of an enabling framework for performance of duties. According to Thornhill (2005:180) the administration functions can be divided into the following six categories:

- Systems and processes for policy making;
- Development of organisational structures;
- A system for the appointment and utilisation of human resources;
- A system for the acquisition and utilisation of financial resources;
- A system to ensure that work methods promote efficient and effective service delivery;
- A system to ensure effective control and that public accountability can be maintained.

Based on the administration functions developed by Thornhill (2005:180), administration can be viewed as a diverse and broad process, which needs to be divided into different tasks in

order to function effectively involving human resources working toward common goals. It can also be seen as a thought process and action to achieve objectives. Administration consists of a wide-ranging set of processes and activities including policy making, organising, financing, staffing, determining work procedures and exercising control.

2.2.3 Public policy defined

In order to clearly demonstrate the need for a public policy, understanding the purpose and the nature of a policy is vital. Policy refers to a “relatively stable, purposive course of action followed by an actor or set of actors when dealing with a problem or matter of concern. Public policy focuses on what is actually done, instead of what is only proposed or intended, and it differentiates a policy from a decision, which is essentially a choice amongst competing alternatives” (Anderson 2003:9). Public policy is defined by Baker et al. (1975:12) as “a mechanism employed to realise societal goals and to allocate resources”. According to Koma (2013:145), public policy is “initiated by policy makers in response to a societal problem and changing circumstances, with which the population is faced at a given period”.

For the purpose of this study, Anderson’s (2011:6) definition of public policy will be relevant, as it provides an applicable meaning for the analysis of the implementation of the CTMM Indigent Policy. Anderson (2011:7) defines public policy as “those policies developed by governmental bodies and officials” which encompass “whatever government chooses to do or not to do”. Anderson’s definition of public policy, therefore, focuses on what is actually done, instead of what is merely proposed, and furthermore epitomises policy as something that unfolds over time (Anderson 2003:2). Van der Waldt (2001:91) states that policy has a cyclical nature and arises from a process of time. Van der Waldt (2001:100) further suggests that “policy has no clear beginning or end,” as the policy process is continuous. Anderson (2003:1) asserts that public policies are omnipresent in a modern and complex society, with an array of consequences for citizens’ well-being. Anderson (2015:7-9) highlights five aspects to describe public policy. Firstly, public policies should be goal-oriented. Secondly, public policies are courses or patterns of action by government officials and not separate, discrete decisions. Thirdly, public policies are important to pursue policy decisions and statements.

Fourthly, Anderson (2015:8) suggests that public policy outcomes may be a function of either government action or inaction, either positive or negative. Lastly, public policies should be based on law and should be authoritative. There are six characteristics that are generally found in all public policies. These include the following elements: authoritative, enforceable, flexible and adaptable, feasible, clear and of a public nature (Kent-Brown and Roux 2003:75-77). These elements will be explained in the following paragraphs.

Both Van der Waldt (2001:90) and Anderson (2003:4) state that public policies, unlike those of private organisations, have an authoritative and legally coercive quality. According to Anderson (2003:4), although authoritativeness is necessary, it is not a sufficient condition for effective public policy. A policy should be authoritative in that it should stem from a body or institution authorised to issue such a public policy (Kent-Brown and Roux 2003:75). This is relevant in terms of the CTMM Indigent Policy, as it stems from the *Municipal Systems Act*, 2000 (Act 32 of 2000) which states that municipalities must exercise their legislative or executive authority to provide municipal services and to act in the best interest of the local community with available resources.

The indigent policy is defined explicitly and all parties that are affected by this policy are informed. The CTMM Indigent Policy is therefore made available by the Health and Social Development Department of the CTMM, which is required to explain the policy to applicants. The department ensures that the applicants understand the content of the policy and therefore are expected to adhere to the bare minimum requirements of the policy. According to Kent-Brown and Roux (2003:76), a public policy ought to be enforceable. The term “enforceable policy” means that although it is not a law; people are to abide by its regulations or face misconduct, maladministration or even breaching of the law. If an individual fails to adhere to the provisions contained in the indigent policy concerning the application and registration process for services fundamentally tied to human rights, there will be consequences for maladministration or an even heavier penalty. The CTMM thus reserves the right to claim back all benefits granted in the indigent policy, should it become apparent that registration by the indigents was based on fraudulent conducts and false information (City of Tshwane Indigent Policy 2012:9).

A public policy should be flexible and adaptable (Kent-Brown and Roux 2003:76). As a result policy should be drafted in such a way that will allow the administrator leeway in achieving the same goal in another manner. A flexible and adaptable policy is particularly relevant in terms of indigent policies across different municipalities in South Africa. Section 73(1) of the *Municipal Systems Act, 2000* (Act 32 of 2000), states that municipalities must develop their own indigent policies in order to target FBS to poor households. A flexible policy and one that is not rigid is one of the fundamentals of good public policy. If things are rigid, this usually results in the obscurity of the very aim in which the policy was drafted. The main aim of the indigent policy, for example, is to ensure that registered indigents have essential household social packages, which include basic municipal services, in order to survive, and therefore there should be some discretion in terms of basic services offered that applies, depending on the needs of applicants in different municipalities and over time.

According to Kent-Brown and Roux (2003:76), another important characteristic is that the policy should be feasible and thus take the realities of the environment into constant consideration. This simply means that the policy should be considered in light of the particular environment (including financial, social, economic and other spheres) of that country. A very important characteristic is that it should be clear (Kent-Brown and Roux 2003:77). In this regard, the policy should mention in simple and explicit terms its different provisions, so the parties it is aimed at will be able to comprehend its meaning. Therefore, the words used and the style of writing is very important. This is also important for the implementers of the policy, as it reduces ambiguity and thus makes its application consistent and clear, regardless of the particular parties involved. Finally, a public policy should, as its very nature suggests, be public (Botes et al. 1997:313). This means that its content should be readily available and easily accessible to the parties that it is meant to regulate. The six characteristics of a public policy are all embodied in the CTMM Indigent Policy, as it is authoritative, clear, but flexible at the same time, easily accessible, and enforceable as well as feasible.

2.2.4 Public policy implementation

Fourie (2004:32) conveys the ambiguity in the notion of implementation: “implementation has a double meaning - to give practical effect to or execution on the one hand, and fulfilment or accomplishment on the other”. Policy implementation entails the translation of decisions into action through carrying out and accomplishing a given task. Koma (2014:44) states that policy implementation refers to the “setting in motion of policy directives as authorised by the decision-makers and according to their prescriptions”. There are several approaches to public policy implementation: top-down theories, bottom-up theories and hybrid theories. According to O’Toole (2004:310), theories about policy implementation are “almost embarrassingly plentiful” however, all lacking a theoretical consensus. Mthethwa (2012:45) states that not one perspective can be singled out as superior to the other, as each result in very different strategies and outcomes. Therefore, in the implementation process, policy makers may use components from all or some of the approaches discussed below; depending on whichever one suits their purpose.

The top-down approach, also known as the rational or systems model, is characterised by its hierarchical and control themes, which emphasise the ability of decision makers to produce explicit policy objectives (Sabatier 1986:28). The core value of the top-down approach is characterised by the faithfulness with which implementation adheres to the policymakers’ intentions. The main aim of the top-down approach is to improve performance, thus achieving the intended institution's goals.

According to Elmore (1985:63), the “bottom-up approach” is a critical examination of the “top-down approach” and it essentially advocates for local implementers to adapt the strategies within policies to cater for local needs and concerns. This approach regards local bureaucrats as the key components in effective policy delivery, and emphatically regards implementation as a negotiation process in the networks of implementers (Pulzl and Treib 2007:90). A criticism for both the above research approaches is that top-down scholars tend to ignore the discretionary role of street-level bureaucrats, and bottom-up scholars tend to remain at the bottom and rarely get far enough up to focus on implementation mechanisms at an

organisational level of analysis. The hybrid approach thus tries to overcome the divide between the two approaches - that is, both the top-down and bottom-up approach, which bridges the gap by incorporating elements of top-down, bottom-up and other theoretical models. It acknowledges that implementation is a continuum located between central guidance and local autonomy (Pulzl and Treib 2007:100). As far as policy implementation is concerned, one of the major obstacles in South Africa is that the objectives of national policy seldom align with the capabilities of the municipality. It is for this reason that the hybrid approach is relevant in relation to research regarding the above-mentioned obstacle. A top-down approach to delivery is preferred by most municipalities, as it provides for decision-making to take place at a higher level and then be implemented with minimal communication or involvement with the public. Be that as it may, the top-down approach requires the municipality to possess certain skills in order to succeed, and such skills are still often lacking therein. In many cases, there has been no substantial delivery of adequate services, neither has there been the development of good quality infrastructure, as there are no resources to keep it going.

2.2.5 Policy implementation as a core function of public policy

Nhema (2016:9) articulates the confusion between public policy pronouncements, which are the sphere of politicians, and policy implementation, which is regarded as the domain of public administrators. However, in order to explore policy implementation as a core function of public policy, it is critical to examine the policy process which consists of five stages. Anderson (2011:3) classifies the five stages as problem identification and agenda setting, formulation, adoption, implementation and evaluation. According to Anderson (2011:3), the first stage focuses on how the problems that are identified and specified become the target of public policies and receive attention from policymakers to become part of the governmental agenda i.e. getting the government to consider action on the problem. The second stage involves developing the proposed courses of action from an array of alternatives, despite the difficulties and biases in formulating policy proposals. Anderson (2011:3) refers to the third stage as the adoption stage, which consists of deciding which appropriate strategy for the

proposed alternatives will be engaged to handle the problem i.e. government accepting a solution to the problem. The fourth stage is described as implementation, where administration can be viewed as a synonym. The focus of the implementation stage is to “carry into effect or apply adopted policies” (Anderson 2011:5). During the implementation phase, further development of a policy occurs in the course of administration. Questions arise as to who is involved and what is done to effectively enforce a policy. The implementation stage is crucial, as it helps determine the content and impact of a particular policy. The fifth stage, referred to as the evaluation stage by Anderson, entails the activities intended to determine whether a policy is accomplishing its intended goals or lack thereof, and the consequences of such goals. Evaluation assesses both who is advantaged and disadvantaged by the policy, and as a result, whether the policy worked or not.

The synergy of policy implementation and public policy is evident in the high level of poverty and unemployment within municipal areas, which results in various households and citizens (indigents) being unable to pay for basic services. According to the DPLG Guidelines for Implementation (2006:23), every municipality is expected to develop an indigent policy in relation to its specific need and financial standing. The policy needs to be implemented in compliance with FBS and other national poverty programmes and labour intensive interventions, in order to address poverty and economic empowerment. According to Section 152(2) of the *Constitution of the Republic of South Africa, 1996*, municipalities have a vital role in securing and redistributing basic welfare to citizens. Local government in South Africa exists as a sphere of government accorded its own identity. In terms of Section 40(1) of the *Constitution of the Republic of South Africa, 1996*, government is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated. Section 153 of the 1996 Constitution prescribes that municipalities should structure and manage their administration, budgeting and planning processes to give priority to the basic needs of communities, and to promote the social and economic development of the community. A number of factors can be debated to influence the cost of effective policy implementation. These include the targeting methods chosen and cost of ensuring accessibility, thus the indigent application and verification, monitoring, evaluation, impact

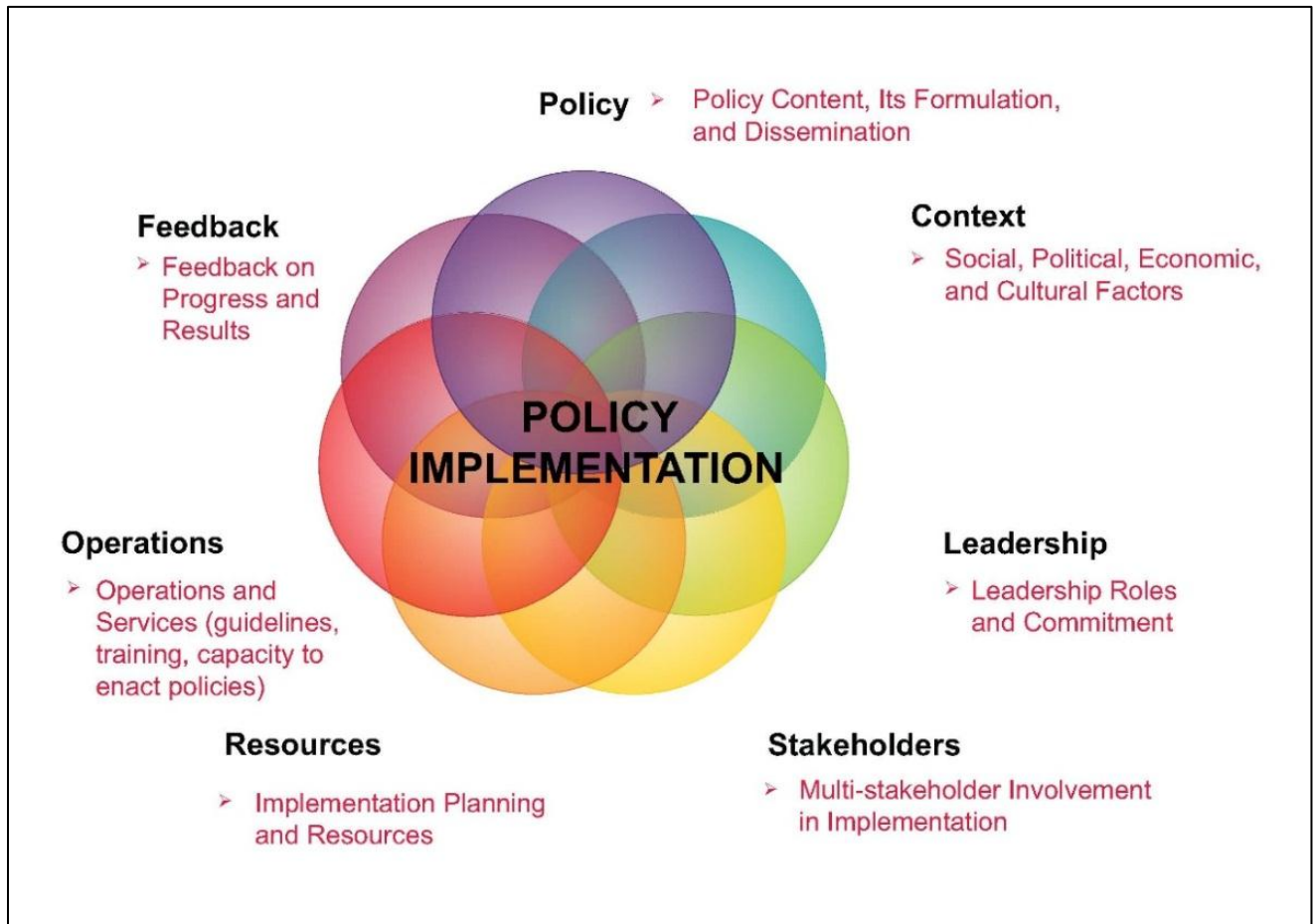
assessment and exit strategy from the indigent register are all associated with public administration.

According to Mutahaba et al. (1993:49), policy implementation includes coordinating, communicating, organisation, planning, staffing and executing. Cloete and de Coning's (2011: 53) generic policy process model conveys how policy implementation involves management responsibility roles, strategy generation, planning, programming, management and monitoring. The mere existence of policies does not automatically result in successful implementation (Yang 2007:357). In mapping out factors that influence policy implementation, Brynard (2009:558) states that "successful policy implementation is a strategic action adopted by government to deliver the intended policy decision and to achieve the intended outcomes."

2.3 SEVEN CRITICAL DIMENSIONS THAT INFLUENCE PUBLIC POLICY IMPLEMENTATION

By using different theoretical instruments, policy implementation can be studied from different perspectives. The seven dimensions of policy implementation by Bhuyan et al. (2010:6) provide the context that can improve effective policy implementation for the research. The need for appropriate skills, strong leadership, on-going communication and local accountability are some of the criteria that influence effective policy implementation, which can be best suited to the CTMM Indigent Policy, rather than a generic one-size-fits-all approach. The seven dimensions that will be discussed in the following section may enhance effectiveness, as understanding and addressing barriers to policy implementation can improve programme delivery. Given the relationship between these dimensions, the challenges facing the implementation of the CTMM Indigent Policy will become clear.

Figure 2.1: Dimensions of policy implementation



Source: Bhuyan et al. (2010:3).

A theoretical assumption is that if the dimensions of policy implementation illustrated in the figure above are correctly followed, the CTMM Indigent Policy will be effectively implemented, thereby realising the policy objectives. The seven dimensions of policy implementation are discussed below.

2.3.1 The policy, its formulation and dissemination

The first critical dimension of policy implementation places importance on clearly formulating a policy as well as making society aware of it. For a policy to enable effective implementation, it should address the underlying problems through the identification of relevant policy action, strong stakeholder consultations and the diffusion to key audiences (Bhuyan et al. 2010:5).

This ultimately means that the policy content should explicitly outline the problem area, aims, objectives and the members of society to benefit, together with the plan of action to address the problem.

2.3.2 The social, political and economic dimension

The second critical dimension of policy implementation states that the social, political and economic context influences the way in which macroclimate policies are developed and their enforcement translated into practice. Each of the above can either hinder or enhance effective policy implementation, as each factor is dynamic (Bhuyan et al. 2010:5). For instance, policy implementation would differ depending on whether the political situation in that particular country is stable or in upheaval. As the political economy changes, some policy contexts also change, which affects the actors involved in policy implementation. Depending on the nature and scope of the policy, social norms can also affect policy implementation. The social context involves examination of ethnic, linguistic and cultural factors that categorise a society, whereas the economic context encompasses the analysis of a country's gross domestic product, size, and structure (Bhuyan et al. 2010:5). This dimension is relevant to the research, as it aids in understanding South Africa's climate when it established the indigent policies to provide for FBS and the progression thereafter. South Africa has experienced radical changes since liberation in 1994, with significant changes driven by the need to create a more socially just, economically efficient and environmentally sound policy framework.

2.3.3 Leadership for policy implementation

The third critical dimension of policy implementation focuses on leadership for policy implementation. Placing a strong emphasis on an unwavering commitment and strong leadership is necessary to ensure accountability for effected policies being practiced (Bhuyan et al. 2010:7). This dimension is significant to the research, as it gives an indication of the level of influential leaders communicating policy foundation and instruments. It is important to note that it is not necessarily those who formulate policies who always have the responsibility of implementing them. Although formulating national policies, for instance, is in the domain of

national government officials and legislative authority, implementation will likely be the responsibility of municipal officials and structures.

2.3.4 Stakeholder involvement in policy implementation

The fourth critical dimension of policy implementation assesses the stakeholder involvement in policy implementation (Bhuyan et al. 2010:8). This recognises that policy formulation is a multi-sectoral endeavour. This engagement, however, does not always continue during the policy implementation stage. It is, therefore, imperative to consider the extent of stakeholder involvement and the nature of the relationships and collaboration amongst different stakeholders (Bhuyan et al. 2010:8). This dimension is important to the research, as often a lack of constructive dialogue between civil society organisations, citizens and municipalities will result in communication breakdown and, at times, protest action, the latter not always being a direct result of the lack of dialogue between the parties. Citizens are therefore encouraged and empowered to engage more meaningfully and effectively with their municipalities, resulting in enhanced public participation in municipal engagement processes. This process allows the citizens to feel more involved in policy making and thus it is easier to implement the policy because citizens are already aware of it.

2.3.5 Implementation planning and resource mobilisation

The fifth critical dimension of policy implementation recognises implementation planning and resource mobilisation as crucial. It considers the planning, resources and capacity needed to facilitate policy implementation. It questions the existence of an implementation plan, and whether the organisation needs new skills and training in order to implement the policy. Even with written guidelines, goals, strategies, roles and responsibilities, effective implementation remains a challenging process (Bhuyan et al. 2010:8). This dimension gives a comprehensive overview of the research, as it is core to the implementation of the indigent policy in the CTMM.

2.3.6 Operations and services dissemination

The sixth critical dimension is operations and services dissemination. This refers to the coordination mechanisms, operational systems and capacity of individuals and organisations charged with delivering services outlined in the policy. It evaluates the positive changes as a result of putting the policy into practice and the challenges encountered (Bhuyan et al. 2010: 9). This is relevant to the study as it conveys that there is no one-size fits all approach to implementation, as different target groups in South Africa's population have varying needs. Thus it is imperative for the CTMM to differentiate itself and to have a unique and best fit model for its residents regarding the provision of FBS implementation.

2.3.7 Feedback on progress and results

Finally, the seventh critical dimension entails feedback on progress and results. This recognises the importance of regularly gathering, disseminating and using feedback to assess progress toward achieving results. This dimension analyses who is and/or who is not receiving information about implementation, how the information is used and the prospective beneficiaries (Bhuyan et al. 2010:9). This dimension shows the vital need for monitoring and evaluation to be conducted on a regular basis, in order to enhance accountability and improved performance. Through constant feedback, policy implementers will be able to assess interim achievements and make required corrections. Unpacking this dimension further will add value to the research by studying the CTMM 2008 to 2012 past feedback reports, to gain a deeper understanding on the progress of the implemented indigent policy.

2.4 CONCLUSION

This chapter provided a theoretical framework for Public Administration in which the sub-disciplines Public Policy and Policy Implementation was discussed and a link between the two was explicitly stated. Public Administration as a scientific discipline is mainly concerned with the implementation of government policy involving the three spheres of government, which are national government, provincial government and local government. Without a clear written policy, no activity of government, provincial or municipal administration could be launched, as

policy is the direction to be followed to attain specific aims. Although the aims of public institutions are set on a long-term basis, the associated policies should continuously be tested against changing circumstances, in order to determine whether the policy is still relevant and still meets the requirements. Specific emphasis was placed on public policy implementation and its association or linkage to public administration, and significant factors that influence the determination of public policy implementation were outlined. A policy gap is formed as a result of problems with implementation, thus this study identifies problems and challenges plaguing the effective implementation of the FBS provision to indigents, as stipulated in the CTMM Indigent Policy, and aims to recommend alternative ways in which the South African government can address these critical challenges. The following chapter will explore the key legislation, regulations, policy and functional framework of the City of Tshwane Indigent Policy.

CHAPTER THREE: OVERVIEW OF THE LEGISLATION AND FUNCTIONAL FRAMEWORK OF THE CITY OF TSHWANE INDIGENT POLICY

3.1 INTRODUCTION

The previous chapter contextualised both public administration and public policy implementation in terms of the study of Public Administration. In order to explore policy implementation as a core function of Public Administration, Anderson's (2011:3) five stages to the policy process, namely problem identification and agenda setting, formulation, adoption, implementation and evaluation were discussed. Chapter Two linked the effective implementation of government policies to public administration. In order to provide an overview of the legal framework, this chapter identifies the key legislation, regulations, policy and functional framework applicable to the delivery of free basic services (FBS), as outlined in the City of Tshwane Metropolitan Municipality (CTMM) Indigent Policy. Focus will be on the following related documents, as they all comprise the legal framework of the CTMM Indigent Policy: Section 152 (1) of the 1996 *Constitution of the Republic of South Africa*, the *Municipal Systems Act, 2000*, the 2005 DPLG (currently the Department of Cooperative Governance and Traditional Affairs' [COGTA]) National Framework for Municipal Indigent Policies, the 2006 Guidelines for the Implementation of Municipal Indigent Policies, the 2010 City of Tshwane Metropolitan Municipality (CTMM) Indigent Exit Strategy and the 2012 revised CTMM Indigent Policy. A range of other documents important for the study will also be highlighted.

3.2 THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA

Section 2 of the *Constitution of the Republic of South Africa, 1996*, states that the Constitution is the supreme law of the Republic, thus any law or conduct inconsistent with it is invalid, and the obligations imposed by it must be fulfilled. It is, therefore, necessary to ensure that all legislation and conduct complies with the Constitution. Of key importance for the research are the following provisions in the *Constitution of the Republic of South Africa, 1996*, which provide the basis for the City of Tshwane Indigent Policy.

3.2.1 The Bill of Rights

In all spheres of government, namely the national, provincial and local spheres, have a constitutional obligation to realise the social and economic rights of all citizens as stipulated in the Bill of Rights. Chapter Two of the Constitution deals with the Bill of Rights which is the cornerstone of democracy in South Africa. The Bill of Rights enshrines the rights of all people in South Africa and affirms the democratic values of human dignity, equality and freedom. Section 7 (3) of the *Constitution of the Republic of South Africa* (1996), states that while the rights in the Bill of Rights are subject to certain limitations contained in Section 36, the state must respect, protect, promote and fulfil the rights as contained in the Bill of Rights. The Bill of Rights applies, amongst others, to all law, and binds the legislature, the executive, the judiciary and all organs of state (Section 8).

The Bill of Rights provides, amongst others, that everyone has the right to sufficient food and water. Section 26 (1) of the *Constitution of the Republic of South Africa* (1996) states that “everyone has the right to have access to adequate housing”. Adequate housing includes the right to a healthy environment (Section 24 [a]), the right to human dignity (Section 10) and the right to basic sanitation. The state must, therefore, take “reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights” (Section 27 [2]). As such, the provision of free basic social services through municipal indigent policies is part of the broader social agenda and anti-poverty strategy of government, to ensure the right to adequate housing. The City of Tshwane Indigent Policy is thus part of the reasonable measures within available resources used by the CTMM in achieving the constitutional obligations.

3.2.2 Local government: the objectives and developmental duties

Chapter 7 of the Constitution sets out the framework for local government. For the study note should, in particular, be taken of the objectives, structures, developmental duties and powers and functions of the local sphere of government. Section 152 of the *Constitution of the Republic of South Africa* (1996) sets out the objectives of local government, namely to:

- Provide democratic and accountable government for local communities,

- Ensure the provision of services to communities in a sustainable manner,
- Promote social and economic development,
- Promote a safe and healthy environment, and
- Encourage the involvement of communities and community organisations in the matters of local government.

It is imperative that a municipality must strive, within its financial and administrative capacity, to achieve the above objectives.

Section 153 of the *Constitution of the Republic of South Africa* (1996), provides the developmental duties of municipalities where it states that a municipality must: (a) structure and manage its administration, budgeting and planning processes to give priority to the basic needs of the community, and to promote the social and economic development of the community and (b) participate in national and provincial development programmes.

According to the Socio-Economic Rights Institute of South Africa (SERI 2013:12), the Constitutional Court has read Sections 152 and 153 of the *Constitution* amidst other legislation and describes a public law for the “right to basic municipal services that includes water, sanitation, electricity and refuse removal” (Tissington 2013:12). Section 154 of the *Constitution of the Republic of South Africa* (1996) emphasises an obligation on the national government and provincial governments to, by legislative and other measures, support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions. Section 155 (6) of the *Constitution of the Republic of South Africa* (1996), states that each provincial government must, amongst others, provide for the monitoring and support of local government in the province; and promote the development of local government capacity to enable municipalities to perform their functions and manage their own affairs. With regard to the *Constitution of the Republic of South Africa* (1996), the provisions of basic services are a local government function. Section 156 of the Constitution states that a municipality has executive authority in respect of, and has the right to administer local government matters, listed in Part B of Schedule 4 and Part B of Schedule 5. The CTMM is therefore required to provide basic municipal services which include electricity,

water and sanitation services limited to potable water supply systems and refuse removal and solid waste disposal.

3.3 THE LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT

The *Municipal Systems Act, 2000* (Act 32 of 2000) provides, amongst others, the core principles, mechanisms and processes that are necessary to enable municipalities to move progressively towards improving social and economic local communities. A critical component of the *Municipal Systems Act, 2000* is the access to services and the manner in which municipal powers and functions are exercised and performed.

Chapter 8 of the *Municipal Systems Act, 2000*, deals with municipal services. Section 73 of the above-mentioned act sets out the general duties of municipalities and stipulates that a municipality must, amongst others, give priority to the basic needs of the local community; and ensure that all members of the local community have access to at least the minimum level of basic municipal services. Such services must be:

- Equitable and accessible,
- Provided in a manner that is conducive to the prudent, economic, efficient and effective use of available resources, and the improvement of standards of quality over time,
- Financially sustainable,
- Environmentally sustainable, and
- Regularly reviewed in order to upgrade, extend and improve (Section 73 (2), *Municipal Systems Act, 2000*).

Rendering the aforementioned basic needs should be parallel with social grants, free primary health care, housing, and the promotion of small, micro and medium enterprises (SMME), as part of an integrated national poverty alleviation strategy. According to the *Municipal Systems Act, 2000*, the term municipal service means a service that a municipality in terms of its powers and functions provides, or may provide, to or for the benefit of the local community. The *Municipal Systems Act, 2000*, states that a municipal service is necessary to ensure an

acceptable and reasonable quality of life and, if not provided, would endanger public health or safety or the environment.

Section 97 (1) (c) of the *Municipal Systems Act*, 2000, conveys that a municipality must provide in its debt collection and credit control policy for indigent debtors. According to the act, the provisions must be consistent with the rates and tariff policies and any national policy on indigents. Indigent debtors, or the poorest of the poor, should be entitled to access to basic services as stipulated in the *Constitution of the Republic of South Africa* (1996). The consumption of metered services by the indigent debtors should, therefore, be maintained at manageable levels to increase the affordability of services charged to indigents. In addition, tariffs for property tax and services must be made more affordable for the poor.

3.4 THE NATIONAL FRAMEWORK FOR MUNICIPAL INDIGENT POLICIES

As previously mentioned in Chapter One of the research, particularly in relation to the National Framework for Municipal Indigent Policies, a social safety net has been provided for by municipal indigent policies to cater for those who, currently, have been directly excluded from any form of access to basic services. Furthermore, such a framework outlines how the above can be realised at local government spheres (DPLG National Framework 2005:3).

In defining the term “indigent” it must be said that it refers to the lack of those necessities of life which one cannot go without, such as sanitation, water, electricity and refuse removal (DPLG National Framework 2005:13). There are both households and citizens who are unable to access or pay for basic services, due to the level of unemployment and poverty within municipal areas. Such a group is referred to as the “indigent”. A municipality must, therefore, develop and adopt an indigent policy to ensure that the indigents can have access to the package of services included in the free basic services (FBS) programme. A foundation on which municipalities can build their own indigent policies is of paramount importance to the National Framework for Municipal Indigent Policies. The aforesaid framework clearly distinguishes between different categories of municipalities and highlights that different municipalities have different circumstances. Thus the local government is responsible for

coming up with an essential household service package (DPLG National Framework 2005:15).

3.5 THE IMPLEMENTATION GUIDELINES FOR MUNICIPAL INDIGENT POLICIES

To ensure a minimum degree of uniformity in municipalities providing free basic social services to benefit indigents, the former DPLG published implementation guidelines in 2006 for municipal indigent policies, to enhance the 2005 National Framework for Municipal Indigent Policies. The guidelines provide direction and programme areas for the design and implementation of indigent policies to municipalities. In addition, the implementation guidelines state that municipal indigent policies should be developed to integrate with integrated development plans (IDP), credit and debt control procedures and municipal by-laws (Implementation Guidelines for Municipal Indigent Policies 2006:9). The CTMM has, through the implementation of the IDP and the supporting programmes, ensured that there is a positive change in the general living conditions of its residents.

The Implementation Guidelines for Municipal Indigent Policies (2006:10) clarify concepts relating to FBS and indigents such as:

- Defining an indigent policy,
- Illustrating the difficulties that municipalities have in implementing indigent policies,
- Articulating the key elements of an indigent policy,
- Outlining key role players,
- Describing the costs associated with implementing a municipal indigent policy,
- Conveying the importance of integrated planning and its relation to the municipal indigent policy,
- Explicitly classifying an indigent, and
- Exploring various targeting methods available to municipalities.

Six minimum steps that municipalities need to engage with in order to develop and implement an indigent policy are outlined in the Implementation Guidelines for Municipal Indigent Policies. These include planning activities, institutional arrangements, communication

activities, indigent application and verification, monitoring, evaluation and impact assessment, and finally the exit from indigence (Implementation Guidelines for Municipal Indigent Policies 2006:23-24).

3.6 THE CITY OF TSHWANE INDIGENT EXIT STRATEGY POLICY

In reference to the implementation of the CTMM Indigent Policy, registered indigent households need to be assisted by the municipality to escape the poverty deprivation trap. Not only does the municipality need to ensure that households are able to pay for municipal services without accumulating debt, the municipality needs to assist poor households who are not yet registered as indigents to improve their living conditions, in order to prevent them from having to be registered as indigents. The CTMM has thus put in place a strategic intervention that it uses as a way of reducing levels of indigence in Tshwane called the Indigent Exit Strategy (IES), with the core “purpose to be able to intervene and be of assistance to those indigent households” (Mashego 2015:66).

The City of Tshwane Indigent Exit Strategy Policy was established in 2010 as a poverty reduction strategy for the city, with the ultimate aim of achieving poverty eradication. The CTMM Exit Strategy is a mechanism for tracking households deemed indigent, in order to determine when they should depart off the indigent register (City of Tshwane Indigent Exit Strategy Policy 2010:1). The exit strategy consists of seven main components, namely: training, an employment referral service, strategic small, medium and micro-sized enterprise (SMME) investments, individual commitments, airtime subsidies, communications conduits and SMS coaching, intensifying the role of social workers and re-thinking procurement for household services. Although the CTMM has overcome the challenge of developing an exit strategy for the indigent to exit from the indigent subsidy, it needs to improve on mechanisms to effectively implement the well-drafted strategy. The exit interventions for indigents focus primarily on employment, and neglect assistance for emerging entrepreneurs from the indigent database (Mashego 2015:124).

3.7 THE REVISED 2012 CITY OF TSHWANE INDIGENT POLICY

National government has made a call to alleviate poverty. In line with this call is the implementation of the indigent programme which is a part of the CTMM Indigent Policy. With reference to the previous chapter, there are a number of basic municipal services which the Indigent Policy of the City of Tshwane aims to provide or make accessible to registered indigent households. These services include refuse removal, water and sanitation, electricity and burials. In relation to burials, a municipality is obliged to provide financial support for reasonable burials and funerals for indigent families, because death can be costly for indigent households (Acad 2008:7). The financial responsibility or burden of making monthly contributions to burial societies, or the taking on of funeral policies or loans to cover funeral expenses, could result in the increase of poverty and it is for this reason that indigent households should be relieved by way of receiving free basic burial services. Should such services not be provided for, the result will inevitably be that the indigent household will be trapped in deprivation, or that the deceased will be buried in an undignified manner (Mashego 2015:63). An indigent household refers to any household or household category, including a child-headed household, earning a combined gross income, as annually determined by the municipality, in terms of a social and economic analysis of its area. An indigent household will qualify for rebates or remissions, a services subsidy or support; if it can be established that child support grants are not included when calculating such household income (City of Tshwane Indigent Policy 2012:2-3). Similar to other municipalities in South Africa, the City of Tshwane Metropolitan Municipality has developed and is currently implementing the city's indigent policy.

3.8 OTHER LEGISLATION

There are a range of other documents that are important for the research on the analysis of the implementation of the CTMM Indigent Policy which is discussed below. Since 2001, specific policies and strategies for the implementation of FBS have been outlined by various national departments. These include:

- A Free Basic Water Implementation Strategy (2002) by the Department of Water Affairs (DWA) which is responsible for providing the Free Basic Water (FBW);
- An Electricity Basic Services Support Tariff (2003) by the Department of Energy (DoE) which is responsible for providing Free Basic Electricity (FBE);
- A Free Basic Sanitation Implementation Strategy (2009) by the Department of Human Settlements (DHS) and DWA which are responsible for providing Free Basic Sanitation (FBSan); and
- The National Policy for the Provision of Basic Refuse Removal Services to Indigent Households (2010) by the Department of Environmental Affairs (DEA) which is responsible for Basic Refuse Removal (BRR).

The national FBS policy stipulates that these services are to be administered by municipalities in line with the *Municipal Systems Act, 2000*.

The *Water Services Act, 1997 (Act 108 of 1997)*, is the primary law governing the provision of water and sanitation services to South African citizens. According to Section 2(a) of the *Water Services Act*, the main aim of the act is to provide for the “right of access to basic water supply and the right to basic sanitation necessary to secure sufficient water and an environment not harmful to human health or well-being”. In order to curb the impact of poverty, water is an essential commodity to which no citizen of South Africa should be deprived access. According to Eales (2011:34), “the importance of cost-effectiveness and affordability in water services, to safeguard the rights of access of the most needy and vulnerable citizens,” is imperative, as water is a source of life. Keeping in mind that the change of climate and unpredictable rainfall introduce new risks and uncertainties, the proper management of municipal water services is of paramount importance for national security. For the above to occur successfully, the institutions supplying water services need to be competent as far as delivering reliable supplies of safe drinking water, combating raw water quality, and equally supplying a rising demand as well as a managing the growing scarcity. The institutions supplying water services, therefore, need to enable the effective

management, collection and safe treatment of wastewater, without imposing cumbersome burdens on forthcoming generations (Eales 2011:34).

Section 3 of the *Water Services Act* states that “everyone has a right to the access to basic sanitation”. Ensuring that people access sufficient and clean water supplies is crucial in reducing the transmission of diseases. According to Smith (2008:14) having access to a sufficient quantity of water, access to sanitation and good hygiene, is as important as water quality in leading to improved health.

Waste removal is another free basic service provided to an indigent household. The Department of Environmental Affairs published the National Policy for the Provision of Basic Refuse Removal Services to Indigent Households in 2010. In light of protecting the environment and public health in general, it is of utmost importance that solid and liquid waste management be effectively and efficiently maintained at all times. The spreading of diseases, as well as other adverse effects on the environment and other natural resources, are some of the repercussions of inadequate waste management. In an effort to protect the impoverished from susceptibility to various diseases and other social ills, free waste removal has been provided for the indigent (Mashego 2015:63).

Access to electricity plays a crucial role in the improvement of people’s lives. In the fight against poverty, the government of South Africa offers the provision of free basic electricity/energy to poor households, with 50kWh per month per household, which is considered adequate. According to Shah (2010:6), without access to proper sanitation, clean water, electricity or garbage collection, citizens are at risk of falling into the poverty deprivation trap and being exposed to health hazards. The potential for this increases for residents in informal settlements, making it more difficult to escape from poverty.

The National Development Plan (NDP) 2030 was endorsed by Cabinet in 2012 as a blueprint for eliminating poverty, reducing inequality and decreasing the unemployment rate to 6% in the country by 2030. In addition, the NDP (2011:296-297) has set goals of growing the economy by an average of 5.4% in 2030, thus investing in education, training and innovation is vital to attaining these goals. The NDP forms a collective policy framework with the aim of

facilitating development in South Africa. As the NDP is a strategic framework for detailed government planning, it contains elements of both social welfare and economic development characteristics. Therefore certain areas of the NDP that relate to social and economic development, free basic services in particular, are crucial to the research. The NDP (2011:171) proposes that by 2030, the proportion of people with access to the “electricity grid should rise to at least 90%, with non-grid options available for the remainder of households”. According to the NDP (2011:178), full access to affordable and reliable water and sanitation is envisaged before 2030. Furthermore, the NDP outlines that where municipalities lack “technical capacity, regional utilities or alternatives, institutional mechanisms should be used so that basic services are not compromised” (MTSF 2014:28). In 2013, the Department of Cooperative Governance and Traditional Affairs (COGTA) took a strategic decision enshrined in the draft MTSF 2014-2019 that would align with the NDP vision. In the draft COGTA prioritised to:

- Further develop the indigent policy implementation guidelines,
- Develop the national indigent register for municipalities to monitor and register access to the Free Basic Services (FBS) Programme,
- Develop a prototype indigent register,
- Develop a national indigent exit strategy,
- Conduct an implementation evaluation of the FBS Programme, and
- Provide differentiated FBS support to municipalities as per their Integrated Development Plan (MTSF 2014:27-28).

The above-mentioned is relevant as it will provide municipalities with updated indigent policy implementation guidelines, instead of using those developed in 2006. Having a national indigent exit strategy will provide the indigent population with sustainable livelihoods.

Section 184 (3) of the *Constitution of the Republic of South Africa, 1996* requires that: each year the Human Rights Commission must require relevant organs of state to provide the Commission with information on the measures that they have taken towards the realisation of the rights in the Bill of Rights, concerning housing, health care, food, water, social security,

education and the environment. In this regard, the South African Human Rights Commission published the “Report on the Right to Access Sufficient Water and Decent Sanitation in South Africa: 2014” which highlights a range of challenges and provides useful information and recommendations pertaining to water and sanitation.

3.9 CONCLUSION

As a point of departure, this chapter outlined a range of acts, regulations, policy documents, strategies and reports relating to the analysis of the implementation of the indigent policy by the CTMM. The following chapter will outline the case of the CTMM Indigent Policy. The chapter will thus explore the difficulties that the CTMM has in implementing the policy and examine the underlying causes for implementation challenges in the CTMM.

CHAPTER FOUR: AN ANALYSIS OF THE IMPLEMENTATION OF THE INDIGENT POLICY - THE CASE OF THE CITY OF TSHWANE MUNICIPALITY

4.1 INTRODUCTION

The previous chapter outlined the statutory and regulatory framework, context and principles pertaining to indigent policies in South Africa. It is imperative to have a clear understanding of the key legislation and functional guidelines discussed in Chapter Three, because it establishes the foundational boundaries that govern and protect poor and marginalised households with free basic needs. This chapter discusses the case of the City of Tshwane Metropolitan Municipality (CTMM), with specific reference to the implementation of the indigent policy. The key purpose of this chapter is to explore the difficulties the CTMM has in implementing the indigent policy and examine the underlying causes that result in implementation challenges in CTMM. The first section of the chapter provides a brief background of the CTMM.

The City of Tshwane as a metropolitan municipality has the role of supporting the socio-economic and spatial transformation aspirations of its population (Tshwane Vision 2055 2013:6). The complexity of the unemployment, poverty, inequality and social exclusion issues facing the CTMM, as well as the globally changing circumstances, have necessitated the need to re-examine the city's development framework. According to the City of Tshwane Vision 2055, the overall outcome is to be a "liveable, resilient and inclusive city whose citizens enjoy a high quality of life, have access to social, economic and enhanced political freedoms, and where citizens are partners in the development of the African capital city of excellence" (Tshwane Vision 2055 2013:6). It is paramount to assess in detail the CTMM Vision 2055 goals which relate to free basic services (FBS), as the goals give an indication of the priorities for the city. Following the above-mentioned, the CTMM 2014/2015 budget will be analysed in order to determine how much funding is available for the effective implementation of FBS, as each year billions of rands are distributed from the national fiscus to municipalities in terms of Local Government Equitable Shares (LGES).

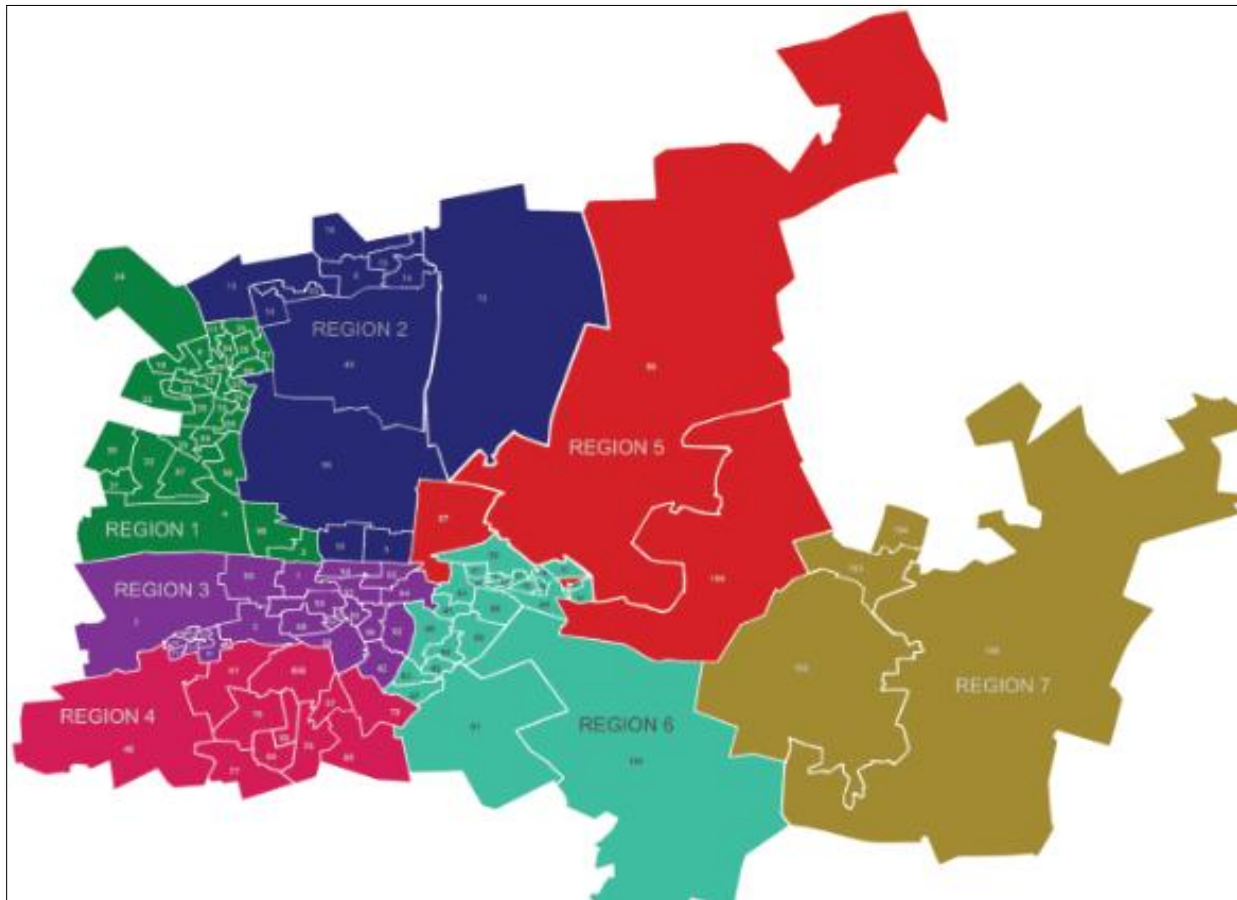
4.2 A BRIEF HISTORY OF THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY

South Africa has a decentralised system of government which is based on the principle of cooperation between the three spheres of government. The three spheres of government are the national sphere of government, the provincial sphere of government and the local sphere of government. The provincial sphere constitutes nine provinces and the local sphere comprises 278 municipalities. Of these 278 municipalities, 226 are local municipalities, 44 are district municipalities and eight are metropolitan municipalities (SAIRR 2014:3), with one metropolitan municipality being the one under analysis for this research. With a population size of 3 152 161 and being situated in the Gauteng Province, the City of Tshwane Metropolitan Municipality (CTMM) covers an area of approximately 6 368km² and stretches almost 121 km from east to west and 188 km from north to south, making it the world's third-largest city in terms of land area (City of Tshwane IDP 2014:14-17).

The CTMM is the single largest metropolitan municipality in South Africa with seven regions, 105 wards, and 210 councillors. This was the result of the merger between Nokeng Tsa Taemane Local Municipality and Kungwini Local Municipality (which had previously been part of Metsweding District Municipality), as a consequence of the Gauteng Global City Region Strategy to reduce the number of municipalities in Gauteng (Local Government Handbook 2014:123).

The figure below represents the CTMM's seven administrative regions: Region 1 - old North West, Region 2 - old North East, Region 3 - old Central Western, Region 4 - old Southern, Region 5 - Nokeng tsa Taemane, Region 6 - old Eastern and Region 7 - old Kungwini (City of Tshwane 2016/2021 IDP 2016:35).

Figure 4.1: City of Tshwane's seven administrative regions



Source: Tshwane Vision 2055 (2013:46).

Regionalisation of the CTMM has led to a comparative advantage in strengthening the cluster approach system through better coordination and alignment of functions. This has resulted in the CTMM being able to bring the government closer to the residents of Tshwane, and significantly improved service delivery throughout the regions (Tshwane Vision 2055 2015:46). One of the economies of scale which regionalisation has brought about for the City of Tshwane, is the intimate knowledge of poor residents, thus enabling the CTMM to advance their interests and target those most in need. The amalgamation of the Metsweding Region increased the demand for the city to expand access to infrastructure services and economic opportunities to all its residents.

The City of Tshwane Annual Report for the 2015/16 Financial Year (2015/16:23) indicates that the City of Tshwane Metropolitan Municipality provided 128 households with access to rudimentary water services in informal areas, while 134 informal settlements in the CTMM were provided with weekly minimal waste removal services. Furthermore, 436 021 households in formal areas were provided with weekly kerbside waste removal (City of Tshwane Annual Report for the 2015/16 Financial Year 2015/16:23-24).

The City of Tshwane accomplished the following achievements by the end of June 2016:

- The CTMM had registered an additional 3 054 new indigent households for access to FBS;
- 4 502 additional households were provided with full water meter connections;
- 2 370 additional households were provided with a sanitation service;
- 2 421 new electricity connections were provided in formalised areas;
- 3 056 completed houses were electrified to eradicate backlogs.

The unemployment rate in Tshwane declined from 22.7% to 21.1% in 2015 (City of Tshwane 2016/2021 IDP 2016:30). Notably, 2015 had approximately 982 866 people entering the formal employment sectors, while the informal sector provided employment to more than 140 843 people in the CTMM (City of Tshwane 2016/2021 IDP 2016:30). The table below indicates the CTMM achievements regarding reducing basic service backlogs, creating employment and the provision of free basic services for the 2011/ 2012 Financial Year, compared to the 2014/2015 Financial Year.

Table 4.1: Summary of the City of Tshwane Metropolitan Municipality's achievements

Basic services 2011/12	Basic services 2012/13	Basic services 2013/14	Basic services 2014/15
80 132 households in informal areas received plastic bag waste removal services.	131 237 households in informal areas received plastic bag waste removal services.	All informal settlements were provided with rudimentary waste removal services on a weekly basis, either through plastic bags collection, communal dump site clearance or skips.	Provision of rudimentary waste removal services to all informal settlements continued and was sustained on a weekly basis, either through plastic bags collection, communal dump site clearance or skips.
9 415 households benefited from the formalisation programme.	7 informal settlements were formalised.	Over 700 000 households were provided with a weekly waste removal service.	16 informal settlements/township were formalised.
18 268 households received electricity connections in formalised areas.	6 106 electricity connections were provided in formal areas.	36 informal settlements were formalised.	Over 731 342 households were provided with a weekly kerbside removal.
2 339 households received full waterborne sanitation connections.	14 915 electricity connections were provided to address backlogs.	19 668 electricity connections were provided in formal areas as well as informal areas as part of backlog eradication.	2 072 households provided with sanitation services.
57 km of storm water drainage and 33 km of road were provided.	49 468 meters for prepaid electricity were installed.	13 786 meters for prepaid electricity were installed as part of the security of revenue project.	2 216 electricity connections provided in formalised areas.
A customer service environmental audit was completed in Regions 5 and 7 to improved customer care in those regions.	9 845 water connections were provided in informal areas.	14 292 households were connected to water. 1910 households were connected to sanitation.	9 152 houses were provided with electricity to eradicate backlogs.
	9 845 sanitation connections were provided in informal areas.	More than 71 km of roads was constructed.	12.07km of TRT busway lanes roads were constructed.
	62 km of road was developed.	Nearly 88 km of storm water drainage was constructed.	62,452km of roads were provided in the proclaimed areas,
	71 km of storm water drainage was provided.	27 new parks were developed in line with the two-parks-per-ward programme.	37,761 storm water drainage system were provided in the proclaimed areas.
	1 700 UDS sanitation devices were provided in Winterveld.	The programme to provide free Wi-Fi, especially at tertiary education institutions, gained momentum.	48 community residential units were developed.
Job creation 2011/12	Job creation 2012/13	Job creation 2013/14	Job creation 2014/15
23 397 jobs were created.	20 386 EPWP job opportunities were created.	32 524 income earning opportunities were facilitated.	44 516 new income earning opportunities were facilitated.
Applications were submitted to access the jobs fund.	1 505 jobs were created.	6 335 SMMEs were supported.	5 649 SMMEs were supported by the City.
	60 fresh produce entrepreneurs were supported.		325 Tshelo 10 000 cooperatives were supported through mentorship/training in all 105 wards.
Free Basic Services for Indigents 2011/12	Free Basic Services for Indigents 2012/13	Free Basic Services for Indigents 2013/14	Free Basic Services for Indigents 2014/15
89 666 indigent households received access to free basic services (100 kWh electricity and 12 kℓ water).	10 454 newly registered indigent households received free basic services.	7 654 newly registered indigent households received free basic services.	2 435 indigent's households exited the indigent register.
1 307 indigent households were linked to exit interventions that provided work and training opportunities to indigent households, which supported the restoration of dignity to poor households.	2 078 indigent households exited the indigent register due to the indigent support and exit programme.	2 370 indigent households exited the indigent register due to the indigent support and exit programme.	

Source: Adopted from the City of Tshwane Metropolitan Municipality IDP (2016:59-61).

According to Tshwane Vision 2055 (which is a strategy for the capital city of South Africa), the CTMM socio-economic infrastructure investment has led to a better quality of life for Tshwane residents, with the expansion and provision of basic services such as water, sanitation and electricity. Although the CTMM has marginally reduced poverty and underdevelopment over time, with real earnings in the lower income groups increasing, the challenge that the CTMM faces is that, while poverty levels have declined, inequality has increased (Tshwane Vision 2055 2013:21). Despite the CTMM having amongst the lowest poverty rates in Gauteng, the inequality levels in the CTMM as measured by the Gini-coefficient index moved from 0.63 in 2013 to 0.64 in 2014, indicating that the gap between the rich and the poor had increased (City of Tshwane 2016/2021, IDP 2016:30). The Gini-coefficient reflects a summary statistic of income inequality, which varies from 0 to 1. If the Gini-coefficient is equal to zero, it indicates that incomes are distributed in a perfectly equal manner. However, if the Gini-coefficient is equal to one, it conveys that income is completely inequitable, with one individual in the population earning income, whilst everyone else earns nothing.

The number of individuals living below the poverty line in Tshwane has been increasing. This is also evident from the increase in the number of indigents on an annual basis on its indigent register. In addressing the challenge, one of the CTMM Vision 2055 goals relating to FBS is channelling the city's resources to affected areas in a balanced manner, in order to reduce deprivation and poverty in these areas. Evidence of this is in the manner in which capital funding for social infrastructure has been allocated – focus has been on deprived areas with an intention of ensuring that all settlements have access to basic and social services. According to the City of Tshwane Annual Report (2014/2015:37), the CTMM will continue to invest resources and intensify its efforts to indigent support, to ensure that they have access to basic services. The ultimate goal is to ensure that the poor accelerate on the ladder of prosperity and are self-sufficient (City of Tshwane IDP Review 2015:20). Therefore, whatever triumphs have been recorded to date, the greatest achievements are still ahead.

4.3 OVERVIEW OF THE DIFFERENT METROPOLITAN MUNICIPALITIES' INDIGENT POLICIES

Indigent needs are identified and outlined by various bodies or spheres of influence, such as service providers, municipalities, constituencies and interested parties, as well as affected parties. Once outlined, such needs are then reconciled with clearly prepared objectives and strategies which are purposed to guide the management and allocation of resources found within a municipal area of each jurisdiction. What emanates from the above process is an indigent plan which ought to be annually revised. The purpose of this annual revision is to develop the identified municipal area and to improve co-ordination and integration of indigent planning. Although this chapter will focus on the case of the CTMM with reference to implementing the indigent policy, an overview of different metropolitan municipalities in South Africa will be provided indicating how FBS subsidies are distributed to indigents.

According to the findings of the Non-Financial Census of Municipalities Report for the year ended 30 June 2015, released by Statistics South Africa on 7 June 2016, there were 3.6 million indigent households in 2015, as identified by municipalities. Out of this figure, 2.4 million (67.8%) indigent households benefited from the indigent support system for water, while 2.2 million (62.8%) benefited from free basic electricity provided by municipalities. The Non-Financial Census of Municipalities Report further revealed that 2.1 million (58.7%) indigent households benefited from the indigent support system for sewerage and sanitation, while 2.1 million (57.6%) indigent households benefited from the indigent support system for solid waste management.

Indigent policies focus only on households that hold municipal accounts and who are potentially eligible for free basic services (Tissington 2013:53). The way subsidies are allocated to indigents is referred to as targeting, and it is the responsibility of each municipality to select the targeting mechanism which suits it best. There is a wide range of methods used in this regard (DPLG National Framework 2005:26). The most common options used include service level targeting, consumption-based targeting and property value and means-testing, also referred to as the household income threshold. The administration required in order to implement the indigent policy will be greatly affected by the chosen

targeting methods. Since the different targeting methods require different systems in light of administration, the above remains a critically influential factor. The implications of getting the targeting of FBS wrong result in missing a large proportion of people who currently do not receive adequate water and sanitation, and this violates the *Constitution of the Republic of South Africa*, 1996. According to Tissington (2013:73), it is better to “ensure that everyone who needs the subsidy gets it, even at the cost of a few undeserving also receiving unneeded support, than it is to exclude those who desperately need it”.

A number of metropolitan municipalities in South Africa, such as Cape Town, Ekurhuleni and eThekweni use the value of a property as a determinant of indigent status and qualification for FBS. The property value is used as an indication of the level of household wealth, which is aligned with the concept that property value is a good suggestion of household income and, therefore, ability to pay for services. However, the value of the property method disregards the fact that property value may not bear a relationship to the amount of the service consumed. As a targeting method, property value faces the disadvantage that it requires an integrated and up-to-date property valuation role (DPLG National Framework 2005:28). A disadvantage of the property targeting method is evident when a number of indigent households on a property of higher value, or a single household, may have become indigent but still live on such a property.

In line with the recommendations contained in the 2006 Implementation Guidelines for Municipal Indigent Policies, Nelson Mandela Bay and the City of Tshwane Metropolitan Municipalities use the household income targeting approach. This approach is applied with a subsidy to those households below an income threshold, which is a monetary value based on the value of two state pensions (R1520). Although this method has been widely promoted in various municipalities it is seldom properly implemented. According to the DPLG National Framework (2005:28), one of the challenges with this targeting method is that the most financially and economically disadvantaged groups of people are, in countless cases, the least able to access and make use of the engagement system. The incentives for those who are not actually poor or disadvantaged are great, and they tend to underplay their incomes.

The research conducted by Tissington (2013:51) states that each household members' income is taken into consideration and collectively calculated in determining whether the particular household or consumption unit is below the income threshold, and thus qualifies for indigent status and FBS benefits. The concern with this targeting method is that households differ in size. Poor households are not uniformly so, and thus are not uniformly in need of FBS, as the condition of those with a few members differs from the condition of those with many members – the latter being clearly worse-off. According to the Tshwane Indigent Exit Strategy (IES) the *per capita* household income (i.e. total household income divided by the number of household members) is a better measure of the household's true circumstances than simply household income (IES 2010:24).

The eligibility for indigency should, therefore, be determined by taking household size into account through using a *per capita* income threshold, which is adopted by the City of Johannesburg Metropolitan Municipality. The suggestion is that the *per capita* definition is more accurate and thus fairer, as it focuses specifically on those who are indeed poor. Using a *per capita*-based threshold normalises across household sizes, which in reality is more appropriate than a simple household-based threshold. The problem with this approach, however, is that both household sizes and household income can vary over time, so the real issue is the frequency and accuracy with which the status of indigent households is reviewed (City Of Tshwane Indigent Exit Strategy 2010:5).

The purpose of the table below is thus to summarise indigent policies used by metropolitan municipalities around South Africa to fulfil the role of the provision of free basic services to the poorest of the poor.

Table 4.2: Overview of different Metropolitan Municipalities' indigent policies

Municipality	Department responsible for registration	Criteria for registration	Benefits for registration	Review of beneficiaries	Monitoring of beneficiaries	Indigent exit programme
Cape Town	Finance (Credit Control and debt collection)	<ul style="list-style-type: none"> • Income/HH • Property 	<ul style="list-style-type: none"> • No property rates • Free 50 kw of electricity + R30 subsidy • Free 6kl of water 	12 months	None	None
Ekhurhuleni	Finance and Social Development	<ul style="list-style-type: none"> • Income/HH • Property 	<ul style="list-style-type: none"> • 9 kl free water • 9 kl free sewer • 100 kwh free electricity • Free refuse removal • No property rates 	18 months	It is done by Social Development	Unclear, but seemingly none
Nelson Mandela Bay	Treasury	<ul style="list-style-type: none"> • Income/HH 	<ul style="list-style-type: none"> • No property rates • Free 8 kl of water • Free 11 kl of sewerage per month • Full credit for refuse collection • Free 75 kwh of electricity. 	12 months	Verification carried out annually by contracted companies.	None
eThekweni	There is no indigent registration, however Treasury determines eligibility by means of the valuation roll	<ul style="list-style-type: none"> • Property value 	<ul style="list-style-type: none"> • No property rates • Free 65 kwh per month • Free 300 litres of water per day 	None	None	None
Johannesburg	Community Development	<ul style="list-style-type: none"> • Income/capita 	Free services in accordance with their poverty index. They cover water, electricity, rates, sanitation and refuse.	6 months	Re-registration and confirmation of addresses.	Currently under construction. It will refer beneficiaries to public works.
Tshwane	Health and Social Development (but in conjunction with Finance)	<ul style="list-style-type: none"> • Income/HH 	<ul style="list-style-type: none"> • No property rates • Free 100 kwh per month • Free 12 kl water/month • Free 6 kl sanitation • Free refuse removal • Free burials 	24 months	None	Under construction

Source: City of Tshwane Indigent Exit Strategy (2010:6).

From the above table, the department responsible for the registration of the CTMM Indigent Policy is Health and Social Development, together with the with the Department of Finance. The criteria that the CTMM uses for the indigent policy is the household income applied with a subsidy to those households below an income threshold (which is a monetary value based on the value of two state pensions). According to Pienaar et al. (2011:141), the measure of how successful implementing policy and legislation is, must be the extent to which it successfully achieves its objectives. The following section will, therefore, analyse the implementation of the City of Tshwane Indigent Policy in depth.

4.4 IMPLEMENTATION OF THE CITY OF TSHWANE INDIGENT POLICY

Due to an indigent policy targeting the delivery of essential services to citizens who experience a lower quality of life, the revised City of Tshwane Indigent Policy was approved by Council in June 2012. According to the City of Tshwane Indigent Policy (2012:2), the main purpose of the policy is to ensure that registered indigent households have access to basic municipal services, supplied and subsidised by the Tshwane Municipality. During the 2013/2014 Financial Year, the City of Tshwane's Health and Social Development Department prioritised indigent households in Tshwane by ensuring that indigents receive access to at least the minimum levels of basic municipal services, such as electricity, clean drinking water, sanitation and solid waste removal (Nevhunama 2014:5).

The Non-Financial Census of Municipalities Report for the year ending 30 June 2015 provides information that serves as a framework for stakeholders and policy-makers to analyse, plan and monitor service delivery, in terms of water, electricity, solid waste management, sewerage and sanitation. The objectives of the survey that informed the Non-Financial Census of Municipalities Report were as follows:

- To assist in monitoring the progress with the implementation of service provision, free basic services and poverty alleviation as national priorities;
- To provide baseline non-financial information on those institutions classified as municipalities in terms of the *Local Government Municipal Structures Act, 1998* (Act 117 of 1998);

- To provide information that can assist stakeholders and policy-makers to plan, monitor and evaluate the performance of municipalities; and
- To allow national and provincial governments and other stakeholders to analyse the services actually provided by municipalities.

According to the findings of the Non-Financial Census of Municipalities Report for the year ending 30 June 2015 released by Statistics South Africa on 7 June 2016, various fluctuations in the free basic services provided to indigent households occurred. More consumer units received free basic electricity in 2015 compared to 2014, while 53 329 more consumer units received free basic solid waste management services in 2014 compared to 2015. In the case of free basic sewerage and sanitation, there were 23 444 less consumer units that received the services in 2015 than in 2014, and 83 796 less consumer units received free basic water in 2015 compared to 124 147 in 2014.

The Sandspruit Works Association (SWA) for example, is mandated to provide retail water and sanitation services to various regions within the CTMM, such as Mabopane, Winterveldt, and Ga-Rankuwa. During the period 2015/16, the SWA provided quality potable water to 52 600 consumers within its area of service, of which 19 145 were registered indigents that were being provided with 12kl of water monthly (Sandspruit Works Association Annual Report 2015/16:8). From the 19 145 indigent registered households, approximately 17 734 households consumed more than the allocated 12 kl per month. The Sandspruit Works Association (SWA) Annual Report (2015/16:41) states that on average, the consumption above the allocated 12 kl was 15.3 kl. During the period of 1 July 2015 to 30 June 2016, a total of 63 consumers were de-registered as indigent, while a total of 161 consumers were approved as indigent consumers.

One of the CTMM IDP 2016/2021 (2016:25) strategic objectives is to ensure sustainable, safer communities and integrated social development. The City of Tshwane Annual Report for the 2015/16 Financial Year (2015/16:180), measures the performance on the 2015/16 IDP target outcomes through various indicators. The following four indicators are assessed:

- The number of indigent households supported by the city through its social packages for the period 2015/16 - this outcome indicator had an annual target of 114 490 indigent households to be supported, however, only managed to support 110 863 additional indigent households for the same period.
- The number of indigent households exited from the indigent register during the period 2015/16 - this key performance indicator estimated a target of 2 000 indigent households to be exited from the register and exceeded the target by 681 households, thus achieving 2 681 households exited from the register in the same period (City of Tshwane Annual Report for the 2015/16 Financial Year, 2015/16:187).
- The number of new indigent households registered by the CTMM in the city's indigent register - this key performance indicator for the period 2015/16 set a target of 6 000 new indigent households to be registered, yet only achieved 3 054 new households registered (City of Tshwane Annual Report for the 2015/16 Financial Year 2015/16:187).
- Reduce the number of registered indigents who consume more than the allocated basic water consumption (12kl) - this key performance indicator aimed to achieve an annual target of 45% reductions for the period 2015/16, however only reached 10% (City of Tshwane Annual Report for the 2015/16 Financial Year, 2015/16:216).

It is interesting to note that with the exception of the second indicator mentioned above, the CTMM did not achieve their proposed annual targets for the period 2015/16. There are various factors which resulted in the CTMM not achieving all their set indicators, however it is important to note that the annual targets are set based on the previous results, which are used as a baseline for the predicted targets.

The City of Tshwane Annual Report for the 2015/16 Financial Year (2015/16:143) states that during the monitoring and evaluation process of the indigent population in the CTMM, the following were discovered and addressed: Some indigents were found not to receive the 100

kW of electricity that they should; some indigents did not have prepaid electricity meters installed; and some indigents exceeded the stipulated limits for water consumption.

Table 4.3: Indicator for an equitable city that supports happiness, social cohesion, safety and healthy citizens

Indicator	2016/2021 (5 year target)	Projected baseline for the period 2011/12-2012/16	Target 2016/17	Target 2017/18	Target 2018/19	Target 2018/20	Target 2020/21	Definition of indicator
Number of indigent households supported by the City through its social packages.	20 000	114 490	118 490 households on indigent register (4 000 new households for the year).	122 490 households on indigent register (4 000 new households for the year).	126 490 households on indigent register (4 000 new households for the year).	127 490 households on indigent register (4 000 new households for the year).	134 490 households on indigent register (4 000 new households for the year).	This indicator measures the number of households on the indigent register.

Source: Adopted from the City of Tshwane Metropolitan Municipality IDP (2016:301).

4.4.1 Financing free basic services for indigents

With regard to funding free basic services (FBS) for indigents, municipalities can access both internal and external sources of funding to provide for poor households. Internal sources of funding include municipalities drawing on core administrative revenue to fund FBS. Section 229 of the *South African Constitution* deals with municipal fiscal powers and functions and states that municipalities can receive revenue through rates on property, surcharges on fees for services, service charges, other taxes, levies or duties, administrative fees, fines, municipal loans and credit control and debt collection. Municipalities can also use cross-subsidisation, where wealthy residential users are charged more than what the service costs, in order to generate a surplus to be used to cover the cost of services to poorer households.

External sources of funding for FBS are drawn from the Local Government Equitable Shares (LGES). Although the LGES is an unconditional grant, there is a constitutional expectation that municipalities will prioritise its use to fund free basic services. According to Section 227 (1) (a) of the *Constitution of South Africa*, local government is entitled to receive an equitable share of revenue raised nationally, to enable it to provide for basic services and perform functions allocated to it. The LGES grant is aimed at balancing the unequal distribution of fiscal capacity between spheres of government and across municipalities, and is administered

by National Treasury (NT) and the Department of Cooperative Governance and Traditional Affairs (COGTA). The share of national revenue allocated to local government through equitable share is endorsed by Cabinet and then divided amongst the 278 municipalities using a formula. The grant is therefore formulated based on the diverse needs of different municipalities and aids in significant improvements to overcome basic service disparities.

For the period 2015/2016, the basic service component is worth R33.8 billion and accounts for 74.9% of the value of the Local Government Equitable Share which provides for the cost of FBS to poor households (Explanatory Memorandum to the Division of Revenue 2015:36). The structure of the LGES formula enables an annual update of the cost estimates for each of the basic services funded. It is important to note however that the desired impact of the LGES formula will only be felt in 2017/2018, when it is fully phased in (Explanatory Memorandum to the Division of Revenue 2015:17).

Municipal indigent policies are meant to be applied together with the LGES grant, in order to subsidise the provision of FBS to poor households. In order to ensure that all national allocations are included in municipal budgets and to promote better accountability and transparency, national transfers to municipalities are published to enable them to fully plan for their budgets. National transfers, however, are a small proportion of the local government fiscal framework, with the majority of local government revenues being raised by municipalities through substantial revenue-raising powers, including property rates and service charges (Explanatory Memorandum to the Division of Revenue 2015:30). The following paragraphs provide an outline of the CTMM 2014/2015 allocation.

4.4.2 Financing the City Of Tshwane Indigent Policy

In the 2014/15 City of Tshwane Medium-term Revenue and Expenditure Framework (MTREF) (2014:25), the former Executive Mayor of Tshwane, Councillor Kgosientso Ramokgopa, stated that “we would like to assure our communities that supporting indigent households will continue in 2014/15 and beyond, and we have allocated R15,6 million to undertake this important task”. The total amount of subsidies provided to indigent families amounts to R715

million. Mr Ramokgopa expressed the free basic services that CTMM registered indigents receive as follows (MTREF 2014:25):

- The first R75 000 on the value of residential properties is exempt from all residential property;
- Registered indigent households are exempted from paying for refuse removal and property rates, irrespective of the value of the property they own;
- Pensioners and physically and mentally disabled persons are granted rebates under the policy conditions; and
- Registered indigents are granted 100 kWh of electricity free of charge and 12 kl of water free of charge.

The government acknowledges that there are people who are living under extreme poverty conditions, as is evident in the indigent policy document. The registered indigents receive the basic services that are deemed as needs by the government. The provision of the basic needs by the City of Tshwane Municipality is aiming at reducing poverty and empowerment of poor people. The implementation of the Indigent Policy of the City of Tshwane Municipality is in line with the national government's call to alleviate poverty. Anyone may apply to be registered as an indigent on the municipal indigent database, provided that they meet the stipulated criteria.

4.5 CHALLENGES AFFECTING EFFECTIVE IMPLEMENTATION OF THE INDIGENT POLICY

Untangling historical service delivery patterns, authorisation confusion, the scale of backlogs within different locational contexts, coupled with insufficient capacity and financial constraints are commonly documented as key challenges (Glass 2011:6). For the City of Tshwane Metropolitan Municipality, the complexity of the merger with the Metsweding District resulted in certain inherited municipalities increasing the backlog regarding adoption and incorporation of basic services, thus prolonging implementation due to adopting slow functioning municipalities. Without fully ensuring that basic services were being rendered to most of the municipality, additional wards were added to the jurisdiction of the CTMM and this put a strain

on the budget of the municipality. The critical challenges that will be explored as they affect effective implementation of the CTMM Indigent Policy are as follows: improving financial management for service delivery, appropriate measures to monitor indigent's financial capabilities and strategies of encouraging indigents to find work. These will be discussed below.

4.5.1 Improved financial management for service delivery

Maintaining financial sustainability in the CTMM is crucial to achieving efficient service delivery and economic objectives. Revenue generation is, therefore, fundamental in strengthening both infrastructure and the institutional environment for the delivery of municipal basic services. The capacity of generating revenue, however, is challenged by affordability and unemployment in the city (City of Tshwane IDP 2014:142).

4.5.2 Ways to better monitor indigents' financial capabilities

The second barrier to effective implementation of indigent policies is the lack of a comprehensive system that monitors the financial capabilities of indigents in the CTMM. The CTMM encounters a gap between the municipal systems of indigent application, which results in various challenges ranging from verification, deregistration and exit strategies. A common feature relating to all municipality indigent policies is the "complex and onerous process" for beneficiaries to prove their indigent status (Tissington 2013:56). Monitoring is usually associated with merely reviewing progress made in implementing activities. For the purpose of this research, monitoring will be defined as the on-going process by which stakeholders obtain regular feedback on the progress being made towards achieving their goals and objectives. According to the CTMM Indigent Exit Strategy (2010:51) monitoring involves reporting on "actual performance against what was planned or expected, according to pre-determined standards". Monitoring, therefore, encompasses collecting and analysing data on implementation processes, strategies and results and recommending corrective measures.

The FBS is a subsidy formed to ensure that access to services and economic opportunities is granted to indigents. It is for this reason that municipalities ought to keep track of the impact

that these services have had on the communities meant to benefit from this initiative, and to subsequently give feedback on the effectiveness of the FBS delivery to relevant national government bodies. The question that challenges most officials in the municipality is how to track the impact on the free basic services that the indigent receives?

4.5.3 Encourage indigents to find work

In addressing the triple threat of poverty, inequality and unemployment, the City of Tshwane Metropolitan Municipality is facing challenges in creating employment for the indigent population. However, one of the goals for the CTMM for 2020 is to promote the involvement of the private sector in the provision of education and training, the encouragement of capacity building for small, micro and medium-sized businesses (SMMEs) and emerging entrepreneurs; and the provision of access to practical training through summer jobs, internships and practical attachments within the tourism industry (Tshwane Vision 2055 2013:181).

4.6 CONCLUSION

The CTMM has achieved tremendous declines in poverty over the past decade, however, this progress has occurred unevenly. Although the CTMM has made a progressive impact in providing free basic services to its residents, a lot more needs to be done in the next ten years in order for the CTMM 2055 Vision to be accomplished. The chapter began by outlining the case of the CTMM with regard to the implementation of the indigent policy and explored the difficulties the CTMM has in implementing the indigent policy. Furthermore, the chapter examined the underlying causes plaguing implementation challenges in the CTMM. The chapter's contribution to the dissertation was mainly to lay a foundation and form the starting point for further analysis in subsequent chapters.

The next chapter will interpret and analyse the results of the study, linking them to the aims and objectives of the study. Chapter Five will also critically analyse the implications of ineffective policy implementation and will suggest strategic entry points at the national and

local levels of government to improve the indigent policy implementation in the City of Tshwane Metropolitan Municipality.

CHAPTER FIVE: ANALYSIS OF RESEARCH RESULTS - CHALLENGES IN THE IMPLEMENTATION OF THE INDIGENT POLICY BY THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY

5.1 INTRODUCTION

The previous chapter outlined the case of the City of Tshwane Metropolitan Municipality (CTMM), with specific reference to the implementation challenges of the indigent policy. Being cognisant of the fact that there are internal and external stakeholders that determine the effectiveness of the implementation of the CTMM Indigent Policy, interviews were conducted with relevant stakeholders from the CTMM Health and Social Development Department, the CTMM Finance Department, the CTMM Department of Water and Sanitation, the City of Tshwane Energy and Electricity Department and SALGA, in order to gain expert insight into the implementation of the indigent policy. The input obtained is significantly valuable, as it provides substantial answers in light of the research questions and it also fills the existing gaps identified in the implementation of the indigent policy. The essence of this chapter is thus to interpret and analyse the results of the research, linking them to the aims and objectives of the study. Furthermore, the chapter explores the challenges in the CTMM Indigent Policy implementation, which stem from the fact that the efficacy in decisive leadership is lacking, together with collaboration between some stakeholders. Analysing the policy implementation of the CTMM Indigent Policy is essential, because it not only holds policymakers and implementers accountable for achieving stated goals, it also strengthens commitment to the objectives initially stated in the policy. Ensuring effective implementation of the indigent policy is key, as it aids in understanding and addressing barriers to the ultimate improvement of service delivery. Effective policy implementation also fosters equity and quality through promoting access and reducing inconsistencies amongst service providers in the various CTMM regions (Bhuyan et al. 2010:1).

5.2 THE ANALYSIS OF THE RESEARCH RESULTS

As indicated in Chapter One, the research methodology comprised of analyses of both primary and secondary sources of data. The research results are thus derived from a comprehensive desktop study, together with interviews with internal and external CTMM Indigent Policy stakeholders. Purposive sampling was thus used to focus on the characteristics of interest. According to Bhuyan et al. (2010:5), these are the seven critical dimensions that influence effective implementation. Six (6) key official participants and decision makers who are mainly responsible for the implementation process of the City of Tshwane Indigent Policy were interviewed.

The interview questions are thus categorised into seven main themes which are further narrowed down into various sub-themes. The first theme dealt with the policy content, the nature of the formulation process, and the degree of dissemination. The second theme probed various social, political and economic factors outside the indigent policy process, which either enhanced or hindered effective implementation. The third theme recognised that strong leadership and commitment are essential to ensure the follow through of effective implementation, resource mobility and accountability for putting policies into practice. The fourth theme acknowledged that policy formulation is increasingly a multi-sectoral endeavour, however, this engagement might not continue during the policy implementation stage. The fifth theme considers the planning, resources and capacity needed to facilitate policy implementation. The sixth theme refers to the coordination mechanisms, operational systems and capacity of individuals and organisations charged with delivering services outlined in the policy. Finally the seventh theme recognises the importance of regularly gathering, disseminating and using feedback to assess progress toward achieving results. The purpose of the table below is thus to summarise the themes, the emerging sub-themes and the findings of the research.

Table 5.1: Themes and sub-themes for findings

Themes	Sub- themes	Findings
1. The policy, its formulation and dissemination	1.1 Policy awareness and understanding 1.2 Good degree of public participation	1.1.1 Well understood by implementers 1.1.2 Strong stakeholder involvement
2. Social, political and economic context	2.1 Impact of the Indigent Policy	2.1.1 Political factors are informative, social context is influential
3. Leadership for policy implementation	3.1 Accountability 3.2 Continuous support and commitment of leadership	3.1.1 Gaps in terms of leadership assisting in the Exit Strategy
4. Stakeholder involvement in policy implementation	4.1 Multi-sectoral collaboration and communication 4.2 Monitoring implementation	4.1.1 Water department not collaborating 4.2.1 Effective inter and intra communication with stakeholders, results in households' needs being met timely
5. Planning for implementation and resource mobilisation	5.1 Adequacy of capacity building and skills training received for implementing the policy	5.1.1 Lack of adequate resources
6. Operations and services	6.1 Positive changes in service delivery arising from the policy 6.2 Challenges in providing services, and how these challenges are addressed	6.1.1 Limited resources in terms of the number of social workers employed
7. Feedback on progress and results	7.1 Policy monitoring and evaluation and reporting	7.1.1. The perspectives of the CTMM Indigent Policy beneficiaries are not being considered

Source: Author's own, ideas adopted from assessing chapter 5

5.2.1 The policy, its formulation and dissemination

In addressing Theme One, which addresses the indigent policy content, the nature of its formulation and the degree of dissemination, the interview focused on the clarity of the indigent policy goals, objectives and strategies. In addition, the extent to which stakeholders agree on the goals and strategies of the indigent policy, and the level of understanding of the policy by those responsible for implementing it, was analysed. The finding for Theme One states that the policy is thoroughly understood by the implementers and the CTMM supports effective implementation of the indigent policy, as it is based on strong stakeholder involvement, which is followed by dissemination to key audiences.

According to Bhuyan et al. (2010:5), unclear or confusing policy objectives or actions may be one reason why some policies are not effectively implemented, as the implementers may not understand the content of the policy. The CTMM Health and Social Development Department interview respondent emphasised the manner in which the objectives of the indigent policy were well understood by all implementers. According to the CTMM Indigent Programme Management Director, “only social workers are responsible for the ground implementation of the policy”. The CTMM social workers are graduates, who have gone through training at university, and have the necessary skills in understanding people’s social ills. Although the CTMM social workers have the required qualifications to be able to understand socio-economic circumstances of people, as the ground implementers, “each social worker is taken through the preliminary stages of developing the policy and the necessary steps once it has been approved”. It is also clear to the CTMM implementers that every twenty-four (24) months the registered indigents should be evaluated, to ascertain whether the household’s circumstances have improved. The implementers of the CTMM Indigent Policy are also aware of the indigent burial section in the indigent policy which ensures that households that are unable to bury their loved ones, as they cannot afford to pay for the services, are assisted.

The extent to which stakeholders agree on the goals and strategies of the indigent policy varies. With all government policies, be they national, provincial or local policies, before a policy is resolved and approved, it must go through the process of public participation, which

is a forum where different stakeholders evaluate and debate what is provided for in the policy and make inputs before the proposed policy goes to council. Bhuyan et al. (2010:5) state that a policy “designed without meaningful stakeholder engagement may be more difficult to implement, because it does not consider the needs of, nor engender buy-in and ownership, from those who will implement or “benefit” from the policy.”

According to the Health and Social Development Department interview respondent, “public participation is done per region, so for each of the seven regions in the CTMM, social workers go and present to the government departments, councillors and all who are recognised as relevant stakeholders that will be affected by the policy”. Businesses also need to be taken into consideration as stakeholders, because when it comes to the exit strategy, they are needed to assist. The level of involvement by stakeholders is also informed by the resources available. For example a stakeholder can propose that the income threshold be R5000 per household. However, if the municipality has set a benchmark that per annum they would like to register 12000 people, the amount derived from multiplying the R5000 by the target set of 12000 in the example above, may result in the municipality inevitably not being able to sustain this benchmark. Financial implications are therefore analysed, so even if public participation is engaged, it is still necessary to fine tune and evaluate all the proposals made, to see whether the municipality can cope financially with the requests of stakeholders. There are, therefore, public participation debates to inform stakeholders that, in as much as the CTMM agrees with them that income in terms of the poverty line must increase - the municipality can only afford to have a certain threshold per household. The municipality, therefore, ensures that there is no policy approved by council that has not been taken through public participation, as that is an arena where all relevant stakeholder participants provide their input.

5.2.2 Social, political and economic context

In addressing Theme Two, the effects and the consequences of the social, political and economic context that can either augment or hamper the effective implementation of the CTMM Indigent Policy were explored. The key findings for Theme Two highlight that the political factors inform the indigent policy, while the social factors influence the involved

participants and the economic factors result in the approved policy leading to a substantial change where social ills improve. According to Bhuyan et al. (2010:6), policy implementation cannot be removed from the context in which it occurs. The social, political and economic contexts within South Africa influence how the implementation of the CTMM Indigent Policy is put into practice.

The SALGA interview respondent indicated that “at the political level, changes in government, and conflicting priorities at national and local levels can adversely affect policy implementation”. The political aspect is therefore very important, as politicians set the scene by designing frameworks and ensuring that after developing policies, the policies are actually implemented. The fact that COGTA took the initiative to come up with the national guidelines and the framework for municipalities to be able to develop their indigent policies enhanced their development and implementation, as every month each municipality is required to report to COGTA on the numbers of households in the safety net of the municipality receiving FBS.

Furthermore the respondents expressed that the social context in South Africa shapes the social services provided, which impacts on the implementation of various policies. Social ills are addressed in various ways in South Africa. If it is an issue regarding children for example, the Department of Health and Social Development will take charge, as this is their competency. Social workers will therefore communicate with the Department of Justice if a drug related issue arises which requires the department to educate children in terms of crime and the implications thereof.

The economic context in South Africa affects policy implementation significantly, with specific reference to the level of poverty in the country and the global assistance mechanisms available. Interventions with households through the CTMM Indigent Policy enable the economic wellbeing of the poor to be improved, which leads to a greater chance that the social ills in the municipality will be dealt with, for example reducing the level of temptation for some people to engage in crime due to economic factors. According to the CTMM Finance Department interview respondent, “there is a fair balance between the political, social and economic aspects”.

5.2.3. Leadership for policy implementation

Theme Three tackled the continuous support and commitment of leadership within the CTMM Indigent Policy. The predominant finding for Theme Three was the lack of decisive leadership and consensus between stakeholders which resulted in gaps in executing the IES. Accountable leadership is essential for effective policy implementation. According to Bhuyan et al. (2010:7), influential leaders through coordination and cooperation can communicate the policy's goals, rationale and mechanisms, and champion the policy to ensure implementation.

The Constitution, which is the supreme law and highest form of leadership, is a guide across all areas, be it on social issues, economic issues, justice and all stakeholder departments. There is good guidance in terms of leadership when it comes to the development of policies. From the national government to all levels of government, there is indeed good leadership in terms of the development of policies.

The CTMM Department of Finance respondent, however, stated the importance of not simply having good leadership, but having leadership that is decisive. If decisive leadership exists, the leaders can easily say to the Finance Department, "provide sufficient finances or resources for the CTMM Indigent Policy, as it will have a ripple effect on alleviating social ills". Decisive leadership can also be bold in terms of saying to the CTMM Department of Water and Sanitation, "do your part with regard to ensuring that you reduce the number of indigents who consume more than the allocated basic water consumption per month", and say to the CTMM Department of Energy and Electricity "do your part with reference to meeting all backlogs within the next three months".

The Health and Social Development Department interview respondent noted how "the political leadership is very keen to see the CTMM Indigent Policy succeeding". This is evident when campaigning ward councillors go to the seven regions to find out about the particular challenges affecting the communities, with the aim of addressing them. The political leadership supports the CTMM with road shows, mobilising the community, providing resources and booking the community halls. According to the Health and Social Development Department interview respondent, "although the leadership is supporting the implementation

of the indigent policy in certain aspects, it still has gaps in terms of the exit strategy”. The CTMM Indigent Policy leadership ought to focus on addressing the above-mentioned factors, so that when the social ills improve, the registered indigents will be able to assist themselves and thus exit the programme.

5.2.4 Stakeholder involvement in policy implementation

Theme Four of the research examined the extent of stakeholder involvement in the CTMM Indigent Policy implementation and the nature of the relationships and collaboration amongst the different stakeholders. The findings for Theme Four were that when there is effective inter and intra communication between stakeholders, the needs of the indigent households are met timeously. According to Bhuyan et al. (2010:7), the different groups engaging successfully within various spheres of society, such as the private sector, civil society and the public, is of utmost importance. The importance of the above-mentioned stems from the fact that each sphere of society makes a unique contribution to resources, expertise and skills. Engaging a broad array of stakeholders can better respond to local needs, however, not all stakeholders are always committed to the same outcomes and must reach an agreement to support implementation.

In terms of collaboration in the CTMM, there are both external and internal stakeholders involved in the implementation of the indigent policy. With specific reference to the internal departments regarding the implementation of the CTMM Indigent Policy, there is a lot of collaboration because it is part of the mandate for the leading counterpart departments. The main internal stakeholders comprise the Health and Social Development Department, the Energy and Electricity Department, the Finance Department, the Department of Housing and Human Settlement and the Department of Water and Sanitation.

According to the Health and Social Development Department interview respondent, “the only collaboration challenge that is a point of concern is one with the Department of Water and Sanitation”. Currently, indigent households are accumulating debt because they are not limited in terms of water consumption. The minute a household is registered as an indigent, all their previous debt is written off, irrespective of how much it is, and the indigent starts on a

clean slate. However, due to the fact that the CTMM Water and Sanitation Department does not effectively track the water management system, this results in the indigents accumulating debt in terms of their water. According to the Health and Social Development Department interview respondent, it is impossible for an indigent household to know that on a given day they have exceeded their daily quota of water (400l), as they have no measurement to manage or restrict them. Initially, what was supposed to happen according to the policy was that a predetermined amount of service would be set, so with electricity for instance, an indigent household would get a prepaid meter (even though there are delays in installing these), but indigents would be guaranteed to get a free meter with electricity of 100kW per month. If the indigent reached the quota before the month ended, that household would have to top up themselves. However, with the Department of Water and Sanitation, there is no water management device installed in the indigent households. Although a water management device was piloted in Laudium in Pretoria, and proved to be a very effective instrument, in order to place restrictions upon the households, it was said to be too expensive to manage. That is the root of the challenge in implementation, as the water management device was discontinued after the pilot in Laudium.

According to the Sandspruit Works Association (SWA) 2015/2016 Annual Report (2015/16:49), the materials used for installation of the water demand management devices are depleted, and there was no contract in place to continue. Fast-tracking the installation of the electronic water demand devices, together with the roll-out of flow limiters to indigent customers that consume an excessive amount of water is, therefore, necessary, in order to monitor the consumption of water by indigent households.

A cost-benefit analysis could thus be used to evaluate whether the amount of water lost, together with the amount of money the municipality loses in writing off the bad debts, is higher or lower compared to the money used to maintain the water management devices. The device allows 400l of water a day, as 12kl of water per month is equivalent to 400l of water per day. Therefore, if there is a water leak underground, the water management device would alert that there is a problem, and immediately turn off the supply, in order to reduce water wastage. In addition, timely replacement of faulty meters and identifying and repairing

leakages can also significantly reduce the excess of water allocated to the indigent households per month.

According to the CTMM Finance Department interview respondent, another challenge with stakeholder collaboration is in terms of “interdepartmental relations in the exit programmes”. The implementers of the indigent policy have had various road shows in an attempt to inform other departments to, “allocate a certain percentage of jobs to the indigent people, to say that 10% of the positions advertised in the departments will be granted to qualified indigents, in order to reduce the indigent register and exit the households”. This was reported by the Health and Social Development Department interview respondent. Some of the registered indigents for instance, have degrees, however struggle to find employment.

In terms of external collaboration, the provinces aid with the provision of school uniforms through the *Bana Pele Programme*. The Public Works Department has recently collaborated with the CTMM, in order to identify children from the indigent register for learnership programmes for a year. However the stipends received are lower than the income threshold for the indigent households, and as a result, they cannot be exited off the programme, although they are enriched with working experience. There are several of those children who undertook learnerships who have been employed permanently, and as a result, enable their families to exit the programme. SALGA is monitoring the implementation of the indigent policy and thus supports the implementation of the IES.

5.2.5 Planning for implementation and resource mobilisation

Theme Five dealt with the implementation plan of the CTMM Indigent Policy and how implementers of the policy were trained to implement it. In addition Theme Five explored how funding for new initiatives relating to the policy was sourced. The key finding was the lack of adequate resources to effectively implement the CTMM Indigent Policy. According to Bhuyan et al. (2010:8), implementation is a “challenging process, even when written guidelines on goals, strategies, roles and responsibilities and monitoring frameworks are provided. It is even more challenging in the absence of written guidance and clear action plans.” Planning starts with structures and organograms and then the budgeting process.

The *Municipal Finance Management Act 2003*, (Act 56 of 2003) states that at the start of a project or programme, there needs to be verification to ensure that the policies are in line with the financial resources available. The Health and Social Development Department interview respondent stated that “it is imperative to assess whether the current resources are able to assist with the implementation of policies”. At the same time, the budget needs to be taken into consideration to evaluate how it will be able to resource the organogram and the structures. Parallel processes which are linked to one another are therefore essential, as you cannot do the planning of human capacity without involving finances or the organogram.

According to the City of Tshwane Annual Report for the 2015/16 Financial Year, (2015/16:41) the CTMM reduced deprivation and poverty by channelling resources to areas where people were living below the poverty line, such as through the allocation of capital funding for social infrastructure to deprived areas, in order to ensure that all settlements had access to basic and social services.

The CTMM Finance Department interview respondent stated that, “for any policy to be implemented, it needs to have finance which will cater for human resources needs, information management system needs, and other tools of the trade (e.g. office furniture)”. It is important for the location of the offices to be chosen strategically, as the community members need to access the offices and thus they need to be in central place. Whenever there are service delivery protests, the municipality needs to assess where it might have gone wrong, and one of the findings from the CTMM Health and Social Development Department interview respondent was that some service delivery protests start due to the municipality offices being too far away. As a result of the distance, transportation costs increase, and the burden of the costs is borne by the indigent. An example would be if there is an electricity fault and the indigent has to go to the offices to lodge a complaint.

At the beginning of the planning phase, it is important to look at what happened in the past and where the gaps are, because with all policies monitoring is crucial. According to the Health and Social Development Department interview respondent, what happens with the review of the indigent policy, is that the past five years will inform the political leadership in

order to plan for the next five years, and thus the leadership will submit a handover report. The handover report informs the planning for the next five years, in terms of which systems are crucial, which management skills are needed, and what skills are needed at functional level. The report will also be able to inform the municipality as to where experts are needed for a particular field. Thus bursaries will be allocated for those people in the different departments, and if there is a lack of skills in terms of the water sector, for instance, the particular department will offer bursaries to address that gap. The handover report thus evaluates what the previous leadership did successfully, what went wrong, how the gaps were filled, how an even greater improvement can be made on what was achieved, together with what new things can be introduced. One of the recommendations made by the previous successor was of regionalisation of services, which resulted in services being nearer to the indigent households and therefore enabling a quicker response to the needs of the communities.

According to the government's *Skills Development Act 1998*, (Act 97 of 1998) continuous training is necessary in order to keep up with new developments, regardless of the number of degrees one has. The CTMM has the Tshwane Think Leadership and Management Academy, which is a large centre offering development, as it recognises that the world is evolving and very dynamic and therefore new skills need to be learnt to meet the current trends. Training is done by the municipality to capacitate the implementers. Due to constant changes taking place, the implementers need to be trained on change management due to diversity. The CTMM Indigent Programme Management Director noted the degree to which continuous training for implementers was vital with the CTMM 2012 Review of the indigent policy. When the CTMM took over Metsweding District Municipality and the Kungwini Local Municipality, implementers were trained on how to manage the new situation as both Metsweding and Kungwini were communities in rural areas, which had different mind-sets and essentially a different manner of operating, in comparison to urban areas. Although matric graduates are employed to assist with the registering of the indigents, social workers are needed as verifiers to assess other factors. The proposed organogram has thus suggested a level lower than social workers.

Funding is always a challenge. According to the CTMM Finance Department interview respondent, in 2013, the National Treasury made training for the *Municipal Finance Management Act 2003*, (Act 56 of 2003) mandatory, where each director needed to go through the training in order to equip themselves to manage resources and acquire the skills on how to maximise very limited resources. Due to lack of resources, for example, the CTMM had to come up with a system that managed the data of the Tshwane indigent register, where previously a manual system was utilised. The main disadvantage of the manual system was the discrepancies in the figures of the registered indigents, as the Finance Department would quote a different figure from that quoted by the Health and Social Development Department, to that of the Energy and Electricity Department and that of the Water and Sanitation Department. Therefore, since the CTMM already had a service provider which was developing systems for other departments, the Health and Social Development Department, due to its lack of resources, decided to piggyback on the CTMM tender, and not put out their own tender, as the funds the department had were only sufficient to acquire a license, and not necessarily to create the system itself. The above-mentioned example clearly conveys how the Health and Social Development Department maximised its limited resources by checking with other stakeholder departments on what resources they had, and asking for their assistance.

In 2015 when the Auditor - General was auditing the indigent register, it was realised that many of the indigents had to be evaluated, as they had been on the register for over twenty-four (24) months, which according to the policy, was the required time to assess the status of the household. However, this had not yet taken place due to lack of human capacity and limited finances. With the Finance of Department having a service provider called Cost Share, it was possible for them to take the indigent register and use the Finance Department resources to cross check indigents registered against the Department of Home Affairs records, to see how many of the people were deceased. During the interview, the CTMM Indigent Programme Management Director confirmed that “in the CTMM Region 4, over 100 indigent households had been evaluated, while in Region 5 and 7, implementation was still in progress”. In some instances, the delays in conducting the evaluations of the indigents were a

result of slow plans and processes of capacitating the regions. According to the City of Tshwane Annual Report for the 2015/16 Financial Year (2015/16:19), 1275 evaluations have been achieved and 861 have been exited from the CTMM indigent register.

5.2.6 Operations and services

Theme Six focused on the positive changes resulting from the CTMM Indigent Policy being put into practice on the ground, and the challenges faced. A key finding for Theme Six is the adverse effect on implementation that the lack of resources poses in terms of the number of social workers employed. According to Bhuyan et al. (2010:9), unexpected operational obstacles due to implementing a policy may also pose challenges which can result in the improvements in access and quality of service delivery being lower than intended. According to the CTMM Finance Department interview respondent, the biggest constraint remains with “limited resources in terms of the number of social workers currently employed due to the budget”.

Although many can argue that employing social workers as implementers is administrative, social workers are the main implementing instruments used, as they are able to see social ills that are not easily viewed by ordinary people who go into a household and only consider registering them, but ignore other factors. A social worker, for example, will interview and probe to check whether there is a grandmother in the household, whether they are receiving their pension, or if there are children and whether they are enrolled in a school. Upon the results of the above-mentioned enquiry, the social worker will proceed to make a referral. In addition, social workers assist in the sense that after they register the households, they follow up to check whether the households are receiving their free basic services. The social worker will for example, ensure that the Energy and Electricity Department has come to install the prepaid meters for free, and will determine whether the household is receiving the 100kW of electricity. Social workers are thus involved in mirrored interventions. Bhuyan et al. (2010:9) state how the “degree of flexibility to adapt policy strategies affects the ability of service providers and other stakeholders to respond to local needs”.

According to the CTMM Energy and Electricity Department interview respondent, a positive change is that those “households that are already on the register, are at least guaranteed to have water and electricity, and they do not have to pay for property rates. All those on the register are being relieved and there is no burden of debt, as it is written off against the municipal budget”. The CTMM is the only municipality giving people extra water exceeding the required amount in the Guidelines for Municipal Indigent Policies, as the standard is 50kW of electricity and 6kl of water, where the municipality offers 100kW of electricity and 12kl of water respectively. Another positive change, according to the CTMM Indigent Programme Management Director, is the fact that the “political leadership is very keen to see the indigent policy succeed”.

5.2.7 Feedback on progress and results

Theme Seven focused on who is and is not receiving information about the implementation of the indigent policy and whether the perspectives of beneficiaries were considered in implementing the policy. A sub-theme focused on assessing the entities officially charged with monitoring the CTMM Indigent Policy implementation, and the methods and systems used for this.

The CTMM is giving full support to indigent households through vigorous road-shows that raise awareness of the CTMM Indigent Programme, in order to fast-track its registration of indigent households (Nevhunama 2014:5). The CTMM began awareness campaigns and consultations at the various facilities to attempt to convey the importance of registering for the indigent policy. The CTMM utilises various platforms, such as events, to inform the public of social assistance to encourage those in dire and qualifying conditions to register for the benefits (City of Tshwane Annual Report for the 2015/16 Financial Year 2015/16:193). Upon registration, indigent households qualify for access to free basic municipal services.

According to the CTMM Indigent Programme Management Director, “in order to ensure that maximum exposure is given to the communities to enable everyone to access information about the indigent policy implementation, community radios are used where one of the members of the mayoral committee (MMC) is the spokesperson interviewed informing the

citizens about the programme. Councillors are also expected by a directive for each and every community meeting to repeatedly inform the community about the programme and invite social workers to inform the community about the programme. The CTMM interview respondent stated that community members who do not attend the ward councillors meetings are usually the people who do not know about the policy. In addition to the notion above, people who cannot read or write also have a challenge when leaflets are sent to their service accounts. Giving a practical example of the above-mentioned scenario, the CTMM Department of Health and Social Development interview respondent described how an illiterate grandmother living alone would receive a letter stating that the 'following weekend there would be a road show at the community hall'. However, the grandmother would have to wait for someone to come and read it to her to explain it, and by that time, perhaps the road show would have already taken place. People in remote areas who are far from municipal offices, or domestic workers who come to their hometown only infrequently, will be likely to miss such critical information too. According to the CTMM Finance Department interview respondent, "there is a programme to disseminate information to the citizens in the communities which is called Mock-up, which aims to reach each and every ward, to work in a ward and to ensure that the whole ward has been covered before moving to the next one". The only challenge with the aforementioned programme is that the number of social workers compared to the number of wards in the CTMM is disproportional and limited, as the CTMM has 105 wards. This calls for alternative mechanisms to be explored to fill in the gaps where people do not have information about the indigent policy. According to the City of Tshwane Annual Report for the 2015/16 Financial Year (2015/16:193), the number of new indigent households registered is dependent on potential indigent consumers applying for registration on the indigent system. An electronic system has also been implemented which works in tandem with the paper-based application process, thus enabling the registration process to be initiated at the location of the potential indigents, thereby affording them the opportunity to be considered.

One of the research findings was that the level at which the CTMM focuses on the households to determine how they view the policy was not intense enough. The CTMM relies

only on the information of those who come forth. The CTMM Indigent Programme Management Director expressed how “unfortunately, due to limited resources, social workers are concerned about getting the households in need into a safety net, however, going back to the registered households to ask their opinions on what could be changed in the policy, whether the beneficiaries were benefiting from the policy, where they see the gaps and in which areas could the CTMM deliver services in a better way, has not been done much”. The CTMM Indigent Programme Management Director further asserted that although the social workers were limited to conduct feedback from beneficiaries of the indigent policy, since 2015, volunteers were going door to door to determine whether those households knew about the policy and to ascertain which households did not. For those households who knew about the policy, follow-up questions would be asked on how the households felt about the policy, and where improvement could be made. As a huge gap was identified, a programme was instituted by the Health Division of the CTMM called Ward Based Outreach Teams (WBOT). According to the CTMM Indigent Programme Management Director, “the outreach teams are a partnership between the CTMM and the University of Pretoria, piloting the health post as part of the National Health Insurance (NHI). Thus the community health workers go to each and every household in the various wards. The WBOT also attended a workshop to train them, so that when going to the various households within the wards, they should ask about the awareness of the indigent policy, and make known the benefits it can offer to the households that do not know about the policy, as well as finding out about the challenges experienced by those who are already part of the programme”. This is another strategy where the Health and Social and Development Department is piggybacking on other initiatives, due to limited capacity and resources.

The CTMM has begun the important work of auditing the indigent database to ensure that deserving community members are the beneficiaries of the services provided within the domain of the indigent policy, and that the ineligible are removed from this programme, so that more of the marginalised population can reap the benefits of this database.

5.3 PREVAILING POLICY IMPLEMENTATION CHALLENGES FACED BY THE CITY OF TSHWANE

From the interview responses, the following factors were deemed to be the main challenges affecting the effective implementation of the CTMM Indigent Policy. The first major implementation challenge is resources. The indigent policy is a labour intensive policy that requires human resources and personnel to implement it. Although an electronic system has recently been developed in terms of managing the information, implementation of the policy is done on the ground by social workers. Capacity resources are therefore crucial for the effective implementation of the CTMM Indigent Policy.

The second serious implementation challenge is in terms of finance. The finance available informs the structure that the municipality creates to be able to employ adequate staff to respond to the policy needs. Although several inputs have been made to motivate for changing the structure, this has not been successful. This poses a key challenge. It is hoped that with the operations part of the programme being divulged to the seven regions of the CTMM, the leadership will realise when implementing that without the current organisational structures being improved in different regions, the overall implementation of the indigent policy will be stifled. Currently, the few social workers that were available have been divided between the regions, and therefore there is an imbalance in terms of the number of social workers in different regions, depending on the needs of that particular region. Some areas in the regions still lack a lot of development and need assistance in this regard. Limited finance to employ the necessary supply of social workers required to implement the CTMM Indigent Policy impacts on improvement in service delivery. This will, therefore, lead to service delivery protest outbursts, as the social workers may not be able to reach the households in a timely manner. If, for example, each region has one social worker and has a population of about 10 000 indigent households, it would take time to reach all of them.

The third implementation challenge in the CTMM Indigent Policy lies in the concept of change. Change brings challenges, and some regions are therefore not capacitated in terms of the implementation. The CTMM Health and Social Development Department is seen as a

support system to the regions, and thus the leadership needs to have ground staff that realise the importance of the programme, in order to be able to comply with the monitoring and evaluation standards. According to the CTMM Finance Department interview respondent, “the CTMM needs to ensure that structures are in place that will enable human capacity to respond to the needs of the indigents”. The Department of Cooperative Governance and Traditional Affairs (COGTA) is analysing skills in all local authorities. An example is a skills assessment/audit that has started to take place in all departments, in order to ensure that there are effective and efficient service delivery systems. Each department has a very important role to play - for the Energy and Electricity Department, the right amount of electrical engineers need to be employed with the necessary skills, while the Department of Water and Sanitation needs to hire the right skilled people.

The fourth implementation challenge in the CTMM Indigent Policy is exiting the households that are already registered. Although the Health and Social Development Department is the lead department in terms of the indigent programme, collaboration with other stakeholders is needed in terms of exiting indigents from the register. The City of Tshwane Annual Report for the 2015/16 Financial Year (2015/16:143) states that the CTMM has linked identified beneficiaries from registered indigent households with various resources, for example, the Expanded Public Works Programme (EPWP) initiatives. As part of poverty alleviation and contributing to creating jobs, 214 volunteers identified from registered indigent households were employed on a one-year contract from 1 August 2014 to 31 July 2015. According to the CTMM Finance Department interview respondent, “other government departments for example, can offer bursaries in order to further the education levels of the students in various indigent households, and thus after completing their degree in four years they would be in a position to get a job. As a result the household will be improved as they are in a better financial state to aid their family”. Businesses can also be engaged with, in order to hire adequately qualified indigents. Although the exit strategy is being implemented, it is being done on an *ad hoc* basis, i.e waiting for stakeholders to approach the CTMM, or going to plead with stakeholders to assist. The IES implementation is not effective, and to a certain extent, it seems as though people are being trapped in poverty. Parallel processes could have

been run; in that immediately after the development of the resolution of the exit programme, a unit should have been set up to specifically focus on ensuring that as the municipality registers households, others are exited, therefore eliminating the imbalance. One of the sub-questions of the study was to ascertain the usefulness of the 2010 CTMM Indigent Exit Strategy, in relation to the CTMM 2012 Indigent Policy. A key finding was that due to the CTMM Exit Strategy being developed before the 2012 Indigent Policy Review, the exit mechanisms were not designed to meet the new policy requirements, and as such, were attending to the previous indigent policy needs. The CTMM has over 65 000 people who should have already been evaluated and has made promises to the households to mention that although they are part of the register, it is only to assist them through the difficult phase. However, the intention is to ensure that they would in future be able to provide for themselves. The trend with the current registered indigents in the CTMM portrays that 98% of the indigents would much prefer to provide for themselves, and are not proud to be indigents getting hand-outs.

It is an injustice that the municipality has not done much in terms of exiting registered households off the programme. Although the indigent policy helps alleviate the pain of poverty, the roll out of the IES does absolutely nothing to help people emerge from that poverty. Households not being exited off the programme impact negatively on the finances of the council. Without a significant proportion of households exiting the programme so that those entering or registering can benefit from the services provided by the policy, the sustainability of funds for the programme and the resources will keep depleting. If people are not assisted with means to exit the strategy and be able to sustain themselves, it will ultimately impact negatively on the community. The situation of those households will not improve. Currently it is very difficult to quantify the level of impact the CTMM has had in terms of the indigent exit strategy. Every programme or strategy needs to be able to assess the impact, irrespective of whether it is negative or positive, in order to know where the gaps are and to improve.

5.4 CONCLUSION

The previous chapters attempted to answer the research questions of the study as explained in Chapter One, while this chapter summarised the main research findings as they relate to the research questions. The chapter further analysed the implementation challenges found in the CTMM, and outlined the implications of having ineffective policy implementation which hinders accountability and discourages equity. An alternative approach to measuring the efficacy of policy implementation was explored. This is displayed through Bhuyan et al.'s (2010) seven critical dimensions that relatively influence effective policy implementation.

CHAPTER SIX: RECOMMENDATION AND CONCLUSIONS

6.1 INTRODUCTION

The previous chapter critically analysed the research results, with Bhuyan et al.'s (2010:5), seven critical dimensions that relatively influence effective implementation, with specific reference to the CTMM Indigent Policy. The implications of ineffective policy implementation were discussed, as well as exploring various strategic entry points at the national and local spheres of government to improve the City of Tshwane Metropolitan Municipality (CTMM) Indigent Policy's implementation. Chapter Six provides conclusions and recommendations on ways to effectively improve the implementation of the CTMM Indigent Policy. Recommendations for future research will also be discussed in this chapter.

6.2 SUMMARY OF PRECEDING CHAPTERS

Chapter One outlined the background of the study highlighting the overall aims, objectives and questions that the research intended to answer. The chapter provided a justification of the main area of enquiry, explained the significance and scope of the study and demarcated the problem at hand. The chapter also focused on a literature review as a foundation for firmly understanding previous research related to the topic and results. Furthermore, Chapter One defined various concepts, such as public administration, public policy, and policy implementation, indigent population and local government, in order to avoid ambiguity throughout the research.

The introductory chapter also described the research methodology as a qualitative approach, which included semi-structured interviews and a desktop study comprising key policy documents produced by the South African government. In particular these were produced by the Department of Health and Social Development, the Department of Cooperative Governance and Traditional Affairs (COGTA) and the Department of Finance, as well as journal articles and scholarly literature. This chapter contributed to the foundation of the research, which lead to further analysis in subsequent chapters.

Chapter Two conceptualised policy implementation within the discipline of Public Administration, which was one of the research objectives. The chapter also provided an overview of Bhuyan et al.'s (2010:5) seven critical dimensions.

Chapter Three outlined the legislative and regulatory framework pertaining to the implementation of the CTMM Indigent Policy, which was the second research objective of this research. To better understand the guidelines that underpin the CTMM Indigent Policy, various statutory frameworks were discussed, such as Section 152 (1) of the 1996 *Constitution of the Republic of South Africa*, the 2005 DPLG National Framework for Municipal Indigent Policies, the 2006 Guidelines for the Implementation of Municipal Indigent Policies, the 2012 revised CTMM Indigent Policy and lastly, the 2010 CTMM Indigent Exit Strategy.

Chapter Four described the challenges that the CTMM faces in terms of the implementation of the indigent policy, which was the third research objective of the study. Issues that relate to improved financial management for service delivery, monitoring of the indigent households' financial capacity and encouraging indigents to exit the programme after finding work were identified as challenges in implementing the CTMM. In addition, a brief background of the history of the CTMM was outlined in this chapter.

Chapter Five of the study was dedicated to interpreting and analysing the results of the study. This was achieved by focusing on Bhuyan et al.'s (2010:5) seven critical dimensions for policy implementation. There are internal and external stakeholders that determine the effectiveness of the implementation of the CTMM Indigent Policy. Interviews were thus conducted with relevant stakeholders in the CTMM, SALGA, the CTMM Finance Department, the Department of Health and Social Development, the CTMM Water Department and the CTMM Energy and Electricity Technical Services, in order to gain expert insight on the implementation of the indigent policy. The input from the respondents was deemed to be valuable, as it enabled the researcher to answer the research questions and aided in filling the existing gaps in the implementation of the indigent policy.

It was suggested that the persistence of policy implementation challenges was due to various key features. These were firstly, the lack of human capacity and sufficient social workers to make adequate site visits to households, secondly, the lack of finances and resources, and thirdly, the backlogs of literacy levels and skills development in the CTMM. Further unpacking the challenges hampering the effective implementation of the indigent policy were issues that related to exiting the households already on the indigent register. This dealt with the fact that households not being exited off the programme result in a negative impact on the finances of the CTMM council. Instead of people exiting the register so that those entering or registering can benefit from the services provided by the policy, more are added which affects the sustainability of funds for the programme. Chapter Five provided evidence that the CTMM Indigent Exit Strategy implementation is not effective and how, to a certain extent, it seemingly traps people in poverty. An important discussion point for Chapter Five was the implications of ineffective policy implementation.

Chapter Six provides a summary of each chapter and makes recommendations on measures that can be put in place to improve the implementation of the indigent policy - which is the last research objective of the study. The CTMM recognises the important role of efficacy in the implementation of the indigent policy for interventions and decision making, as well as for addressing the major challenges facing poverty.

6.3 SUMMARY OF KEY FINDINGS AND RECOMMENDATIONS

In order to address the current implementation challenges in the CTMM Indigent Policy, it is crucial to fix the core issues which are seemingly broader than the scope on which implementers have been focusing. The scale of backlogs within different regional contexts, coupled with indecisive leadership, insufficient capacity, financial constraints and monitoring and evaluation limitations, are documented as key findings to the challenges faced by the CTMM Indigent Policy implementers. Exploring sustainable solutions to address the above factors is therefore imperative.

6.3.1 Key findings

The following are the main findings from the research conducted:

- The implementation of the CTMM Indigent Policy will not reach the optimum level of effectiveness without stakeholder involvement and collaboration. The poor coordination of stakeholders poses a major hurdle to the implementation of the CTMM Indigent Policy. Uncoordinated interventions by a number of different actors can lead not only to the duplication of activities, but also to inefficiency in the use of resources.
- The lack of decisive leadership and consensus between stakeholders responsible for implementation results in gaps in executing both the indigent policy and the indigent exit strategy.
- Lack of adequate resources to recruit social workers who are the main implementers of the indigent policy results in slow assessments of households who qualify for free basic services fundamentally tied to human rights. Social workers are involved in mirrored interventions and thus planning for implementation and resource mobilisation by the CTMM remains a challenge to effective implementation of the indigent policy. With approximately 180 000 indigent households in Tshwane; and only 30 social workers, this works out to a ratio of indigent households to social workers of 6000 to 1 (Pillay 2010:44).
- The flaws in the monitoring delivery and impact assessment procedures are a barrier to effective implementation of the CTMM Indigent Policy. Although the DPLG National Framework states that a monitoring system to assess progress with the indigent policies is mandatory, very few municipalities have been monitoring the implementation of their FBS programme, and even less can address the real impact that the programme has had on the quality of life of beneficiaries. The DPLG Implementation Guidelines for Municipal Indigent Policies (2006:37) clearly state that municipalities need to be in a position to assess whether the service implemented is “appropriate, functioning adequately and directed at the correct people”. According to the former DPLG FBS Final Study Report (2005:63) “the

most common indicators used by municipalities to determine success is the feedback received from ward committees, payments received, as well as community complaints.” These have served as the primary indicators of services breaking down or not being of a required standard. The lack of agreed indicators and feedback systems to track progress towards achieving a comprehensive and measurable process of the CTMM Indigent Exit Strategy is a key challenge.

In concluding the key findings, the research explored how the implementation gaps affect the effective implementation of the CTMM Indigent Policy.

6.3.2 Key recommendations

One of the key aims of the research was to analyse how the CTMM can effectively address the gaps in implementing the indigent policy and the following recommendations were noted:

- Building effective coordination measures between the CTMM Water and Sanitation Department and other CTMM internal stakeholders is crucial to improve the implementation of the CTMM Indigent Policy. Bhuyan et al. (2010) note strong stakeholder involvement as a critical dimension to effective policy implementation. For the CTMM, this could include the implementation of a coordination framework to foster both effective communication and timely feedback in all multi-sectoral collaborations. The framework could outline standard operating procedures that enable all stakeholders to move forward in a coherent manner, optimizing effective ideas, skills and capacities to deliver free basic services in the CTMM indigent households. Implementing the coordination framework will result in removing barriers that reduce effective collaboration by promoting internal and external mutual accountability. This can be obtained by quarterly reviews and dialogue amongst stakeholders on progress made in implementing the CTMM Indigent Policy. Stakeholders should leverage on incubating flagship programmes that are crafted to accelerate the transformation of registered indigents moving from being part of the social safety net, to being able to support their households and exiting the programme. Participation and contribution to the implementation process from

all stakeholders is therefore a vital sign of commitment to economically advancing the CTMM towards its 2055 vision.

- For effective implementation of the CTMM Indigent Policy, Bhuyan et al. (2010) state the necessity of continuous support in terms of leadership and championship. The CTMM needs to focus on having decisive, intentional and committed leadership geared towards accountable delivery of free basic services for indigent households. In order to strengthen leadership arrangements, the CTMM could include the provision of an institutional mechanism, both to drive reforms and to assess the results achieved by the indigent policy. The CTMM Indigent Policy Leadership Team can also set boundaries around the depth and breadth of risk management efforts, in order to avoid trapping households in poverty. Although the CTMM Indigent Policy creates a social safety net to help the poor marginalised society for a period of twenty-four (24) months, implementers of the policy need to stay focused and aligned to craft sustainable income creation avenues for registered indigents to exit the programme. The leadership of the indigent policy should view the indigent exit strategy as a prevention mechanism by creating opportunities so that some of the potential households do not enter the indigent register, but instead have prospects to create income for themselves.
- Building sustainable institutional capacity in the CTMM is important, as without sufficient capacity, implementers of the CTMM Indigent Policy will not be able to render quality service delivery. According to Leonina-Emilia and Loan (2010:1022), the failure of implementing governmental programmes is due to focusing on the results of public programmes, rather than focusing on the behaviour of government agencies and their employees. Limited resources result in an inadequate supply of social workers, who are needed for the growing demand of assessing households who qualify for free basic services.
- One of Bhuyan et al.'s (2010) seven critical dimensions to effective policy implementation is the assessment of feedback and results of policy. Encouraging collaboration with stakeholders to provide on-going support in strengthening

monitoring and evaluation is essential. In order to effectively monitor the results of the CTMM Indigent Policy, impact evaluation is vital. Impact can be evaluated by the intended changes in human development, as measured by the improvements in the wellbeing of the indigent population. Instead of simply tracking whether the targets of registering indigents *per annum* have been achieved, or monitoring the number of beneficiaries exited from the programme, impacts at all levels of the results chain can be tracked. These can include the direct effects on intended beneficiaries of the indigent policy, the ripple effects on socio economic development and the enhancement of the CTMM. The above-mentioned can be assessed through short and medium term outcomes, which will eventually lead to impact over time.

In order to enhance effectiveness for the implementation of the CTMM Indigent Policy, the above measures can be explored. According to Bhuyan et al.'s (2010) critical dimensions of policy implementation, it can be expected that the above recommendations can result in improved use of resources and an environment conducive to render timely services to the indigent households.

6.4 FUTURE RESEARCH OPPORTUNITIES

Due to a gap existing between the effectiveness of the implementation of the CTMM and the counterpart departments, further research could be done by scholars to explore better ways to monitor indigents' financial capabilities. Scholars could probe the various mechanisms to improve financial management for service delivery by evaluating the various incentives that can be employed to encourage indigents to find work. In addition, future research could examine the other metropolitan municipalities' indigent policies and their impact on the poor and marginalized, and undertake a comparison to determine best practise. Tracking impacts of the various indigent policies in South Africa can be assessed by the intended changes in human development, as measured by the improvements in indigent wellbeing.

6.5 CONCLUSION

The purpose of this chapter is to map out the critical pathways that are needed to achieve the desired state of effective implementation of the CTMM Indigent Policy. As a point of departure, this chapter begins by outlining a summary of the preceding chapters. This is followed by a summary of the key findings and key recommendations for the City of Tshwane Metropolitan Municipality to explore, in order to have effective policy implementation of the indigent policy. This addresses one of the key research objectives. The research explains the rationale behind the development and implementation of the CTMM Indigent Policy, which needs to be highlighted in order to effectively implement the policy in the City of Tshwane.

According to Elmore (1979-1980:601) “implementation research is long on description and short on prescription”. The research, therefore, provides a prescription for the CTMM to improve the current indigent policy implementation shortfalls, thus being more responsive and effective as a research output. The research aims to identify problems and challenges apart from the dependency of the indigent, which is plaguing the implementation of the CCTM Indigent Policy. The CTMM represents a microscopic view of what is happening in the majority of South Africa’s metropolitan municipalities regarding indigents, and therefore serves as a foundation for suggesting implementation strategies and solutions in dealing with the challenges encountered in various indigent policies. The research uniquely contributes to the existing body of knowledge on policy implementation by recommending various methods to close the gaps often encountered in policy implementation. The research considers another dimension which involves monitoring a certain policy’s implementation in view of still supporting the foundations of other policies, which are linked to the policy in terms of their ‘long term’ objectives. In this case, the indigent policy and other policies or national development frameworks which advocate for economic freedom, social upliftment and self-sufficiency can feed into each other.

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APPENDIX 1

Interview questions

Interview schedule to analyse the implementation of the Indigent Policy by the City of Tshwane Metropolitan Municipality.

Opening

My name is Mercedes Leburu; I am a student at the University of Pretoria, conducting research for my MPhil in Public Policy. The title of my dissertation is: An analysis of the implementation of the Indigent Policy by the City of Tshwane Metropolitan Municipality (CTMM), under the supervision of Professor L.P. Malan at the School of Public Management and Administration (SPMA). The problem statement underpinning this study is to investigate the factors contributing to the challenges facing the implementation of the Indigent Policy by the CTMM. I would like to ask you various questions related to the seven dimensions of policy implementation in order to ascertain the missing gaps in the effective implementation of the CTMM Indigent Policy. My study will thus suggest measures that can be put in place to improve the implementation of the Indigent Policy in the CTMM to poor marginalised households.

Introductory questions included: name, position in the organisation, overview of responsibilities.

- **The policy, its formulation and dissemination**

This section of the interview refers to the policy content, the nature of the formulation process, and the degree of dissemination.

1. How clear are the goals, objectives and strategies of the Indigent Policy?
2. To what extent do stakeholders agree on the goals and strategies of the Indigent Policy?
3. What is the level of understanding of the Indigent Policy by those responsible to implement it?

- **Social, political and economic context**

This section of the interview refers to the various social, political and economic factors outside of the policy process that can either enhance or hinder effective implementation. Depending on the nature and scope of the policy, social norms such as gender inequality and governing processes such as decentralization and other factors can affect policy implementation.

4. What are the effects and consequences of these factors?

- **Leadership for policy implementation**

This section of the interview recognises that strong leadership and commitment are essential to ensure the follow through, resources and accountability needed for putting policies into practice - however, the leaders responsible for policy formulation might find their attention diverted elsewhere once the policy is adopted, or the responsibility for leading implementation might shift to new individuals and groups.

5. What are the challenges that are faced by the leadership (decision makers) of the Indigent Policy and how are they resolved?

- **Stakeholder involvement in policy implementation**

This section of the interview recognises that policy formulation is increasingly a multi-sectoral endeavour, however this engagement might not continue during the policy implementation stage.

6. What is the extent of stakeholder involvement in policy implementation and the nature of the relationships and collaboration amongst different stakeholders?

- **Planning for implementation and resource mobilization**

This section of the interview considers the planning, resources and capacity needed to facilitate policy implementation.

7. What is the implementation plan for the CTMM Indigent Policy?

8. How are implementers of the indigent policy trained to implement the policy? How will funding for new initiatives be ensured?

- **Operations and services**

This section of the interview refers to the coordination mechanisms, operational systems and capacity of individuals and organizations charged with delivering services outlined in the policy.

9. What are the positive changes as a result of putting the policy into practice on the ground and what are the challenges?

- **Feedback on progress and results**

This section of the interview recognises the importance of regularly gathering, disseminating, and using feedback to assess progress toward achieving results.

10. Who is and is not receiving information about implementation? How is the information used?
11. Are the perspectives of beneficiaries or clients considered?
12. What additional policy action may be needed to overcome barriers to effective implementation?

The interview questions above are based on the Seven Dimensions of Policy Implementation by: Bhuyan, A., Jorgensen, A. and Sharma, S. 2010. Taking the Pulse of Policy: The Policy Implementation Assessment Tool. Washington, DC: Futures Group, Health Policy Initiative, Task Order 1.

Thank you for your cooperation.

APPENDIX 2

Informed Consent



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Faculty of Economic and
Management Sciences

School of Public Management and Administration

Title as approved by the Postgraduate Committee

An analysis of the implementation of the Indigent Policy by the City of Tshwane Metropolitan
Municipality

Research conducted by:

Miss MC Leburu (10093304)

Dear Research Participant,

You are invited to participate in an academic research study conducted by Mercedes Leburu, MPhil (Public Policy) student from the School of Public Management and Administration at the University of Pretoria.

The purpose of the study is to analyse the implementation of the City of Tshwane Metropolitan Municipality (CTMM) Indigent Policy as operationalised and governed by the Tshwane Health and Social Development Department and the Finance Department.

In order for me to conduct my research in an effective and empirical manner, the input and opinions of individuals at the South African Local Government Association are vital, as SALGA is a key stakeholder in the policy under analysis.

Please note the following:

- This study involves a semi structured interview with twelve main questions. The answers you give will be treated as strictly confidential.
- Your participation in this study is very important to me. You may, however, choose not to participate and you may also stop participating at any time without any negative consequences.
- Please answer each question as completely and honestly as possible. This interview should not take more than 45 (forty-five) minutes of your time.
- The results of the study will be used for academic purposes only and may be published in an academic journal. We will provide you with a summary of our findings on request.
- Please contact my study leader, Prof LP Malan, (012 420 2063 or lp.malan@up.ac.za) if you have any questions or comments regarding the study.

Please sign the form to indicate that:

- You have read and understand the information provided above.
- You give your consent to participate in the study on a voluntary basis.

Participant's signature

Date