



Enhancing municipal councillors' oversight in local, district, and metropolitan municipalities



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Background: Municipal councillors have a statutory and moral obligation to perform an oversight function over all municipal functions and ensure that suitable corrective measures are taken to deepen local democracy.

Aim: The aim of this study was to determine whether municipal councillors succeed in their oversight role to deepen democracy in the local sphere of government.

Setting: The study was conducted among a sample of local, district, and metropolitan municipalities in South Africa.

Methods: An online-administered questionnaire was used to collect data from four target groups, namely chairpersons of Section 79 oversight committees (T1), chairpersons of standing and/or portfolio committees (T2), chairpersons of provincial Standing Committees on Public Accounts (T3) and local government experts (T4).

Results: It was found that councillors are relatively ill-prepared to conduct their oversight responsibilities although adequate statutory prescripts and oversight mechanisms and structures are in place.

Conclusion: Focused capacity-building programmes are required to enhance the competencies of councillors in conducting their oversight role and thereby to deepen democracy in the local sphere of government.

Contribution: The research shows that municipal councillors do not have the necessary capacity and tools to perform their oversight role and recommends appropriate strategies and practices to improve the effectiveness of councillors in conducting oversight roles.

Keywords: councillor oversight; municipal oversight structures; oversight instruments; local democracy; community participation; accountability.

Introduction

In view of the widespread criticism directed at local, district and metropolitan municipalities for failing to deliver on its developmental mandate and Constitutional obligations, it was clearly necessary to undertake a survey to probe the effectiveness of municipal councillors in meeting their responsibilities to provide oversight to ensure successful service delivery and accountability. In this regard, the 2022 *National Treasury Diagnostic Review* rightly asked:

[W]hy, after 25 years of building local government's capacity, improvements to performance appear minimal. Indeed, around two-thirds of municipalities appear to be in financial distress or dysfunctional in differing degrees, requiring interventions, sometimes repeatedly. (National Treasury 2022:iii)

Finding an answer to this question requires both a systemic analysis of the state of local governance and a more detailed micro assessment of the institutional functioning of individual municipal councils.

The purpose of this article is to report on the findings of an empirical survey conducted among a sample of 20 local, district, and metropolitan municipalities to determine whether municipal councillors have the necessary capacity and tools to conduct their oversight role. Based on the findings, appropriate strategies and practices are recommended for improving the effectiveness of councillors in conducting their oversight roles.

Conceptual framework: Municipal oversight

The legislature initiates government supervision, which enables proactive interfacing intended to hold the state's executive structures responsible for properly and diligently carrying out their duties

to enhance the achievement of established government objectives (National Treasury 2005; Parliament 2013). Such oversight has to be exercised by municipal councillors in respect of their municipalities. Section 151 of the *Constitution of the Republic of South Africa, 1996* makes provision for the transfer of oversight powers and functions to municipal councils (RSA 1996). This places council committees at the forefront of guaranteeing accountability of the administration of a municipality (Parliament of the Republic of South Africa 2009).

If oversight is flawed or weak, accountability and responsiveness are significantly weakened (Masiya, Davids & Mangai 2021; Mazibuko & Fourie 2017). Oversight committees should therefore use all the tools available to avoid wasteful expenditure or misuse of public funds; they must also ensure that public officials conduct themselves in a lawful and appropriate manner (Van Der Waldt 2015). This oversight role is often interpreted as oversight conducted only by opposition parties, usually with the intention to 'police' and 'expose' maladministration and corruption. However, this is a misconception, given the broad oversight obligations of councillors as prescribed by national legislation. Oversight committees must use appropriate monitoring and surveying tools to make sure that public resources and funds are not used wastefully. As such, oversight committees play an essential role to facilitate clean audits and to prevent a repetition of any matters accentuated in the Auditor-General's report for a preceding period.

In addition to the supervision duties of political office holders, there are other committees with oversight responsibility for municipal administration. The *Local Government: Municipal Structures Act (MSA), 117 of 1998*, establishes the oversight roles and duties of Section 79 and Section 80 committees, which include mayoral committees, council portfolio committees, municipal public accounts committees and audit committees (RSA 1998).

Mokgari and Pwaka (2018:15) point out that 'the separation of roles between the Council and Administration is intended to enhance the oversight function of Councillors, in ensuring accountability by the Executive'. Furthermore, the *Local Government: Municipal Financial Management Act (MFMA) 56 of 2003* assumes a separation between councillors who serve on the Executive (which includes the Executive Mayor or Executive committee and non-executive councillors) from those who serve in the Legislature (RSA 2003). This division of powers is crucial to ensuring that local government continues to exercise its supervision role over the accomplishment of specific and identified duties as well as the powers granted to the executive mayor and all executive committees.

Section 73 of the *MSA* also provides for the establishment of ward committees, with the objective of enhancing participatory democracy in municipal affairs (RSA 1998). Ward committees are established in the Office of Speaker and are an important type of committee, because ward committees

are well suited to hold the executive to account and to deepen democracy, as 9 of the 10 members on such a ward committee are supposed to be community members. Ward committees engage municipal council by means of ward councillors, and are entitled to make recommendations on matters affecting wards. According to De Vries (2018), Ndevu (2019) and Seithloho (2016), ward committees are key organs of public accountability and instruments to enhance participatory democracy, as these people's committees are considered impartial, independent and popular. However, ward committees have largely failed to become a conduit for community and citizen participation. Gumede (2021) points out that violent public protests are indicative of the fact that ward committees are not adequate channels to express community concerns and frustrations.

At a systemic level, it is evident that a lack of effective oversight and accountability in the local sphere of government undermines the legitimacy of municipalities and leaves room for political interference and administrative malpractice (Mamokhere, Musitha & Netshidzivhani 2021:2). An analysis of international best practice as reflected in the reports of the Organisation of Economic Cooperation and Development (OECD)'s Public Management Committee (PUMA) reveals that in countries where service delivery levels and municipal governance levels are low, the statutory and regulatory frameworks of those countries have failed to provide lasting solutions to a lack of professionalism, low levels of competency and inadequate accountability and transparency. The absence of consequence management also leads to unethical conduct, resulting in high levels of corruption and malpractice. If this situation is left unchecked, it ultimately inculcates a systemic culture of poor service delivery and an inappropriate professional ethos (National School of Government 2022). The reality of this situation in South Africa calls for an investigation into the role and effectivity of councillors in exercising oversight and in deepening democracy.

Material and methods

A qualitative research design was chosen in this study. A questionnaire was used for data collection purposes to probe the perceptions of four target groups regarding municipal councillor capacity, and the tools councillors can use to conduct their oversight role. The questionnaire was developed and piloted (pre-tested) with a small sample from each target group. It contained both closed-ended questions (with a single response, using a five-point Likert scale) and open-ended questions. The questionnaire was completed online. A potential limitation of the survey was that there were no guarantees that the intended recipient completed the questionnaire. However, this limitation was mitigated by directing the survey directly to the email of the recipient and a declaration inserted on the questionnaire that the correct person indeed completed it. The survey was subject to rigorous ethical clearance procedures and included voluntary participation of participants, anonymity, and confidentiality of responses. The responses obtained from the respective

cohorts were triangulated to obtain a more holistic perspective regarding the nature and scope of municipal oversight.

The survey component of the study entailed selecting local, district, and metropolitan municipalities ($N = 257$) to be representative of urban and rural settings, low- and high-capacity municipalities and geographical location in the nine provinces. Definitions for 'low-' and 'high-capacity' municipalities are outlined in the accounting standards set by the Accounting Standards Board in terms of Section 91(4) of the *Public Finance Management Act 1 of 1999* (Government Gazette No. 26511). A list of purposively sampled municipalities was compiled. Thereafter, four metropolitan municipalities, eight district and eight local municipalities ($n = 20$) were randomly selected from this list.

To identify sufficient respondents for the required sample for Target Groups 1 to 3 (see Table 1), the databases of current standing committees in local provincial government structures were obtained from official websites. Possible respondents were identified from each of the target groups. Every attempt was made to ensure a broad geographic spread across all nine provinces. During the initial process to establish contact, the correct municipal appointment status and current contact details of each potential respondent were verified. Some sampled municipalities required an additional formal request to be provided to the City or Municipal Manager before the contact details of sampled respondents were made available. Respondents were then contacted telephonically and electronically by means of an official email that included the information letter approved by the Local Government Sector Education and Training Authority (LGSETA), a request for informed consent to participate, and the questionnaire.

In order to obtain input from local and wider government management experts, both academics and government experts in the field of public administration and

local government management were purposively sampled and contacted to obtain their agreement to participate. Once they had agreed in writing to participate, they were sent an official email containing the questionnaire.

The target groups, sample size, and method of data collection are outlined in Table 1 and Table 2.

Upon completion of the data gathering process, the results for the four target groups were collated and analysed. Input from the selected local government experts was used to confirm and validate the data as analysed, as well as to strengthen recommendations on current and future oversight competencies.

Data analysis entailed coding and thematically analysing the responses to the open-ended questions using Atlas.ti (Version 22) software, managing missing values and correcting and validating data.

A correlation analysis was conducted of the cohort responses to the municipal oversight and capacity-related questions. No statistically significant differences were found between the groups. This finding is constructive, as it shows that the chairpersons of the Section 79 oversight committees, the chairpersons of the standing and/or portfolio committees, as well as those of the provincial SCOPAs, and the local government experts have a common understanding of the competencies and skills required from municipal councillors to fulfil their oversight role towards deepening democracy at local government level.

Ethical considerations

All procedures performed in this study involving human participants were in accordance with the ethical standards of the institutional research committee and with the 1964 Helsinki Declaration and its later amendments or comparable ethical standards. Written informed consent for participation was obtained from all individual participants involved in the study. Ethical clearance to conduct this study was obtained from the University of Pretoria Faculty of Economic and Management Sciences Research Ethics Committee (No. EMS256/22).

Results

Demographic profile of respondents

The overall split between male and female councillors was 63% male councillors and 37% female councillors. As far as racial composition is concerned, 44.24% were Black

TABLE 1: Target groups and municipal sample size.

Target groups (T1–T4)	Sample
T1: Chairpersons of Section 79 Oversight Committees for each function	<ul style="list-style-type: none"> • 4 metropolitan municipalities • 8 local municipalities (low and high capacity) • 8 district municipalities
T2: Chairpersons of Section 79 Standing Committees	<ul style="list-style-type: none"> • 4 metropolitan municipalities • 8 local municipalities (low and high capacity) • 8 district municipalities
T3: Chairpersons of Provincial SCOPAs	3 (one per three sampled provinces)
T4: Local government experts	5 experts

SCOPA, Standing Committees on Public Accounts.

TABLE 2: Target groups per municipal category and sample size.

Target groups (T1–4)	Municipal category			Total
	Metro	Local	District	
T1: Chairpersons of Section 79 Oversight Committees for each function (notably chairs of MPAC)	3	8	7	18
T2: Chairpersons of Section 79 Standing Committees	9	9	13	31
T3: Chairpersons of Provincial SCOPAs	-	-	-	3
T4: Local government experts	-	-	-	5
Total (n =)				59

MPAC, Municipal Public Accounts Committee; SCOPA, Standing Committees on Public Accounts.

African, 38.47% were White, 11.54% were Coloured and 5.76% were Indian.

A quarter of the respondents indicated that they had completed a Bachelor’s degree, an Honours Degree or a Post-Graduate Diploma. Only 7.69% reported a Master’s degree and mere 1.92% held a Doctor of Philosophy (PhD). It was concerning that 21.0% did not have any tertiary qualification, indicating a Matric Certificate (NQF Level 4) as their highest qualification. Figure 1 indicates that most respondents were chairpersons of standing and/or portfolio committees.

The majority of respondents were relatively new in their current positions and had only been in their present roles for

5 years or even less (30.7% reported serving for 2–5 years, and 28.84% had served for 1 year or less). However, 25% had been in their current roles for 6–10 years, notably the chairpersons of the standing and/or portfolio committees. Most of the councillors (59.6%) had been in the local government sector for 11 years or longer, with 44.2% falling in the 11- to 20-year bracket (again, it was notably the chairpersons of standing and/or portfolio committees who had served longer) and 15.4% had 21 years’ experience or more. The experience levels of respondents were high enough for meaningful, informed, and rich data to be obtained from them. Regarding the representativity of different categories of municipalities, 33% of respondents were from local municipalities, 40% from district municipalities and 27% from metropolitan municipalities.

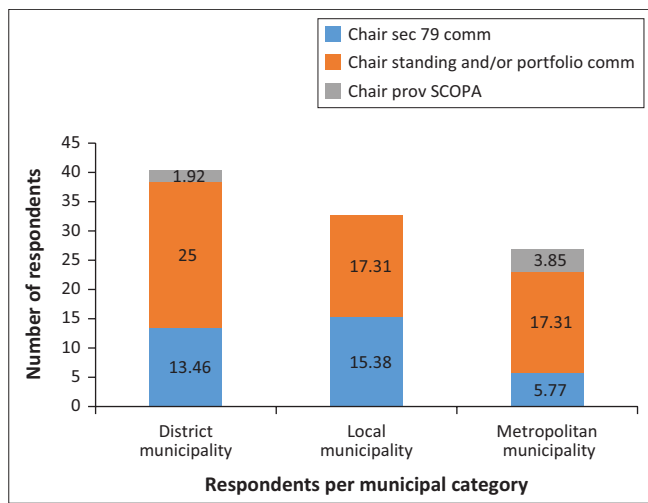


FIGURE 1: Position of respondents.

Municipal oversight

This section reflects the responses on municipal oversight, with a specific focus on councillors’ oversight competencies and capacities, as well as on the functioning of municipal oversight structures and mechanisms. Responses obtained per question (Q) are reflected below. Where applicable, some verbatim responses are cited to illuminate the nature and scope of certain issues. The responses obtained from the municipal expert cohort are reflected in the discussion and recommendations.

Q1: How would you rate the positive effect of oversight roles played by councillors with regard to service delivery improvement in your municipality?

As indicated in Figure 2, there was an even split between a rating of average (34.6%) and good (34.6%) in terms of the

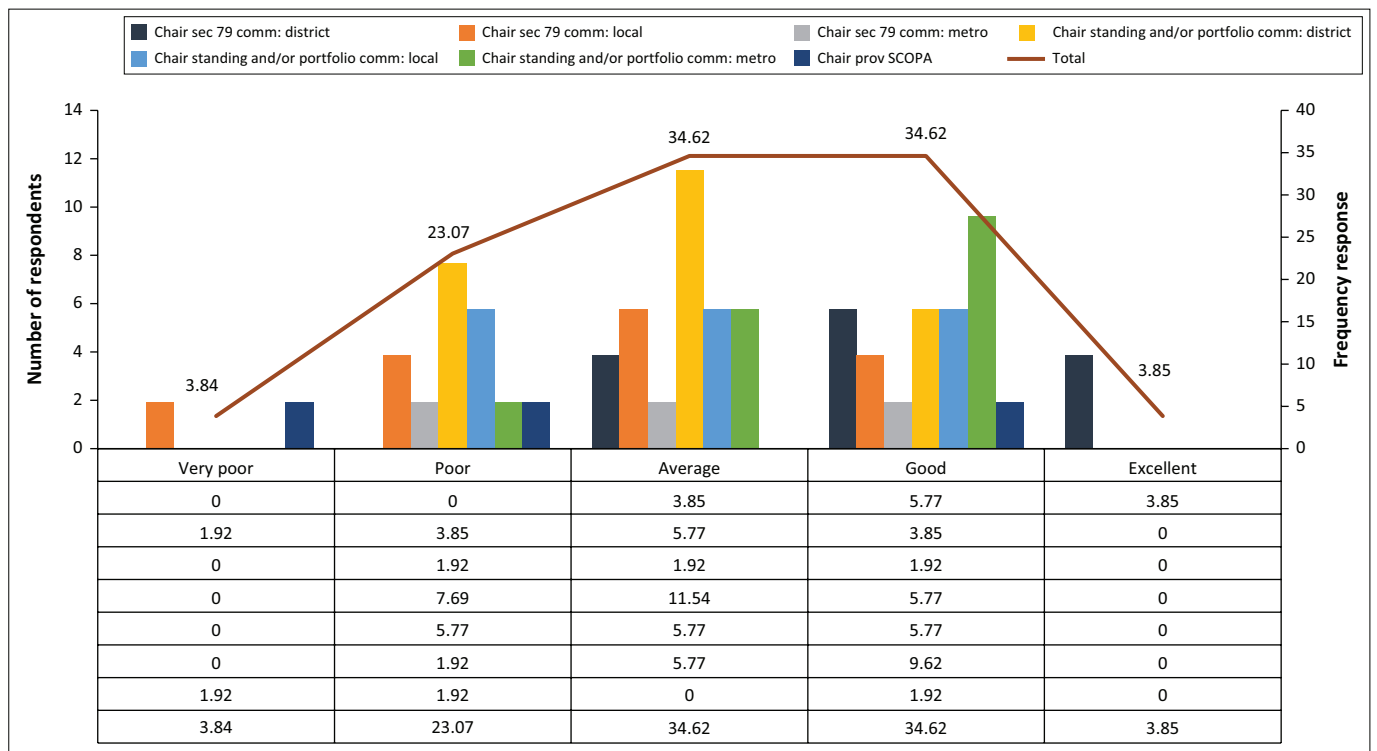


FIGURE 2: Rating of oversight roles played by councillors.

positive effect of oversight roles played by councillors relating to service delivery improvement in their respective municipalities. However, more than a quarter of the respondents held a less positive outlook, rating the positive roles as 'poor' (23%) or 'very poor' (3.8%).

Q2: Please highlight areas of oversight concern

Table 3 provides insight into the responses to the open-ended responses, grouped into following three themes:

- Councillors' oversight competencies and capacities;
- Municipal oversight committee role in service delivery and
- Municipal oversight role in deepening democracy.

Q3: How would you rate the current competency of councillors in conducting their oversight role? Kindly substantiate your answer.

The ratings were mostly neutral or positive, as 42.3% rated the levels as 'average' and rated them as 25.0% 'good', but 21.1% rated the levels as 'poor'. The two verbatim statements below are typical of the overall concerns raised:

- *Councillors are elected and appointed from the community, they are not career government officials and as such do not*

always have the necessary technical skills to understand their roles fully ... the lack of skills and experience has a direct impact on the execution of their daily duties on oversight responsibilities.

- *Most councillors do not have any formal training to support their roles and definitely do not understand legal aspects such as the MFMA, regulations and other important guidelines.*

The responses were grouped according to the following thematic concerns that emerged:

- Concerns about role clarity;
- Limited monitoring and evaluation skills;
- Inadequate experience in conducting oversight;
- A narrow knowledge base from which to execute the oversight role and
- Limited communication skills.

Q4: Please rate oversight successes in the following domains:

Table 4 provides insight into the overall ratings for each of the domains.

Q5: Please indicate the typical tools or instruments that oversight committees use to conduct their oversight role (i.e. monitoring, accountability, reporting and control tools).

TABLE 3: Oversight concerns and perceived successes.

Concerns	Successes
<p>Councillors' oversight competencies and capacities</p> <ul style="list-style-type: none"> • There is a lack of technical knowledge on IDP and technical aspects of the budget. • Councillors lack prior schooling and have not done enough reading to acquire the necessary knowledge. • Reports are simply noted as 'compliance' matters and their details are not interrogated. • Generally, oversight is not understood (in other words, what it entails). • There is a lack of knowledge when it comes to municipal by-laws and local government legislation. • There are new councillors who are still 'learning the trade'. • There is a lack of capacity – more skills are needed to do physical verification (for=example, at landfill sites). • Councillors are not trained for the individual oversight committees in which they are deployed. • Most municipalities have well-established municipal oversight structures, but not all the councillors are adequately skilled to contribute fully to the structures. <p>Municipal Oversight Committee role in service delivery</p> <ul style="list-style-type: none"> • Reporting lines are cumbersome to avoid interference in administration. • There is no consequence management. People are not afraid to do as they please. • Councillors do not read or discuss performance reports or the annual oversight reports to at least understand how they can contribute positively to audit outcomes. • Only a handful of Councillors are doing proper oversight – the rest only sit in meetings and provide no input. • Some committees do not sit at all. • Service delivery issues are of such a magnitude that the committees spend too little time on oversight duties. • Oversight roles are being performed, but recommendations after oversight are not implemented. • From a provincial perspective, the municipalities are battling to use their oversight roles effectively to ensure the successful implementation of their IDPs. • Committees focus on political agendas rather than on provision of services as planned, and therefore only some areas are serviced, while others are not. • Monies are not spent or are misappropriated, with the result that basic services are not provided. • Oversight is done mostly by opposition councillors, and the administration is slow to react. <p>Municipal oversight role in deepening democracy</p> <ul style="list-style-type: none"> • Public participation needs to improve – IDP outreaches and ward-based planning needs to be taken to communities before adoption and implementation. • At provincial level is it evident that service delivery is hampered because of the total absence of oversight at the ward level. 	<ul style="list-style-type: none"> • Some councillors are dedicated and conduct effective oversight. • Matters are escalated promptly and placed on committee and council agendas. • Study groups are key for councillors to attend before oversight committees meet, because the knowledge that councillors need differs. It takes all of the council to empower each other. <ul style="list-style-type: none"> • Questions are regularly posed to the administration and those are promptly responded to. • Unacceptable answers are red-flagged and even forwarded to the Auditor-General for scrutiny. • Portfolio committees meet every month in accordance with the corporate calendar. <ul style="list-style-type: none"> • All Section 80 committees are on the street to make sure that there is delivery. • 'We focus on the SDBIP and conduct public visits and public hearings to check if there is value for money: amount spent vs quality of the project'. • Councillors are the first to conduct on-site inspections/oversight and have a good understanding of how things should be in practice.

IDP, Integrated Development Plan; SDBIP, Service Delivery and Budget Implementation Plan.

TABLE 4: Oversight responsibility rating.

Oversight responsibility and function	Very poor	Poor	Average	Good	Excellent
Reviewing municipal annual reports	10	19	37	25	10
Reviewing quarterly SDBIPs	8	31	31	25	6
Monitoring the implementation of by-laws	33	25	23	13	6
Monitoring executive programmes	12	23	40	17	8
Monitoring spending of municipal budget	8	29	29	29	6
Scrutinising compliance with legislation and regulations	15	27	25	29	4
Making oversight visits to monitor service delivery projects	13	23	27	27	10
Monitoring municipal performance enhancing initiatives	17	27	37	15	4
Monitoring initiatives to deepen local democracy	15	15	38	27	4
Oversight committee reporting to council	13	12	33	29	13
Average rating	14	23	32	24	7

SDBIP, Service Delivery Budget and Implementation Plans.

TABLE 5: Oversight tools and instruments.

Category	Responses
Legislative processes	<ul style="list-style-type: none"> • Submission of motions for council to deliberate.
Logistical support	<ul style="list-style-type: none"> • Oversight and monitoring tools such as vehicle and capturing instruments. • Open hearings. • Provision of tablets to capture and record findings.
Oversight committee procedures and processes	<ul style="list-style-type: none"> • AGSA municipal audit reports. • Reports of Internal Audit. • Reports of Section 71 committees. • Gauging budget performance versus actual performance. • Risk mitigation and compliance reports. • Mayoral committee reports. • Council reports and minutes. • Section 52 and Section 71 reports. • Standing Committee reports. • Quarterly reports focusing on the completion of tasks. • Public hearing for MPAC meetings. • Reports of ward committee.
Physical oversight	<ul style="list-style-type: none"> • Site inspections, interviews and gathering of evidence. • Project visits. • Extensive reading and homework before inspections (due diligence). • Development of oversight questionnaires/checklists. • Right to inspect areas or sites to get clarity on certain aspects such as how money is spent on projects, the needs of communities and service delivery issues. • Reports on the outcomes of public hearings for MPAC portfolio committee meetings.
Planning, reporting and evaluation frameworks	<ul style="list-style-type: none"> • IDP and SDBIP. • Performance Management System. • Medium-Term Revenue and Expenditure Framework (Budget). • Local economic development reports and special management unit reports. • Collection of data from the relevant departments and conducting of interviews. • 'We are given the designs and go through the stages and the project manager for each project and the General Manager for Technical plus Consultant of the project'. • Review of reports/documentations.
Stakeholder oversight	<ul style="list-style-type: none"> • Effective use of the media. • <i>Izimbizos</i> (public meetings). • Enlisting the assistance of EPWP workers to do home visits and conduct oversight on behalf of the municipality. • Civil society organisations' reports. • Reports emanating from research. • Civil society organisations and non-government organisations' reports to councillors on issues such as welfare, health and gender-based violence.

AGSA, Auditor-General of South Africa; MPAC, Municipal Public Accounts Committee; SDBIP, Service Delivery Budget and Implementation Plans; EPWP, Expanded Public Works Programme.

Responses are reflected in Table 5.

Responses confirm that all target groups had a good understanding of the tools at their disposal and also regarded these tools in a positive light (availability and suitability). They did, however, acknowledge that the successful application of these tools is mostly poor or just satisfactory.

Q6: Please recommend appropriate strategies and practices for improving the effectiveness of councillors in conducting their oversight role

Responses to this question are summarised portrayed in Table 6 per theme. Inputs provided by municipal experts are included in these responses.

TABLE 6: Strategies proposed to improve municipal oversight.

Theme	Responses
Enhancing councillors' oversight competencies and capacities	<ul style="list-style-type: none"> • The ultimate strategy is to constantly train councillors through on the job training, mentoring and academic studies. • Consistent education and training to improve councillors' competencies and capacities are needed. • Training and education are critical imperatives. • Councillors need to understand why reports are given to them and to read them with a mindset of constructive criticism. They need to understand that they are there to ask questions and provide direction for improvement, not to primarily find fault or investigate perceived corruption. • Training of new councillors in public speaking, by-laws, local training programmes is needed. • Minimum qualifications for councillors should be introduced. • Continuity or at least retaining experienced councillors is important, and retired councillors can be used in some instances in an advisory capacity on the MPAC. • Tailor-made training programmes that are continuous that add up to a degree or diploma over the years (tenure) are suggested. • Without training, councillors are without ammunition 'against' well-experienced officials or administrators. • 'All councillors should go for annual refresher training to ensure that they know the lay of the land, how the province/national government will support them and what their responsibilities are'. • Even though councillors are elected, formal training and not just induction should be mandatory. • Minimum skills should be to understand financial reports and budgets, to understand the roles and functions of the various committees and how the reports should be constructed to add value. • At the beginning of each term of councillors, there must be emphasis and workshop done for all councillors, either new or returning councillors, on how to plan and conduct oversight visits. • 'Training should become compulsory – if they do not attend the training per quarter, they don't get full salary'.
Enhancing transparency and strengthening community participation in municipal processes	<ul style="list-style-type: none"> • Municipalities that disdain or disregard public engagement should be subjected to punitive actions. • Councillors should be involved in ward decision-making. • Councillors also need to realise they are the interface between administration and the public. • 'They need to realise that they are there to ensure the best for the community and not to further political agendas'. • There should be consequence management, with follow-through after oversight, and the committee should be given tools to implement consequence management. • 'The implementation is a problem after oversight – there must be increased accountability and consequence management'. • Transparency and strengthening community participation will be enhanced by conducting public consultation meetings and strengthening the functioning of the 'war rooms'. • Portfolio Committees should conduct their periodic reviews. • Training of ward committees and key stakeholders is needed. • Ward councillors should be expected to have monthly ward meetings to engage and inform the communities to understand the processes. • Quarterly Mayoral <i>izimbizos</i> and community meetings by ward councillors through the Office of the Speaker need to be arranged. • A call centre should be established to log service delivery issues and emergencies 24 h a day – this will also assist in pinpoint issues, and the Council can then identify hotspots and apply for more funding. • Communities need to be educated on their rights to influence municipal planning, and how to raise concerns about wrongdoing, instead of protesting. • Councillors should be educated in their role in increasing public participation at public hearings to ensure that their plans are aligned to what the community needs and not what they think should be done. • More public participation must be sought regarding all municipal projects, during the planning but also after the completion to monitor the service delivery level of improvement and community satisfaction.
Strengthening municipal oversight structures and mechanisms	<ul style="list-style-type: none"> • Capable councillors need to be appointed in the committees, especially in crucial positions such as chairpersons. • Access to documents needs to be improved and information should be available on a central database to councillors and officials. • A culture of ethics should be built within the institution. • Monitoring evaluation and follow-up should be improved. • Officials must be forced to go to the MPAC meetings and report. This should be included in the key performance indicators or their contracts. • Communication must improve because at present one department does not know what the other is doing. • Structured oversight should be coupled with an oversight plan. • Effective oversight by committees is needed over capital projects within the district, for example, <i>Division of Revenue Act</i> grants. • Effective oversight and monitoring of grant funding should include checking the validity of reasons for rollovers of grant funding. • Section 79 Committees should be held to account to sit monthly. • Standing committees can be more hands-on if internal control mechanisms are strengthened. • IT oversight systems should be enhanced, allowing real-time tracking of projects. • There should be serious consequences for non-compliance when councillor have to submit reports to oversight mechanisms. It must be possible to hold councillors 'in contempt' and there must be sanctions. • Each oversight committee must be assigned a permanent researcher and permanent legal person. • Political researchers must be skilled and qualified and regularly communicate changes. • Government officials who have been in the province for many years should be used to advise new councillors on their duties to make sure that they serve the people as they should. • A 'buddy' system should be used for stronger municipalities to assist those that are not performing as well as they should.

MPAC, Municipal Public Accounts Committee; IT, information technology.

Discussion

The following factors that limit the capacity of councillors in conducting their oversight responsibilities were identified:

- inadequate conceptual and technical oversight skills;
- factionalism and contentious party politics;
- narrow understanding of the obligations of council oversight committees and
- restrained comprehension of ward demarcation and demographical realities of local communities.

Council members' widespread incapacity to understand technical project reports substantially hinders their ability to carry out their oversight duties. These papers include feasibility studies, environmental effect analyses and budget estimates and calculations. It is encouraging to learn that numerous capacity-building initiatives have been launched by the Department of Cooperative Governance and Traditional Affairs (COGTA), the South African Local Government Association (SALGA) and National and Provincial Treasuries with the goal of providing all councillors, both new and experienced, with the necessary knowledge and abilities for their positions. However, it appears that these activities fall short of appropriately addressing the wide range of issues required for oversight committees to operate effectively.

Nearly half (42.3%) of respondents regarded the levels of councillors' current competence in carrying out their oversight function as 'average', while 25.0% provided a positive assessment of 'good', and 21.1% rated the levels as 'poor'. The majority of local government specialists voiced concern about the effectiveness of the current oversight capability and gave councillors 'very poor' ratings for their roles and competence. Of those polled, 14% said that success and skill levels differ between municipalities, as well as between metro and local municipalities and municipalities in different regions (urban vs. rural). Areas of concern raised included:

- the general lack of commitment to train councillors for their oversight roles;
- the absence of monitoring and evaluation knowledge and skills to oversee service delivery initiatives;
- newly elected council members' lack of prior experience and expertise in performing an oversight role;
- an inadequate amount of mentoring of newly appointed councillors by more experienced committee members;
- constrained comprehension of local government planning frameworks (such as IDP, SDBIPs);
- knowledge of municipal budgeting processes and procedures is limited;
- council members exhibit a relative inability to perform physical, on-site assessments;
- there is only a partial understanding of municipal by-laws;
- the prevalence of cumbersome reporting arrangements and
- there is a lack of consequence management for non-compliance or non-implementation of municipal decisions,

along with poor councillor preparation for meetings and low levels of active participation in committee discussions (it was concerning that 47% of participants indicated that some municipalities still struggle to prevent negative audit findings and to deal with irregular expenditure, poor service delivery and non-performance).

The presence of former mayors in oversight committees and the fact that knowledge is being shared between more experienced and less experienced council members were both cited as beneficial contributions. Participants also mentioned the relatively high levels of dedication of some council members and their focus to promoting the efficient operation of oversight committees as encouraging aspects of oversight. The usage of 'study groups' among council members to make sure they are fully prepared for meetings and the ongoing dissemination of information and knowledge prior to oversight sessions are two particularly positive aspects. Respondents also indicated that as new groups of councillors mingle and work with existing councillors, such interaction leads to a transfer of insight and skills. Where questions are regularly posed to the administration and that these are usually promptly answered, and where unacceptable answers are 'red-flagged' and even forwarded to the Auditor-General for scrutiny, these are further positive developments. It is interesting that 54.5% of councillors indicated that they preferred to do on-site, physical inspections 'to be seen in the community as doing their jobs'.

Based on the views obtained from the respective target groups, the following strategies and practices are recommended as appropriate for improving the effectiveness of councillors in conducting their oversight roles.

Increase councillors' oversight competencies and capacity

To provide ongoing training to oversight committees, it is advised that an integrated training program be developed with the help of all pertinent role-players, including the LGSETA and SALGA. Cooperation and in-service training should be prioritised. The LGSETA should assist by facilitating cooperation with institutions of higher learning and local government experts to provide subject-specific, condensed information sessions to keep municipal councillors informed about numerous facets of local governance. In addition, respondents accentuated the need for annual 'refresher training', over and above the usual councillor induction programmes. Training content should include the following:

- Information on the applicable national, provincial and municipal legislation, municipal policies, including bylaws and planning instruments such as the National Development Plan, municipal IDP and the spatial development framework.
- Information on municipal budgeting and financial management processes and procedures.
- Appropriate monitoring and evaluation tools and instruments to promote oversight of municipal processes such as integrated development planning and budgeting.

- The role and responsibilities of ward committees and their interface with the municipality to avoid role confusion.
- Reporting skills, including report writing and presentation skills, pertaining to the performance of the municipality.
- Interpretation of audit outcomes of the Auditor-General and annual reports.
- An overview of the functions of municipal council, including statutory obligations, financial responsibilities and interpretation of codes of conduct for councillors.
- Constant testing and assessment to ensure that councillors remain informed and adequately skilled for their responsibilities – a dedicated unit, preferably within the Office of the Speaker, should be established to prioritise and monitor capacity-building programmes for councillors and report on progress to the municipal council.

Competency and capacity building efforts should focus on professionalising municipal administration, as well as elected officials, to realise the constitutional mandate of effective, efficient and economical service delivery to the communities that the council serves. The LGSETA should promote adequate cooperation between municipalities and institutions of higher learning to provide recognised and accredited tertiary courses. The LGSETA has also an important role in ensure that the content of the training is applicable to the specific municipality type, the nature of functions performed and the particular conditions and circumstances of the province in which the municipality operates. There appears to be a need to conduct regular skills audits in particular municipalities to facilitate more focused skills development, based on specific skills deficits. A one-size-fits-all approach is no longer appropriate.

Reinforce municipal oversight structures through suitable technology

It is important to encourage the adoption of cutting-edge information and communication technology systems, including tracking of municipal projects, as doing so will make it easier to perform oversight. It should be possible to access documents and data in a central database more easily. All prior committee reports must be easily accessible on a 'Cloud' that is always accessible. It is also advised that a suitable IT platform and/or help desk be built to assist council members with their oversight role. It is suggested that a pool of experts be established whose expertise can be called upon when required. In addition, each oversight committee should have access to a permanent researcher and permanent legal advisor to foster oversight, enabling councillors to meet their obligations. Furthermore, it would be advisable to promote the buddy system, in which municipalities with greater capacity help low-capacity municipalities that are not performing as expected. It is also advised that a Council Programme of Action be created, with clear expectations laid out, norms of engagement for councillors and staff and a schedule for updating the community on performance in prior years and the current year. According to the proposed Municipal Integrity Framework, aspects such as ethics, professionalism and anti-corruption activities should be integrated with one another.

Enhancing transparency and strengthening community participation in municipal processes

It is vital to ensure that there are strong consequences for and that clear punitive measures are taken against municipalities that ignore or disregard obligations to engage communities because of a lack of skills and expertise. If municipalities are to keep abreast of the dynamics within a community, each municipality needs to retrain and reskill officials so that they can stay in touch with demographic changes in their communities. This should include aspects pertaining to urban migration patterns, youth unemployment issues and other social challenges (such as wider unemployment patterns, crime, drug abuse), which require municipal intervention. Ongoing training should be provided to ward councillors on how to assess community needs, compile community profiles and communicate municipal issues to wards.

Conclusion

It is evident that municipal councillors play a critical role in overseeing the actions of local government and deepening local democracy. They must serve as representatives of their constituencies to ensure that the voices of their communities are heard and that their interests are represented in decision-making processes. Through their oversight role, councillors have to ensure that public funds are used appropriately, that local government services are delivered efficiently and effectively and that the rights of citizens are protected. They also monitor the implementation of policies and programmes, holding local officials accountable for their actions.

In order to deepen local democracy, councillors should work to engage citizens in the democratic process, encouraging them to participate in decision-making and ensuring that their concerns are addressed. They must also promote transparency and openness in local government, building trust between citizens and officials and fostering a culture of accountability, thereby developing strong, vibrant and inclusive communities. Council members are crucial in advancing the welfare of municipal communities and enhancing local democracy by ensuring that councils are responsive, responsible and representative. When council members, particularly ward councillors, are given the authority to effectively use their oversight structures and mechanisms to monitor and evaluate the performance of municipalities, transparency in municipal governance will be improved. This will build trust and legitimacy, which could promote the involvement of communities in municipal processes. However, council members need more specialised and targeted skills, especially when it comes to the challenges of participatory democracy, financial oversight mechanisms, oversight structures, local government law and supply chain management processes. In addition, clarity should be obtained regarding the role that councillors perceive they should play within the arena of oversight (i.e. role perception) and their actual actions to promote oversight (i.e. role behaviour) as these roles are often conflated.

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D.F. conceptualised the study, and also performed investigation, project administration, writing—review and editing—and supervision. G.V.D.W. was responsible for the research methodology, data analysis and writing of the article.

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