

Success at a Price

How NGO advocacy led to changes in South Africa's People's Housing Process



Written by Susan Carey



Foreword

This brief report has been prepared by Susan Carey with the support of Planact and Rooftops Canada. It draws on the experiences of a group of South African NGOs involved in housing policy reform in order to inform future advocacy and policy processes. Valuable lessons are drawn out for NGOs, government and other stakeholders. We firmly believe that policy outcomes, program design and implementation benefit from transparency and sharing of information and experiences. This report demonstrates that not working this way has the opposite effect – desired outcomes are not achieved and there can be considerable delays along the way.

The focus of this report is the Peoples Housing Process (PHP) in South Africa. Over the past few years, this has been at the mercy of numerous institutional processes and political wranglings that have had the potential to wear out even the most hardened advocates. But, a number of urban development NGOs working in the sector, stuck together and stuck it out. The new PHP policy and the accompanying growth strategy approved by Housing MinMEC¹ in July 2008 is evidence of this. It was however a long, expensive, and difficult process.

It is important to emphasize that this document is less about the details of the PHP and more about the advocacy and policy dialogue process so that others may benefit from this experience. It also acknowledges that there is still a lot more work to do. Successful implementation of new policy requires a whole different set of resources, skills and support.

It should be pointed out that for much of the period covered in this report, Susan Carey worked with Rooftops Canada² as the Co-ordinator of its social housing program in South Africa. Rooftops Canada's main contribution to the PHP process was to second Susan to help coordinate NGO inputs and to cover some of the meeting expenses. Planact was a very active participant in the described policy process and first encouraged Susan to prepare this report.

We would like to thank the key actors who agreed to be interviewed for this report. The report does not reference their individual inputs in part because of the sensitive nature of the issues raised. People and organizations are referenced where the information has been taken from published sources, or documentation generated within the meetings of the PHP Reference Group.

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Authors acknowledgements

Thank you to all the PHP Reference Group members for your dedication and commitment, always willing to give of your time and share your knowledge.

Thank you to Becky Himlin from Planact for commissioning this work and for your valuable inputs.

Thank you to Barry Pinsky from Rooftops Canada for valuable editing inputs and comments.

Thanks to all those who gave of their time to be interviewed.

This document was produced through generous support provided by the GGLN and Rooftops Canada.

¹ MinMEC is a meeting of Housing Minister, the nine Housing Members of the Provincial Executive Councils (MECs) and the South African Local Government Association (SALGA) where housing matters are discussed and policies approved.

² Rooftops Canada is a non-profit NGO and the international development program of cooperative and social housing groups in Canada. With support from the Canadian International Development Agency (CIDA), it has been building the capacity and supporting the low cost housing sector in South Africa since the early 1990's.

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Executive summary

NGOs working with communities in South Africa since the late 1980s and early 1990s to develop community based and people centred approaches to human settlement developed very valuable experience and expertise in what became known as the Peoples Housing Process (PHP). This experience was initially shared and used by government in developing new post-apartheid housing policy and programmes.

For various reasons, the initial good intentions of the PHP were lost, and NGOs began to advocate for change in the early 2000's. This advocacy happened in a context where NGOs were viewed with some suspicion by government, donor support for NGOs was declining and where there was no real institutional base or support for the PHP.

Despite these challenges the NGO sector came together to collectively discuss and share their experience of the PHP. By building their understanding and being clear about the real stumbling blocks to the PHP, the NGOs were able to continually apply pressure, forcing government to eventually abandon its own internally produced policy, and work with the NGO sector to produce a new PHP policy. Success has been achieved with a new policy and growth strategy in place, but implementation of the new policy will still be critical to ensure real change for people and communities on the ground is brought about.

The following lessons learnt summarise the reflections of the advocacy experience.

1. Demonstrate coherence with broad government policy and strategy pointing out political pay offs and benefits to get buy in.
2. It is of critical importance to find a champion and capacity within the government department directly responsible for the policy.
3. Bring together knowledgeable external stakeholders, government officials and politicians to share knowledge and experiences so that decision makers are better equipped. International and local successes should be highlighted.
4. Set up a continuing role for NGOs and other stakeholders to interact with government and politicians through the implementation of pilot projects, assessment, programme modification and ongoing program implementation.
5. Advocacy processes require both staff and financial resources which in turn require budgeting and fundraising.
6. Identify and engage all key stakeholders including local government.
7. Build trust, transparency, inclusion and solidarity.
8. There is value in NGOs sticking together, not giving up, being consistent, seizing opportunities, sharing information and keeping the end goal in mind. Negotiables and non-negotiables must be decided collectively upfront.
9. Think of how to move forward and build future capacity for implementation.
10. All issues do not disappear in one set of policy negotiations, however extended.

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Peoples Housing Process (PHP): What is it?

1.1. NGO's and the PHP

Perhaps, the biggest struggle the NGO sector had, and still has ahead of it, is building understanding of what PHP is, and, what it isn't. The NGO understanding of what a PHP approach hopes to achieve has developed over nearly 20 years. South African NGOs began working with communities in the late 1980s to develop community based and people centred approaches to access land and deliver services and housing. At the time different models emerged based on international experience, including mutual help³, assisted mutual help⁴, self help⁵, assisted self help⁶ and community self help savings and micro-credit schemes⁷ (USN, 1998).

As experiences developed, for some, the PHP became a generic term to describe the ongoing processes of self-provision of human settlement needs (including shelter, services, livelihoods and land) by poor households and communities. For others, it is the participation of communities in the process of deciding, organising and managing settlement development that is more important (Bauman, 2003). For the group of South African NGOs affiliated to the Urban Sector Network (USN)⁸, it was about "building people, building sustainable communities/human settlements". This includes building citizenship, building effective partnerships, building skills, involving people directly in the development of their communities. For NGOs, while strongly committed to the provision of adequate and affordable housing, the PHP is about far more than just housing (USN, 2003).

These descriptions suggest that from the beginning there were always different approaches to PHP delivery and that it is not the approach that is important, but rather the principles informing the approach. In the early 1990s, NGOs were first called upon to share emerging experiences and participate in the discussions of the National Housing Forum, which were the basis of new post 1994 housing policy.

There were always different approaches to PHP delivery and it is the principles informing the approach that are important.

³ Mutual help housing delivery is where a group of households provides housing for themselves and where there is an element of collective labour involved. The participation of households as a group in the actual process is what distinguishes mutual help from other forms of community based housing delivery (USN, 1998).

⁴ Assisted mutual help is where groups of households receive advice, support and / or training from an external agency. Assisted mutual help is also known as co-operative self help, mutual self help, organized self help, or mutual aid (USN, 1998).

⁵ Self help can take a variety of forms, ranging from members of the household building a house themselves (self build), to the household hiring and supervising a local builder in building a house (local contractor option). In both cases the household is responsible for taking decisions on site layout, house design, materials management, financial management etc. (USN, 1998).

⁶ Assisted self help is where the households get advice, support and or / training from an external agency (USN, 1998).

⁷ Community self help is where the community organizes income generation opportunities, infrastructure, housing and / or facilities. This approach often involves savings and credit groups linked to large federations. Saving money can mobilize people and increase bargaining power. Creating federations and using exchange programmes can help groups acquire a broader organizational base and greater political leverage (USN, 1998).

⁸ Urban Sector Network (USN): A national network of affiliated Non-Governmental Organisations (NGOs) and a support office sharing a common vision and mission to promote innovative, sustainable and integrated approaches to human settlement development through a focus on housing, land, infrastructure, livelihoods and good governance, with emphasis on the poor and vulnerable.

The uTshani Fund was established in 1995 to use donated capital to pre-finance innovative community-based housing delivery and design (as opposed to developer-driven models). It provided examples of alternative, improved housing delivery along People's Housing Process lines. It was in recognition of the Peoples Housing Processes that NGOs had undertaken with homeless communities that the first post-apartheid Minister of Housing, Joe Slovo, gave uTshani⁹ R10 million to pre-finance community driven housing in anticipation of future housing subsidies (Baumann, 2006). During the period 1995 / 1997 uTshani, with the South African Homeless Peoples Federation (SAHPF) and Peoples Dialogue¹⁰ were also key contributors to the ideas and practices resulting in the People's Housing Process Programme (www.utshani.org.za).

1.2. Government and the PHP

The Housing White Paper, published in December 1994, set out the new post-apartheid government's broad housing policy and strategy. "Supporting The Peoples Housing Process" was included as one of the seven strategic thrusts listed in the White Paper. It was felt that if people were given the chance to build or organise the building of their homes themselves, they would achieve a greater level of value for money. In its original form, key principles behind the PHP policy were: partnerships, a people-driven process, skills transfer, and community empowerment (NDoH, 1995). As part of its implementation strategy, in June 1997, the National Department of Housing (NDoH) set up the Peoples Housing Partnership Trust (PHPT) - a "Housing Institution" to implement capacity building programmes to support the PHP.

In 1997, the uTshani Fund concluded a legal Agreement with the NDoH which recognized uTshani as an accredited financial intermediary of the subsidy system and allowed them to access subsidies "up front" for community savers. In terms of this agreement uTshani issued 5 660 up front subsidy loans in the period 1996/2001. Members of the saving schemes took out these loans on the understanding that the loans would be largely offset through their subsidies. Although the loans were designed on a theoretical long-term model in order to keep the monthly repayment at a minimum, it was anticipated that the loans would be retired early by government subsidies (www.utshani.org.za).

In March 1998 the NDoH, the PHPT and the Housing Support Task Team¹¹ released for comment a "National Policy for Supporting the Peoples Housing Process". The Housing MinMec then adopted this policy in May 1998. Implementation guidelines for the PHP were incorporated into the Implementation Manual¹² from June 1998 (Napier, 2002). However those working in the sector voiced concerns about the policy and guidelines.

In written comments to the NDoH in April 1998, the USN noted that "people's initiated and driven housing has long been practiced and has succeeded through sheer ingenuity without support at both a policy and practical level" (USN, 1998). While appreciative that finally a policy and programme had been developed to support this process, the USN raised concerns about the extent to which the policy actually supported community involvement and its bias towards the housing component. The USN called for housing support services and not housing support centres. The USN also placed the emphasis on the 'people development' aspect of these services, rather than on the housing alone. Again, the USN's slogan of "building people, building sustainable communities / human settlements" best describes the distinction.

⁹ uTshani Fund is a not-for-profit organisation and is registered with the National Housing Board as a Lender, operating offices in Cape Town, Durban and Johannesburg. uTshani Fund was established in January 1995 to partner and support development initiatives of organized slum communities.

¹⁰ Peoples Dialogue was started as a NGO to provide technical and professional support to the SAHPF.

¹¹ The Housing Support Task Team was a task team of key Government stakeholders created by the NDoH to support them in the writing up of new housing policy.

¹² The Implementation manual provided administrative guidelines in order to facilitate the effective implementation of the PHP (NDoH, 2000) and were a precursor to the development of the National Housing Code.

Other issues raised then remain issues today. These include: who initiates the support, the use and size of facilitation and establishments grants¹³ how the subsidies are disbursed and the critical issue of bridging finance. Despite the concerns, NGOs began accessing housing subsidies and implementing PHP projects with communities. Separate donor support was necessary because the grant framework did not cover NGO costs regardless of how efficiently they operated.

The Housing Code, released in March 2000 to provide "rules" for the various housing programmes restricted the PHP to being narrowly defined as supporting households who wished to enhance their subsidies by building or organising the building of their homes themselves. Despite calls from the NGO sector for a broader approach, PHP had become synonymous with "self build" or "sweat equity" and the focus was on the top structure only. This was perhaps understandable given that NDoH performance is to a large degree measured by the number of housing units delivered. Through the Housing Code the PHP became about regulation rather than creating an enabling environment or lending support to the process.

Interestingly, even with these regulations in place, different interpretations of the PHP policy still emerged. Many of these ignored the key principles for which the PHP was originally intended. To highlight these discrepancies, the NGO sector again began raising concerns about how PHP was being implemented in the early 2000s. The USN's earlier concerns were also becoming more apparent especially as donors pulled out of funding housing and NGOs directly. Bridging finance was becoming more of an issue, and the funds for the social facilitation component of implementing a PHP project were not sufficient. New procurement policies introduced by government also restricted how land was accessed and projects packaged effectively locking communities and NGOs out of the housing development process. This was despite successes delivering thousands of PHP units – both in green field sites and in older site and services projects.

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1.3. What PHP isn't

The final step to change the nature of PHP delivery was a decision by the Minister of Housing in April 2002 to introduce new subsidy guidelines. These called for potential beneficiaries to choose between a financial contribution of R2 479, or a "sweat equity" contribution via the PHP. The cash requirement had a dramatic, if unintended, impact. Few beneficiaries had the R2 479 saved, so provinces and local authorities started redefining normal developer driven housing projects as PHP projects. In this way, the payment could be avoided (Bauman, 2003) and developers could be enticed back into housing projects. They received the full subsidy amounts for qualifying beneficiaries plus the extra PHP establishment and facilitation grants, and beneficiaries provided very limited, if any, "sweat equity". This developer driven process, became known as "managed PHP".

For local authorities and provinces this provided a good "solution" for dealing with PHP. It looked like it would increase the numbers and guarantee a standard product. For NGOs and communities it appeared to be the death knoll for PHP as it focused on product not on process. The NGOs felt that PHP as a process had been lost to bureaucrats with insufficient understanding and limited institutional support. This is not to imply that NGOs or communities did not care about value for money and delivery.

¹³ Facilitation and Establishment Grants: grants for the social facilitation and establishment of Housing Support Centres.

PHP Policy Advocacy Process

2.1. The blaming game

As early into democracy as December 1997, then President Nelson Mandela, accused NGOs of working with foreign donors to undermine the government and its development programme, and lacking a membership base among the population (ANC, 1997). This sentiment grew and spread and by the time these changes to the PHP were being implemented, the relationship between NGOs and government had become quite strained. President Thabo Mbeki later also questioned whether NGOs in South Africa are manipulated by foreign donors, and the extent to which civil society is independent. This view, as argued by USN affiliates in an article on behalf of the Good Governance Learning Network (GGLN), reiterated government's ambivalent line on NGOs, particularly on matters related to contested development strategy and NGO's oversight role (Smith, Davids and Hollands, 2005).

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As for the PHP, government was unhappy about the limited numbers of units being delivered by the NGOs, the quality of some of the units and the perceived slow delivery time. At the same time, important actors in the NGO/CBO sector - the South African Homeless Peoples' Federation (SAHPP)¹⁴, the uTshani Fund and their support NGO, the Peoples' Dialogue - were locked in a battle with the NDoH about subsidy payments. uTshani had suffered significant cash flow problems because of the failure of most provincial governments to approve subsidies to retire pre-financed loans issued in terms of the uTshani Agreement described above. The Fund's original intention was to provide bridging loans to Federation members to build homes while they waited for a government housing subsidy to which they were entitled. But many Federation households who took loans were not able to obtain the housing subsidy, so what was meant to be a short-term bridging loan became a long-term debt (Baumann and Bolnick, 2001). By 2001 uTshani was forced to curtail its operations significantly and suspend new developments (www.uthsani.org.za).

NGOs blamed government policies and procedures for what was going wrong with the PHP, and government chose to ignore what the NGOs were saying, and point the finger straight back at them. NGO criticism of the PHP support programme was viewed as not being constructive. And, NGOs were being dismissed as ineffective, poorly capacitated and unable to deliver the goods.

More generally NGOs were increasingly viewed by government as no longer necessary in a democracy unless they were agents of delivery for the state. To some degree, this denies the legitimate, and some would say, necessary advocacy role of civil society. There was also some truth in this as NGOs were struggling. It had become an increasingly difficult environment for urban NGO operations. Donor funding was no longer readily available for housing programmes and NGOs were questioning their mandate – delivery, advocacy or a combination of the two? The Municipal Systems Act and Public Finance Management Act forced NGOs into the same mould as private contractors, whose reference point was local government and not the

¹⁴ The South African Homeless peoples Federation (SAHPP) originated in 1991 as a formalised network of autonomous community-based organizations involved in struggles for security of land tenure and affordable housing (Peoples' Dialogue)

communities they championed. NGOs were also struggling to attract skilled staff and retain capacity as people were drawn to more lucrative positions in the state or as consultants. But pointing to the weaknesses in the NGO sector was largely a red herring. The problems with the PHP support programme remained.

On an institutional level it was also difficult to engage with the NDoH on the PHP. There was no clear home for the PHP in the Department which had largely ceded its role to the PHPT. The Trust was generally supportive of the NGO sector and contracted a lot of its work to NGOs, but it was incapable of standing up for PHP. As later indicated in various reports reviewing the PHPT, from its inception the PHPT was beset with a wide range of institutional issues, including lack of leadership, inadequate resources, and serious in-fighting. Rather than resolve these issues, the NDoH alternatively criticized or generally ignored the PHPT.

2.2. Attempting constructive engagement

In this context, the USN looked within, and tried to contribute constructively to the development of the PHP sector, by holding a PHP training workshop for all the USN affiliates in October 2003. Affiliates presented their experiences of the PHP, discussed how the PHP was being implemented in their respective provinces and shared lessons learnt. The workshop both helped build USN PHP capacity (many of the affiliates had new staff which needed training) and to achieve clarity on the USN position regarding the PHP and what its role should be to support the PHP. Training was also provided on sustainable livelihoods as a decision was taken to incorporate livelihoods aspects into all USN project work (USN, 2004).

At this time, Ted Baumann, a consultant who had considerable experience with the uTshani Fund and the South African Homeless Peoples Federation, was undertaking a review of the PHP for the PHPT. He was invited to the workshop to share his assessment and knowledge of the Utshani Fund / South African Homeless Peoples' Federation (SAHF) experience of PHP. This proved to be an important bit of networking that took the USN affiliates interested in the PHP issue outside their own networks.

Soon after, in December 2003, the NDoH organized a conference to discuss the PHPT- funded review undertaken by Ted Baumann. The NGOs concerns regarding the PHP were raised and experiences were shared. It was felt that Government was sincere and NGOs attending the conference indicated their willingness to participate in taking the review process forward. Little did the NGOs know that this was to be the extent of the consultation on PHP until the new guidelines were approved in September 2005.

To further contribute to the sector and as a formal starting point in its advocacy process, the USN decided to write up case studies of its affiliates PHP work with communities. These were intended to help restore confidence in the sector by demonstrating both good practices and the benefits of PHP as a process. The case study document "The Urban Sector Network's experience of the Peoples Housing Process (PHP)" was published in April 2004 and sent to the NDoH with a letter requesting a meeting with the NDoH to engage on PHP issues and take the PHP review process forward. The NDoH replied that the case study document and the PHP review process would be used to inform a new overall housing policy being developed by the NDoH (this ultimately became Breaking New Ground - BNG), and that the sector would be consulted at the appropriate time.

2.3. Co-ordinating the voices

In anticipation of this new housing policy by government, Rooftops Canada approached the USN to assist in setting up a PHP advocacy group. Rooftops Canada was supporting a women-led grassroots organization in Ivory Park which had been adversely affected by all the developments

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in the PHP sector. It was prepared to use some of its bilateral funding for housing work in South Africa to get the PHP moving again. There was no longer dedicated funding to support advocacy work within the USN, making it difficult to strategise around advocacy issues, and the USN welcomed the suggestion. The initial intention was to share lessons learnt and to begin a process of engagement within the sector, so that collective understanding could be built and support harnessed for community-driven human settlement development. Rooftops Canada agreed to second its local Programme Coordinator to co-ordinate the process and pay for travel costs involved in getting groups to the meetings.

It was also decided that this presented an opportunity to go beyond the USN affiliates and work with others. The PHP Reference Group as it became known, was a loose, more inclusive group, who believed in the PHP.

The following groupings were represented at the first meeting of the PHP Reference Group in August 2004:

- The Urban Sector Network (USN) affiliates: the Development Action Group (DAG) – Cape Town, the Built Environment Support Group (BESG) - Pietermaritzburg, Planact - Johannesburg, Afesis-Corplan – East London, the Kuyasa Fund – Cape Town, and the Urban Services Group (USG) – Port Elizabeth;
- The Community Microfinance Network (based in Cape Town);
- The South African Homeless Peoples Federation-uTshani Fund Alliance (national organisations);
- The Social Housing Foundation (based in Johannesburg);
- The South African Housing Co-operative Association (SAHCA);
- The Council for Scientific and Industrial Research (CSIR);
- Rooftops Canada in support of the Masisizane Women's Housing Co-operative (Ivory Park);
- The Coalition of the Urban Poor; and
- Several relevant academics and development practitioners.

At the meeting it was decided that the aim of the PHP Reference Group would be:

- The empowerment of communities;
- To demonstrate how the PHP could be scaled up so that it was not viewed as peripheral; and
- To improve state / community relationships.

It was also agreed that the approach of the PHP Reference Group would be to:

- Write a new PHP policy based on collective experiences;
- Produce useful information on PHP using websites and case study write ups etc.;
- Build alliances, networks and exchanges; and
- Seek political intervention (Carey, 2004).

At the time members of the group felt that the bureaucrats would welcome "a policy handed to them on a plate". Based on discussions, Ted Bauman agreed to write up the initial document for the PHP Reference group, with Rooftops providing co-ordination support.

2.4. Shaken and stirred up

Unfortunately, just as the PHP Reference Group started in August 2004, the USN Network Office was closed down. The closure of the USN Network Office sent waves through the NGO sector, but it was in how the closure was communicated to government that caused the most damage. The perception in government was that if a comparatively well-resourced NGO like the USN

Network Office had closed, the rest of the NGOs had little to offer. The distinction between the Network Office and the USN affiliates was also not made clear. While being negatively affected by the USN Network Office closure, the USN affiliates were still up and running – including those that had extensive PHP experience. It was also shortly after this that the NGO Peoples' Dialogue, a support group closely linked to the SAHPF, also ceased operations. With the closure of the USN Network Office, Rooftops Canada stepped up its support, and it was through the efforts of the Local Programme Co-ordinator and financial support from Rooftops Canada, that the PHP Reference Group managed to remain engaged.

These changes in the NGO sector were happening in the context of an increasing number of volatile protests around South Africa related to the lack of service delivery. More social movements were emerging, and state and civil society relations were dismally bad. The Coalition of the Urban Poor¹⁵ was officially launched in July 2004 as a grassroots network working in informal settlements. The Coalition intended to develop an alternative, wider approach to their fundamental and priority task of self-mobilising and networking by the homeless poor. It was intended as a platform for urban poor groups to share experiences and to engage external institutions, especially the state. Amidst much antagonism of the state, the Coalition nonetheless sought to develop a working partnership with government, and at its launch, amidst much fanfare, government committed to accelerating delivery by working with communities (Minister Sisulu, 2004).

2.5. New beginnings

The much anticipated new housing policy, "Comprehensive Plan for the Development of Sustainable Human Settlements: Breaking New Ground" also widely known as "BNG" was approved by Cabinet in September 2004, and released for public consideration. The PHP Reference Group was very excited about the content of BNG, because its overall objectives responded to the PHP Reference Group's views about what an appropriately resourced and understood PHP could achieve. This included utilising housing as an instrument for the development of sustainable human settlements; combating crime, promoting social cohesion and improving quality of life for the poor; and utilising the provision of housing as a major job creation strategy. BNG also called for the redefinition and redirection of the PHP whilst creating a new funding mechanism and appropriate institutional and capacity building (NDoH, 2004). In line with BNG thinking, the PHP Reference Group went ahead with producing an accompanying PHP position paper which could be used by government as a sound basis for a new policy and guidelines.

While BNG's objectives reflected what the NGO sector was advocating for a new PHP policy, it also led to a great deal of unease in the overall urban development sector. It was apparent to insiders in the Department and those trying to engage with the Department that there was a disconnect between the administration and the political heads in Department of Housing. With the release of BNG officials were left floundering as to what was expected of them in producing new implementation guidelines to accompany BNG. This was compounded by the NDoH officials not understanding the intention of BNG - it took several more years for this disconnect and lack of understanding to play out.

The immediate response of housing administrators was to try and control and regulate processes. This was particularly evident for PHP as officials felt they had been burnt by the PHP in the past. They were wary of it, trying even harder to over-control and regulate it. Even the language used by officials

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¹⁵ The Coalition of the Urban Poor (CUP) is a grassroots network of organisations of the urban poor. CUP, and its rural counterpart, the Alliance of Rural Communities (ARC), are linked to the Federation of the Urban Poor (FEDUP), a social movement consisting of an estimated 700 housing savings schemes linked with a loan fund called the uTshani Fund, which is affiliated to Shack/Slum Dwellers International (SDI). CUP, ARC and FEDUP are supported by an NGO called the Community Organisation Resource Centre (CORC) which was previously called the Community Organisation Urban resource Centre (COURC). These organisations have their roots in the South African Homeless People's Federation (SAHPF), and its support arm, People's Dialogue on Land and Shelter, which were formed in the early 1990s (Smit, 2007)

at the time spoke of this undirected anger and was designed to scare off any attempt to intervene in the process. Managed PHP¹⁶ was to be stamped out. Core PHP¹⁷ was in.

In addition, the PHP had to meet Treasury regulations and not to mention the Public Finance Management Act (PFMA)¹⁸ and the Municipal Finance Management Act (MFMA)¹⁹. NGOs were kept at arms length because what they were asking for was less control and more flexibility and creativity. In this 'control mode' an NDoH implementation task team was set up consisting only of officials and housing institution representatives to produce a new set of implementation guidelines for PHP. Despite numerous requests to engage with government, it was only through one of the PHP Reference Group members engaging in another policy process with government that the PHP Reference Group happened to find out about the existence of the task team. The PHP Reference Group requested representation on the task team, but representation was denied as it was regarded as a government process only. The NDoH feeling was that NGO sector had been consulted as part of the December 2003 PHP conference and a broad NGO information session in early 2004, and that this was sufficient consultation. The new PHP Guidelines were then produced without direct engagement with the NGO sector.

The PHP Reference

Group position paper had been written up and submitted to the NDoH but because of this lack of accountability the PHP Reference Group could not get anyone in the NDoH to engage on the policy submission. Frustration had set in.

2.6. Back to square one

2005 was again a period of much unease and unhappiness in the sector. NGOs had been engaging with politically-appointed officials but had been repeatedly pushed away by the bureaucrats. Because there was no home for the PHP within the NDoH it was quite easy for officials to not accept accountability for the PHP, and to pass the proverbial buck. As in the past, when it suited them, NDoH officials were ready to engage. When it worked against them, they ignored the NGO sector. The PHP Reference Group position paper had been written up and submitted to the NDoH but because of this lack of accountability the PHP Reference Group could not get anyone in the NDoH to engage on the policy submission. Frustration had set in. It was at this point that SDI / FEDUP began to seek a political deal with the Minister to get things happening on the ground.

Without any consultation, and seemingly out of nowhere, NGOs were invited at very little notice to be part of a Housing Indaba in September 2005 to be signatory to a social contract. The social contract outlined the commitments to be made by different sectors in working with government to improve service delivery. The NGO section was drafted without any input from the NGOs working in housing. PHP Reference Group members raised concerns about the absence of an inclusionary process and resulting lack of understanding of objectives and intent of the contract. Nevertheless some of the PHP Reference Group members did sign the contract. But this process again highlighted the disconnect between what was trying to be achieved politically, and how this was to be implemented by officials.

¹⁶ **Managed PHP:** When government introduced the compulsory R2479 cash payment by beneficiaries as a savings contribution to try and promote savings, PHP was excluded from this requirement as beneficiaries were considered giving "sweat equity" in lieu of the cash contribution. As a way of avoiding the R2479 cash payment and to make some extra money in order for the process to still be viable for them through the establishment and facilitation grants, developers were selecting PHP as the delivery method, but then delivering houses in the normal developer driven way, without any of the PHP requirements / benefits. Delivery is therefore driven by local government and the private sector. This became known as managed PHP.

¹⁷ **Core PHP:** The term used by NDoH officials to describe a PHP whereby beneficiaries themselves had to be directly involved in providing labour for the construction of their house.

¹⁸ **Public Finance Management Act (PFMA), 1999 (Act No. 1 of 1999) (as amended by Act No. 29 of 1999)** promotes the objective of good financial management in order to maximise service delivery through the effective and efficient use of the limited resources. (www.treasury.gov.za)

¹⁹ **Municipal Finance Management Act No. 56 of 2003 (MFMA)**, which became effective in July 2004 aims to modernise budget, accounting and financial management practices by placing local government finances on a sustainable footing in order to maximise the capacity of municipalities to deliver services to communities. It also aims to put in place a sound financial governance framework by clarifying and separating the roles and responsibilities of the council, mayor and officials. These pieces of legislation have been aligned with other local government legislation, such as the Structures Act, Systems Act, Property Rates Act and their regulations, to form a coherent package. (www.treasury.gov.za)

In June 2005, the Board of the PHPT initiated a process to reconstitute a new national body for the PHP sector. This was in the light of the Treasury's review of public sector institutions and determining that Trusts were not suitable as a government-supported agency. A Project Manager, supported by consultants, was appointed on a fixed-term contract basis to commence the process of re-constituting the national body. Logically, attention was first turned to issues of definition of PHP, the positioning of PHP in the housing system in South Africa, and the roles of the various government spheres, the private sector and the community in building an effective PHP programme. From that would come a definition of the role of a new PHP national support institution. To do this the Project Manager began a consultative process. One of the mechanisms for this was to constitute the "Working Group of the People's Housing Process" (CSIR, 2006). The PHP Reference Group was asked to be part of the working group. It was through this consultation with the PHP Reference Group that the PHPT became aware of the NDoH PHP Guidelines, and the general unhappiness of the sector with the Guidelines.

Despite NGO calls to engage with government on the Guidelines, the PHP Guidelines were approved by MinMEC in September 2005 without any public consultation. However by successfully lobbying the PHPT-appointed project manager, a meeting with the NDoH was secured for PHP Reference Group members to discuss the Guidelines. The tone of the presentation on the Guidelines conveyed that the Guidelines were completed and approved and therefore not subject to consultation—claims were made that consultation had already been done, but the NGOs present vigorously denied this. It was only at the PHPT-funded National PHP Forum in October 2005 that the NDoH finally sat up and took notice of what people were saying. This was because finally the political appointments and the officials were in the same room and the message could not be covered up or ignored. The NDoH then asked for formal feedback on the Guidelines and for recommendations for a new policy. A Policy Working Group was set up, with representation from the PHP Reference Group and the NDoH. Extensive work was undertaken and, after getting positive feedback from the 2nd National PHP Forum in February 2006, a "Report on the Progress of the Policy Working Group" was submitted to the PHPT to take forward with the NDoH.

The PHP Reference Group had tried to engage with the NDoH, to little avail, and then used the PHPT review process, to try and influence the process through another mechanism. Many reports, produced by many consultants, using many hours of the PHP Reference Group members' time were produced out of the PHPT review process. This included a specific report on the policy, highlighting concerns with the Guidelines and making recommendations for developing a new policy. Yet nothing happened.

Between April and August 2006 the PHP Reference Group applied continual pressure for feedback from the NDoH on the National Forum and Policy Working Group process, only to be met with a deathly silence. This lack of response was partly explained when the Minister took the decision to close the PHPT at the end of 2006 and to incorporate its functions within the Department of Housing. The closure of the PHPT came at a critical time in the development of the PHP as it was being closed down when the sector was calling for more institutional support and resources for a new PHP programme. The closure led to confusion about the message on PHP. No plan was shared with the sector as to how the Department of Housing envisioned taking over the functions of the PHPT.

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2.7. An alternative advocacy strategy

In the silence and confusion, the newly-formed FEDUP²⁰ had become fed up, and with SDI²¹, negotiated and signed a Memorandum of Understanding (MoU) focused on eradicating informal settlements with the NDoH in May 2006. They managed to achieve this by engaging politically using their constituency to maximum effect. Their timing was also good as it allowed the Minister to announce the Department's support at the World Urban Forum in Vancouver in June 2006.

Through this MoU, the NDoH pledged an annual allocation of 6000 capital subsidies to the Federation. It also partnered FEDUP with the National Ministry in a Joint Working Group which was to meet regularly to monitor the progress of this agreement.

Through this MoU, the NDoH pledged an annual allocation of 6000 capital subsidies to the Federation. It also partnered FEDUP with the National Ministry in a Joint Working Group which was to meet regularly to monitor the progress of this agreement. Housed in the office of the Director General, the experiences reported on by the Joint Working Group would then also feed directly into National Housing Policy. This national agreement was to be rolled out to the provinces, where Provincial Task Teams would monitor progress on the ground and report to the national Joint Working group. FEDUP also negotiated working arrangements and signed agreements with numerous local authorities, including the metropolitan councils of Ethekewini, Cape Town, Johannesburg and Ekurhuleni (www.courc.co.za/fedup.html). It meant that FEDUP had the money and the mandate to continue with projects on the ground, and that they had negotiated a formal mechanism for feeding back lessons learnt into policy.

Although this deal was met with skepticism from other members of the PHP Reference Group, who had been kept in the dark about FEDUP/SDI's alternative advocacy strategy, it may just have reflected that perhaps FEDUP understood politics better than the other members and that they are very strong on social and political mobilisation. It did mean that they achieved a major victory for their constituency. The problem was they did not have the necessary implementation skills to follow through on the deal. Acknowledging this, FEDUP did begin discussions with some of the other PHP Reference Group members to help them implement the MoU. BESG and DAG were specifically asked to provide technical support for FEDUP's projects. However despite numerous meetings with FEDUP, there were no viable projects ready for implementation, and as such no joint projects ever materialised. Generally FEDUP's strategy seemed to have left the other members of the PHP Reference Group feeling ambushed and marginalized.

2.8. Sticking to it

The now slightly battered and bruised PHP Reference Group decided to continue with the strategy of trying to bring about a new PHP policy, so that all could benefit (not only groups included in the FEDUP/SDI MoU). With the closure of the PHPT, the PHP Reference Group also began lobbying for the NDoH to provide institutional support to the PHP process. After repeated requests a meeting was finally granted with the Director-General in August 2006. However upon arriving for the meeting, the PHP Reference Group was informed that the Director General (DG) had to attend to something urgently and would need to be briefed by his officials. In September 2006, the PHP Reference Group was then informed that the Ministry would be taking the engagement with the PHP Reference Group forward and a series of meetings were arranged. More information was requested from the PHP Reference Group, asking for background information, and motivation for change. Again this was provided.

²⁰ The Federation of the Urban Poor (FEDUP) was officially launched in early 2006 but its roots go back to 1991 as a large part of its membership was from the SA Homeless Peoples Federation. FEDUP is the South African affiliate of Shack Dwellers International (SDI), the primary support initiative for many urban poor movements in Africa.

²¹ Slum Dwellers International (SDI) is a confederation of country-level organizations of the urban poor from 23 countries of the Global South. It was launched in 1996 and became a formally registered entity in 1999. Several well-developed national federations of community-based organizations of slum and shack dwellers particularly in India, South Africa and Thailand - joined hands to found SDI. Their mission is to link poor urban communities from cities across the South to transfer and adapt the successful mobilization, advocacy, and problem-solving strategies they develop in one location to other cities, countries, and regions. (see www.sdinet.org)

In December 2006 a meeting of all the PHP Reference Group members was co-ordinated, so that the NDoH could provide feedback and FEDUP could explain the MoU. At the meeting it was admitted that the NDoH had ignored the Policy Working Group submission, and that the guidelines remained in place. PHP Reference Group members were encouraged to work together in implementing the FEDUP MoU. PHP Reference Group members agreed to continue pursuing the NDoH regarding progress on the policy.

The PHP Reference Group then secured a meeting with the Deputy Director General (DDG) in early March 2007, but again NDoH officials never arrived. The meeting was rescheduled at the end of March 2007, and after listening to the long list of gripes from the PHP Reference Group, the DDG gave his commitment that the problematic guidelines would not be included in the imminent release of the new housing code. He also indicated that the NDoH would commit to producing new guidelines in co-operation with the PHP Reference Group and any other relevant stakeholders; and very importantly, with the closure of the PHPT, a PHP Directorate was to be set up in the NDoH. This would mean that the PHP Reference Group finally had a door to knock on within the NDoH. With Rooftops Canada support coming to an end, the NDoH also agreed to cover travel costs and provide administrative support.

The ANC Conference in Polokwane in December 2007 added urgency to the PHP policy process. Out of the resolutions taken at this Conference came the need for allowing people to contribute to their own housing and not just sitting back waiting endlessly on a waiting list somewhere. The new plan of action based on the resolutions encouraged people to build, with materials and support provided by government. It also acknowledged that there may be a time when no housing subsidy was available and South Africa needed to work towards that time.

2.9. Success finally

The PHP Reference Group finally had buy-in from sympathetic officials embedded in the NDoH. Between April 2007 and July 2008, the PHP Reference Group worked closely with the NDoH to develop the new PHP policy and implementation strategy. This required coming to agreement on some very difficult issues: sweat equity, procurement procedures, the need for projects to register for National Home Builders Registration Council (NHBRC)²², and the perception that PHP takes forever to deliver. To overcome these hurdles the NDoH worked closely with the PHP Reference Group to write up position papers on these issues, so that initial buy-in could be sought internally and politically. The role that Rooftops Canada's coordinator played in writing up these position pieces and then ultimately writing up the policy and strategy was very useful for the NDoH given their limited capacity. Also the debate in the meetings government had with the PHP Reference Group and getting comments and responses from the NGO sector on various drafts was also seen as critical. This was because the assigned NDoH officials were new to the sector, and the exchange of ideas built their capacity, while also providing them with the arguments for taking the policy forward internally.

In developing the new policy it needed to be clear that outcomes for PHP were far greater than a housing product, and understanding how this was to be measured was an important aspect in going forward. Lessons from the social housing sector, which also had to deal with a history of poor performance and limited understanding and capacity, was to choose a platform on which to motivate for the additional support and funding from government. For social housing this was

At the start, it was also important to acknowledge that the policy was going to be developed in partnership and as such the NGOs had to accept responsibility for it, and not come back to government at a later stage to criticize it. Both parties were however aware of the stumbling blocks for developing the new policy and committed to working around and negotiating these issues. Eventually, a new policy framework was developed.

²² The National Home Builders Registration Council was established in terms of the Housing Consumer Protection Measures Act, 1998 (Act No. 95 of 1998). The Council is mainly established to protect the interest of housing consumers, and to regulate the home building industry. However, there is an un-resolved debate about its use in the context of PHP, as the standards are seen as too high—higher than the National Building Code—and thus inhibit flexibility and choice of PHP beneficiaries who may, for example, want to use recycled material or non-registered builders to save costs.

urban restructuring and the undoing of apartheid planning (Carey, 2006). The PHP is a people's contract in action. So it was decided upfront by the working group that the buy in points for PHP were about involving people/communities directly and rewarding those doing things for themselves, partnerships and the leveraging of additional sources. It was about getting people involved in their own development and not just sitting back waiting to be allocated a house in terms of the waiting list. Importantly the target market also needed to be decided upfront and the decision was taken for the PHP to target the poorest of the poor (those earning below R3 500/month).

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The policy framework was then tested in a series of workshops in different parts of the country with Provinces, NGOs and local governments. A lot of the issues raised were about the "how to" things, which were then captured in the growth strategy. The framework for the new policy was however bought into, with the analogy of making a cup of tea. We all make tea differently, but in the end it is still tea. That is, less focus on the how and more focus on the outcomes - and government bought into this.

What was slightly problematic for the NDoH was that while NGOs actively participated in the PHP Reference Group meetings, it was difficult getting things out of them between the meetings, particularly in the absence of a dedicated coordinator once Rooftops support had ended.

Once the policy had been developed with the PHP Reference Group and tested, it was then taken through the internal departmental processes by the Chief Directorate: Social Housing and Community Driven Initiatives. This included strategic management, technical MinMEC, with final approval by MinMEC in July 2008. Reservations expressed by the politicians were how the process was going to be accounted for, concerns around the quality of the end product, how community contributions were going to be "quantified" and the time lags in delivery.

2.10. Near burn out - the PHP Reference Group

Trying to get the new policy in place had taken a huge amount of the time and energy of PHP Reference Group members. Also in the context of a policy vacuum, and because PHP projects were being stalled and blocked on the ground, NGOs could no longer demonstrate or practice their PHP skills.

Trying to get the new policy in place had taken a huge amount of the time and energy of PHP Reference Group members. Also in the context of a policy vacuum, and because PHP projects were being stalled and blocked on the ground, NGOs could no longer demonstrate or practice their PHP skills. Other than the documentation produced for the numerous policy processes and trying to engage with the NDoH and the PHPT, no real new documentation on PHP was produced by PHP Reference Group members. Networking and information sharing amongst the PHP Reference Group was limited to policy and no practice. Networking also became more difficult when the PHP Reference Group no longer received co-ordination support from Rooftops Canada (after March 2008).

After the policy was approved, and in anticipation of implementation, PHP Reference Group members were asked to draft Terms of Reference and concept papers for a series of task teams including CROs and sector capacity, land access, delivery models, pipeline and lead projects, and community participation. PHP Reference group members would then convene the task teams for as long as they are needed. Whilst PHP Reference Group members embraced the challenge, it is a huge undertaking for the NGO sector to again step in for government's lack of capacity. The real problem, now, is who ultimately resources, drives and supports the process? NDoH need to back up their policy with dedicated funding to support implementation, and the provision of real institutional support and capacity.



Outcomes of the advocacy process

3.1. PHP: back to its key principles

The adoption of the policy represents a significant victory for NGOs who, despite a difficult and extended process, kept up the pressure on the NDoH to follow through with recommendations developed through an agreed consultation process. The new policy again adopts a broader definition of PHP, allowing for greater flexibility and choice while maintaining the central principles of people-centred development. Its focus is on community/ projects rather than individuals. The qualifying beneficiary / individuals are de-emphasised, and the emphasis is placed on the location so that the development objective is to impact on the community as a whole rather than as individuals. The policy framework states that:

'PHP enables/encourages communities to actively contribute and participate in the housing development process so that communities take ownership of the process and not just act as passive recipients of housing.... PHP recognizes that the community is the initiator and driver of the process. The programme is intended to build on existing livelihood strategies so that social capital that has been built up in a community is capitalised on. PHP therefore builds on the positive steps that communities have taken to organize and house themselves rather than diminish the contribution that communities have made.'

'The main aim of the PHP programme is to deliver better human settlement outcomes...based on community contribution, partnerships and the leveraging of additional resources through partnerships. This is achieved by developing livelihoods interventions which lead to outcomes such as job creation, developing a culture of savings, skills transfer, and community empowerment, building of community assets and social security and cohesion.' (NDoH, 2008)

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3.2. A New PHP Programme and Multi-Stakeholder Strategy

For the new PHP Directorate in the NDoH getting the policy and growth strategy approved and supported was a major success story. There is now a dedicated, targeted government strategy in place for the implementation of the programme. Bringing Provinces and NGOs around the same table to talk about PHP is also seen as a major success. Some level of trust has been built again as the NDoH meets regularly and consults with the NGO sector. Everyone is also aligned as to what needs to happen and what is to be achieved. An important message was reassuring the sector that the new programme was not going to be dominated by one player, but others were to be brought in to balance things and to support certain niche markets (like the co-ops or the FBOs). A major achievement for government was to agree on a multi-stakeholder approach not dominated by FEDUP / SDI concerns.

3.3. Appropriate institutional support

In calling for appropriate and increased institutional support, the NGO sector, was instrumental in getting a PHP Directorate set up in the NDoH. Through the final policy process, the NGO sector has also established a working relationship with NDoH and in some cases, provincial officials.

There are still challenges to getting local government on board with implementation. Local governments are very concerned about the nuts and bolts of the programme and a lot of details still need to be ironed out.

Provinces participated in the meeting where the policy was approved and are generally open to the new PHP programme, but they want support and NDoH is working to build that into the programme. The NDoH has signed another agreement with the Cuban government which will allocate Cuban Technical Advisors to the provinces. The NDoH PHP Directorate is to work closely with this programme.

There are still challenges to getting local government on board with implementation. Local governments are very concerned about the nuts and bolts of the programme and a lot of details still need to be ironed out. Capacity will also need to be built at local government level (which remains responsible for land assembly and infrastructure provision) and working relationships defined among province, local government and the Community Resource Organisations (CROs)²³. All of which are key to delivery.

3.4. Partnerships

The PHP Reference Group has now become a National Reference Group linked to the National Joint Working Group which was set up to administer the FEDUP / SDI MoU - although FEDUP and the PHP Reference Group do also have separate agendas and meetings with officials. The National Reference group also consists of provincial and NDoH officials and the NGOs who participated in the PHP Reference Group. The task of the National Reference Group is to assist and guide the implementation of the new PHP programme and is to be administered by the NDoH. As implementation occurs, lessons learnt are to be extracted which will then further guide the implementation process.

Through these kinds of policy processes, government has again realized the value and importance of public participation. Furthermore government needs partnerships for effective delivery, as outlined in BNG, called for by the Minister and as captured in the actual PHP policy.

3.5. Networking and access

Because the NDoH continues to cover travel costs and host these meetings, the NGO members requested time to meet beforehand as the NGO sector and exchange ideas and strategise for new projects. The NDoH PHP Directorate has also committed to a formal structure for regular consultation meetings with the NGOs. One of the biggest successes of the process is having a channel whereby human settlement NGOs can directly influence policy and implementation of an important programme and to have a space for dialogue with government and getting access to internal processes. It also provides some space for sharing lessons learnt and capacity building within the NGO sector.

Another obstacle to taking the process forward is that because of the long delay in getting the new policy in place, much of the capacity in the NGO sector has been lost, and the programme has to start from a very low base. Networking and a dedicated training programme to capacitate prospective CROs will play an important role in rebuilding this capacity. Advocating for the

²³ CROs: These replace and extend the idea of Support Organisations (SOs) used in the original PHP implementation guidelines. CROs would be made up of NGOs, FBOs or consortia of professionals whose primary role would be to capacitate CBOs to implement PHP projects.

benefits of the new PHP programme will have to be done with provinces. Some provinces, like the Western Cape who have had good experiences of PHP, are very supportive and as such the NDoH will begin working with these provinces. It is hoped that over time other provinces will be encouraged to participate actively in the programme.

3.6. Pilot projects

The way forward is about implementing the growth strategy which starts with implementing pilot projects with NGO partners. However, part of the give and take between the NDoH and the NGO sector means that those awarded pilot projects are not necessarily those that put in the most effort through the advocacy and policy process. The pilot projects were intended to form the basis for assessing the quantum of grant for consumer education, capacitation, and facilitation funding, creating a new user-friendly claims process, and creating enabling regulations for a national roll-out commencing April 2009. This has largely failed, because the sample of pilots was too small and two of the three Implementation Agents (IAs) selected by the Department have not delivered, and the third found there was no funding stream in place to support their pilot.

Other challenges include unblocking the historic and stalled PHP projects; identifying and planning the pipeline for future projects (difficult to fast-track when existing projects are in conventional contact, and new projects will have a long lead time for land assembly and infrastructure construction); and mobilizing and expanding the NGO element. The growth strategy is also about bringing provincial and local government on board. The provincial roadshows did also target commercial Implementation Agents, who by their questions remain firmly rooted in the 'managed PHP' mindset, and will find the community development focus of e-PHP difficult to accommodate within normal business principles.

Lessons learnt

Lesson 1: Demonstrate coherence with broad government policy and strategy, pointing out political pay-offs and benefits to get buy-in from government.

The change in government's attitude towards the PHP came about in a number of ways. BNG acknowledged that government was not going to solve the housing crisis on its own and it made space for other roleplayers to take responsibility for housing. Through ongoing advocacy, government finally recognized that the PHP offered many of the added benefits and values that BNG was trying to achieve. It could also bring in new partners and communities and mobilize the energy of volunteers, corporates, faith-based organisations, co-operatives, community-based organisations and other partners. A new PHP programme would also provide government with the support necessary to implement the FEDUP MoU. Lastly the new action plan for government based on the resolutions taken at the most recent ANC conference also called for the support of PHP.

Lesson 2: It is of critical importance to find a champion and capacity within the government department directly responsible for the policy.

There were numerous opportunities to bring about shifts in government thinking including: the review of PHP / PHPT; relationships with political appointments; the new BNG policy; the social contract; the FEDUP / SDI MoU; the final review and closure of the PHPT and finally the outcomes of the Polokwane conference. However, it was not until a senior NDoH official accepted responsibility for the PHP that things begin to change.

The Chief Director concerned had been seconded from the social housing sector and had been intimately involved in the social housing policy process. This ultimately helped as government had an already demonstrated methodology of working with external roleplayers (in this case, social housing institutions or SHIs) to bring about policy change and a new programme. There are also similarities in tone, complexity and status between social housing and the PHP including community participation, relying on and working with intermediaries, rebuilding trust in the sector, capacity building, financial difficulties, dealing with perceptions etc. (Carey, 2006). Huge parallels between social housing and the PHP can be drawn, and so although the new Chief Director knew little about the PHP, she understood the framework in which it needed to be developed. She also valued the NGO sector and had built relationships with some NGOs. It was important to have the right people in government who had the power to change things to understand how NGO's and CBO's worked and were prepared to listen to what people were saying.

In retrospect, targeting the PHPT as a potential champion for policy change proved ineffective as it was never really functional, had no real power, and was already targeted for elimination (although this was not openly admitted). Despite these limitations, the NDoH process to review the PHPT was effectively utilized by NGOs to re-instigate a debate on PHP with key stakeholders within and outside of government, and develop a coherent and detailed position on what a new framework on PHP should look like.

Lesson 3: Bring together knowledgeable external stakeholders, government officials and politicians to share knowledge and experiences so that decision makers are better equipped. International and local successes should be highlighted.

The PHP Reference Group became the main lobbying body for PHP and it was a natural port of call for the new Chief Directorate. However it was acknowledged that there was no real institutional capacity for PHP within the NDoH as it had previously been housed in the PHPT. So the NDoH drew the NGO sector in, to learn from them, and in return promised to deliver a new policy with the NGOs. NGOs played an important advisory role to government and in the process have built the capacity of national government officials. At a national level it is expected that NGOs will continue to play an advisory role, and support government in implementing and growing the programme. The various case studies and projects undertaken by members of the PHP Reference Group provided a valuable resource for government in building an understanding of PHP.

How information is packaged is critical in getting people to buy into new policy. Long detailed reports can be useful to unpack issues but to get decision-makers to act on what comes out of such reports, information needs to be streamlined and be far more strategic.

It is also important to be aware of policy and budget cycles within government, so that the process can be streamlined and can reasonably target when delivery can commence.

Ultimately it is often the reality on the ground that dictates what happens. As such it is advisable to continue demonstrating good practice on the ground and actively sell these projects to government at all levels. These can include international as well as local success stories.

Lesson 4: Set up a continuing role for NGOs and other stakeholders to interact with government and politicians through the implementation of pilot projects, assessment, programme modification and ongoing program implementation.

At a national level it is expected that NGOs will continue to play an advisory role and support government in implementing and growing the programme. Once successful projects have been delivered, budgets should be increased so more money flows into the PHP programme and the NDoH can then get more prescriptive with provinces (NDoH does expect provinces to 'ring-fence' a percentage of their budget for PHP, rather than have a separate funding stream – but given that the 'roadshow' to introduce the PHP policy happened in the last month of their financial year, budgets will already have been in place for the 2009/10 financial year). At a provincial level, it is expected that NGOs will assist with the "how to" aspects. Finally at a project level, it is hoped that NGOs will

play the function of the implementing agents as Community Resource Organisations (CROs). This may require partnering with other organizations to bring in some hard skills. But ultimately it is for NGOs to balance what they each want from the process and through participating in the Reference Group, discuss things with other NGOs and continue having direct access to government.

Lesson 5: Advocacy processes require both staff and financial resources, which in turn require budgeting and fundraising.

The social housing policy process, like the PHP policy process, was developed around working groups and a national task team. However the social housing process was very well-resourced with large amounts of donor funding and technical expertise. It was also managed by an active and well resourced secretariat (Carey, 2006). For the PHP, Rooftops Canada provided travel and meeting funding, and the time of the Rooftops co-ordinator for several years until the NDoH agreed to provide some support. But for the most part, the NGO inputs were based on the willingness of the NGO sector to give up many hours of their time, a tall order in an era of shrinking resources for NGOs.

Lesson 6: Identify and engage all key stakeholders including local government.

As described above, there will be challenges getting apathetic and hostile provinces and local government involved in the new PHP. These might have been mitigated by involving local government much earlier in the policy process. Engagement might also have contributed to building local government capacity and implementation sector level understanding and to build the relations among province, local government and the NGOs/CROs which are needed to implement on-the-ground projects. Pressure from or upon local authorities and provinces can be helpful to the advocacy process and help to fast-track issues.

Lesson 7: Build trust, transparency, inclusion and solidarity.

It was a long and difficult process for the NGOs and government to move from finger pointing to consultation and working together to an approved policy and growth strategy supported by a dedicated Directorate in the NDoH. In the process, some level of mutual trust has been built again. It is essential to create and build upon this trust through the policy and implementation processes.

There were also significant conflicts that threatened to stall or even halt the process. The FEDUP MoU affected the process as made it more difficult to get consensus. Things became easier when it was clear that the programme was much bigger than the FEDUP MoU and that it was only one component. An important lesson for government in this process has been in keeping doors open to everyone who wants to participate. There might also be some lessons about the efficacy and value of back-door deals.

There was also always the risk that the NGOs may have lobbied against each other, especially after the signing of the FEDUP deal. This was avoided in part because the PHP Reference Group had been in existence for a long time (since 2004) and many of the NGOs had worked quite closely in other networks. Further divisions were avoided in the hope of achieving the greater goal. Also the meetings were always open for individual NGOs to raise concerns and have these addressed.

Lesson 8: There is value in NGOs sticking together, not giving up, being consistent, seizing opportunities, sharing information and keeping the end goal in mind. Negotiables and non-negotiables must be decided collectively upfront.

In terms of strategy, it was felt that working together as the NGO sector with PHP experience definitely made government take more notice. Collectively, the NGOs carried more weight as they could demonstrate policy failure nationally rather than in isolated cases. Getting all stakeholders together to talk about what was happening in the sector was critical. It was also important to first get organized, decide the strategy and what needs to be said before approaching government whether as a group or individually.

The PHP Reference Group was definitely seen as the champion for PHP and this is a success. The PHPT was definitely not a champion, so the NGOs did it by themselves. The NGOs also held true the values supportive of the PHP process, and balanced this with good practice. Success also came about by applying ongoing pressure and trying different routes to the decision makers. It is hard to know when is good timing and what is a good path, so ongoing relentless pressure at various points can be a necessary strategy. At some point something has to give.

New government programmes can provide significant opportunities for NGOs to steer resources from government to support disadvantaged communities. NGOs need to get together and strategise about how to build on such opportunities. This includes deciding upfront what, if anything, they are willing to give to the process and what they want to negotiate out of the deal. NGOs should budget and plan for this. The former USN members of the Reference Group have identified a need for a dedicated co-ordinator to maintain dialogue with NDoH in between meetings, and assist in driving the implementation of the programme, as NDoH officials do not have the capacity or experience to do so.

Lesson 9: Think of how to move forward and build future capacity for implementation.

Just as the NGOs introduced their experiences into the PHP policy debate, pro-active evaluation and planning needs to be built into the new PHP programme so that lessons can be learnt and acted upon. This will ensure that new policies become living policies and programmes, and experiences from previous rounds of implementation improve the policy, procedures and systems for subsequent rounds of implementation. It will also be important to share lessons learnt with other countries in the South and learning from their experiences.

There are a number of other issues that have been raised in the process that will need future consideration. These include:

- One of Minister's concerns is what happens after people are trained to participate in their housing project. An important role for the programme in going forward will be to manage the training and implementation process so that more sustainable jobs are created. Mobilising volunteers and local contributions, and managing the labour process will also be a future role for the NGOs/CROs. There should also be a vision and road map for community development, of which PHP is a significant part.
- There is also a need for education and mobilizing new capacity for implementation.
- The NDoH will provide both general consumer awareness training on the new programme and educate the provinces and local government about their role in the new PHP. There will also be the need for more specific project-related capacity building which could be undertaken by the NGOs.
- NDoH have indicated that if the programme can be demonstrated to work other departments are quite eager to get on board, including Treasury. The national election in April 2009 could signal changes that might affect the programme, but it is hoped that the PHP programme, as it enters the implementation phase, will retain the principles put in place in the policy. So the timing has been critical.
- Guidelines need to be developed further to assist in implementation of PHP, but these should not be prescriptive. The importance of PHP is its ability to be flexible and encourage innovation.

Lesson 10: All issues do not disappear in one set of policy negotiations, however extended.

The naming of the programme has been an interesting debate. The PHP Reference Group called it the enhanced PHP – ePHP, while the PHP Policy Working Group called for a complete name change and Community Driven Housing Initiatives (CoDHI) then emerged. The politicians finally decided that it remains the PHP. So technically government still calls it PHP, but within the PHP Reference Group it is known as ePHP. Government insistence on using the name ePHP or PHP rather than CoDHI might be seen as counter to the definition of community driven housing which is about people deciding. It is not yet clear that government is really ready to hand over too much decision making to community groups.

There is still lack of clarity in how all the different housing and other subsidies fit together– ePHP is not an alternative but an enhancement of various instruments. The inadequate release of well-located land for housing development is still the biggest obstacle to housing, including PHP. PHP and other housing projects will be significantly unblocked if the issue of release of land is addressed.

The PHP is also still very much a top-structure concept. The theory about people deciding what they want, contributing resources and partnering with others works fairly well when people are only building a house in already serviced areas where they have secure land tenure. It is much

more difficult when it also includes identifying and securing land, planning and infrastructure services. These types of decisions are usually made by municipalities. The use of PHP processes in the context of upgrading informal settlements has not been given due consideration.

The mindset for people's housing in SA is still mainly about a government process to which people are expected to contribute. NGOs still have work to do to change this thinking to one of a true people's process which government supports.

PEOPLE'S HOUSING PROCESS: POLICY ADVOCACY TIMELINE

1980s and 1990s:	NGOs in the field developing community based and people-centred approaches to access land and deliver services and housing.
1994:	NGO participation in the National Housing Forum.
1994:	NGO input into the Housing White paper.
March 1998:	NDoH PHP policy developed "Supporting the PHP"
April 1998:	USN submitted comments on PHP policy to the NDoH.
April 1998:	USN produced publication entitled "Mutual help housing delivery" which examined 4 case studies and made recommendations for a programme to support these kinds of housing delivery.
Late 1990s and early 2000s:	After 1998 PHP policy, NGOs innovate various PHP approaches. Homeless People's Federation projects supported by uTshani Fund, are thrown into crisis as policy and practice not accommodating prior agreements with Department of Housing on method of providing subsidy in conjunction with the savings fund.
October 2003:	USN PHP workshop. Here affiliates presented their experience of the PHP, how PHP was implemented in their provinces and shared lessons learnt and to use the workshop as a basis for writing up a USN publication on PHP to influence policy.
October - December 2003:	Review of PHP by Ted Bauman for the People's Housing Process Trust (PHPT), the institution meant to promote and coordinate capacity-building for the PHP.
December 2003:	NDoH holds national PHP conference on the PHPT-funded review.
April 2004:	USN published "The USN's experience of the PHP" and submitted to government.
June 2004:	CSIR (Kevin Wall and Mark Napier) appointed by NDoH to evaluate the institutional framework of the PHPT to review PHP to see how it can be improved.
July 2004:	Official launch in July 2004 of the Coalition of the Urban Poor.

August 2004:	First meeting of the USN / Rooftops PHP Reference Group (PHP Ref Grp). Agreement by group to produce a position paper on an enhanced PHP for engagement with government.
August 2004:	Closure of the USN Network Office. Rooftops takes over as primary co-ordinator of PHP Ref Grp process.
August/September 2004:	Breaking New Ground: A Comprehensive Plan for the Development of Sustainable Human Settlements; strategy document released by the NDoH.
March 2005:	PHP Ref Grp co-ordinator met with Acting DG – Ahmedi Vawda to discuss PHP Ref Grp and raise concerns about the PHP and to get political buy-in for improved PHP process.
12 April 2005:	PHP Ref Grp meeting. Draft position paper presented for comment.
April 2005:	PHP Reference Grp submitted letter to Vawda (dated 13 April 2005) informing NDoH of PHP Ref Grp and the writing up of the position paper. Group also asked for feedback on the CSIR assessment of the PHPT. PHP Ref Grp also sent letter to Minister of Housing (26 April 2005) requesting meeting to discuss PHP.
May 2005:	PHP Ref Grp informed of national task team process (involving only government stakeholders) to produce new PHP guidelines for "true PHP" for NDoH.
May / June 2005:	SDI and FEDUP began engaging with the Minister of Housing towards development of an exclusive MOU with the NDoH. PHP Ref Grp not informed of engagement, despite FEDUP being a member of the PHP Reference Group.
June 2005:	PHP Ref Grp co-ordinator met with Vawda on 9 June 2005 to discuss PHP Ref Grp progress and raise concerns about NGOs not being represented on national NDoH task team. He advised to approach new policy process from as many angles as possible and to use PHPT review process as an additional in-road. PHP Ref Grp again sent letter to Minister asking for representation on NDoH task team, and to request access to policy process on PHP.
July 2005:	Co-ordinator engaged with NDoH officials but was informed PHP guideline process underway and that NGOS had already had opportunity to engage through the December 2003 conference, and they had taken our concerns through this process into account.
July / August 2005:	PHP Ref Grp position paper submitted to NDOH (Acting DG Ahmedi Vawda and Julie Bayatt) in early August 2005, with a request for a meeting to discuss issues raised. Further attempts to engage with the NDoH and the Minister on the position paper are unsuccessful.
August 2005:	PHPT appoint a consultant (Annie Orgill) to undertake a review of the PHPT. Consultant meets with PHP Ref Grp co-ordinator to get a sense of issues in the sector. PHP Ref Grp requested to be part of an Interim Working Group (IWG) to work with the consultant as part of the review. The PHP Ref Grp co-ordinator, and representatives from DAG, BESG, and Planact were nominated to serve on this.

Success at a price

September 2005:	NDoH sent invitation to some of NGOs on 20 September 2005, inviting them to Housing Indaba to be held on 22-23 September 2005 to be signatory to a 'Social Contract' which outlines stakeholder commitments to working with government to improve service delivery. NGO section drafted without any input from NGOs working in housing. DAG circulated invitation to PHP Ref Grp members and SANGOCO and raised concerns about the absence of an inclusionary process and resulting lack of understanding of objectives and intent of contract.
September 2005:	NDoH task team produced PHP Guidelines, which were approved by MinMEC without NGOs (or the public) having been consulted formally on the document.
October 2005:	PHP Ref Grp sent a letter to Minister outlining issues with current PHP, and providing summary of position paper and again requesting opportunity to meet with her and key officials to discuss strategy. Letter also raised concerns with the NDoH task team and guidelines development processes as well as the social contract process.
6 October 2005:	PHPT IWG meeting to discuss PHP. NDoH gave input on newly-approved PHP guidelines and received a lot of criticism from NGO participants.
12 October 2005:	PHPT consultants organised meeting between NDoH and PHP Ref Grp members to raise issues with guidelines formally. Definition of PHP issue became key to meeting (real PHP vs core PHP vs hybrid PHP). Meeting asked for submission from IWG to Minister, geared towards re-working guidelines. National PHP Forum discussed.
14 October 2005:	Submission by PHPT to Minister based on discussions, asking her to focus on the repositioning of the PHP through the PHPT. PHP Ref Grp letter to the Minister requesting review of process and engagement with NGOs attached as annexure to submission.
20 October 2005:	PHP Ref Grp participated in PHPT IWG meeting to prepare agenda for planned National PHP Forum.
25 and 26 October 2005:	PHP Ref Grp members attended National PHP Forum and used opportunity to call for a review of the PHP policy, not just the PHPT role. Co-ordinator presented PHP Ref Grp position paper to forum. NDoH presented the new PHP guidelines document (first time presented publicly) and met with lots of criticism. A video with a statement by the Minister in support of PHP was also shown.
October 2005:	PHP Ref Grp co-ordinator raised concerns with members that the PHP was becoming wrangled in fight between NDoH and PHPT and asked for inputs on strategy. Response was that at least Orgill and the PHPT process resulted in higher level of engagement and we should stick to PHPT process / commitments.
November 2005 – January 2006:	PHP Ref Grp participated in IWG committee to prepare "strategy for the future of the PHP in SA," focusing on the PHPT institutional strategy. These documents were submitted to the Minister via the PHPT.
December 2005:	NDoH sets up a PHP Policy Working Group (PWG) in response to feedback from participants at the National PHP Forum that the policy needed to be re-worked. The PWG included participants from the NDoH and the PHP Ref Grp, and the task was to comment on the PHP. Guidelines and make policy recommendations--the CSIR coordinates meetings and write-up.

January 2006:	CSIR contracted by the PHPT to prepare "report on the corporate form requirements of a PHP national body".
January-February 2006:	Four PHP PWG meetings held. Focus was on developing a response to PHP guidelines, and an approach to policy that would support good practice in the field. PHP Ref Grp position paper is used as a basis of the report. A detailed report is prepared by the PWG for the 2nd National PHP Forum.
21 and 22 February 2006:	2nd National PHP Forum. Here PHP PWG documents were presented and accepted.
February / March 2006:	Finalisation of PHPT documents and recommendations from forum. Also, PHP PWG document submitted to PHPT and NDoH. PHPT meant to take forward policy process with NDoH.
April – June 2006:	PHP Ref Grp followed up on PHP process, but was told that NDoH was still reviewing documents. Concerns raised within PHP Ref Grp about the lack of action from the NDoH.
20 May 2006:	NDoH, FEDUP and SDI sign a MOU focused on eradicating informal settlements, committing the NDoH to providing subsidies through FEDUP-organized groups. Other PHP Ref Grp members were invited to a conference announcing the MoU, which was the first indication that the separate FEDUP/SDI negotiation process had been happening.
July- September 2006:	Several attempts were made by the PHP Ref Grp to get the NDoH to follow-up on recommendations made in the PHP PWG report for a new policy framework. They included a letter to the Minister, a scheduled meeting with the DG (who was not present, though sent others from his office), and a meeting with the Minister's advisor, Saths Moodley. Advisor asks for another meeting with all PHP Ref Grp members to take the discussion forward.
October 2006:	PHP Ref Grp meeting with Minister's advisor in Cape Town. Advisor asks for proposed 'action plan'. Action plan produced and submitted to advisor.
4 December 2006:	PHP Ref Grp organised meeting for stakeholders to discuss numerous issues including getting feedback from the NDoH about the PHP PWG and PHP Ref Grp documents, the FEDUP / SDI MoU and the PHPT review process.
4 January 2007:	Another PHP Ref Grp letter sent to Minister highlighting that much time and effort has gone into the PHP policy process but nothing has happened from the NDoH side.
February 2007:	PHP Ref Grp co-ordinator meets with Minister's advisor to discuss lack of action and commitment from NDoH and finds out that the heavily-criticised PHP guidelines have been included in housing code without recommended changes. Also, NDoH was in the process of restructuring and a new CD for Social Housing and Community Empowerment (new term for PHP) was to be created under Odette Crofton, Acting Chief Director. The PHP was now to be directly supported by the NDoH.

Success at a price

28 March 2007:	PHP Ref Grp co-ordinator attends meeting with DDG (Martin Maphisa) and Odette Crofton. DDG gives commitment that the old PHP guidelines will not be included in release of new housing code. NDoH commits to producing new policy guidelines in co-operation with NGOs and will cover travel costs of NGOs outside of Gauteng.
26 April 2007:	First meeting between NDoH and full PHP Ref Grp. NDoH gives context and way forward – through creation of new concept termed ‘community driven housing initiatives’ (CoDHI). Commitment to process of creation of new policy was finally achieved.
26 May 2007:	PHP Ref Grp co-ordinator meets with Odette to discuss new PHP programme based on submission. Odette writes up argument for new programme (from PHP to CoDHI) based on PHP ref grp input to get buy in from strategic management to get mandate to proceed.
26 June 2007:	PHP Reference Grp meeting with NDoH to review key policy principles – what needs to be in the policy.
June / July 2007:	PHP Ref Grp co-ordinator writes up and co-ordinates comments on NDoH outline for programme and submits to NDoH on 13 July 2007.
August 2007:	PHPT consultations with NGO sector about the closure of PHPT. Consultations held in Gauteng (6 August), Durban and Cape Town. Consultations become about garnering support for FEDUP as they needed support and capacity building, and a call for the residual PHPT funds to be directed to FEDUP.
21 August 2007:	PHP Ref Grp meeting with NDOH to review the institutional arrangements for the new policy.
August/ September 2007:	Closure of PHPT.
September 2007:	NDoH officials now responsible for PHP visit PHP projects (DAG, Planact, Thubelisha and Utshani / SAHPF projects) as part of their capacity-building process.
29 October 2007:	PHP Ref Grp met with NDOH to discuss consultation workshops and draft CoDHI policy framework in preparation for presentation at consultative workshops.
November 2007:	NDoH PHP policy review consultation workshops held nationally to look at best practice from PHP and lessons learnt for new programme.
December 2007:	NDoH asked PHP Ref Grp co-ordinator to write up new policy and implementation strategy. Rooftops writes up scope of work and agrees to fund this process.
16 – 20 December 2007:	ANC National Conference, Polokwane. A new programme of action for government is provided. PHP is specifically mentioned as a priority for the ANC.

December-February 2008:	PHP Ref Grp co-ordinator writes up draft CoDHI policy framework and implementation strategy, incorporating comments from PHP Ref Grp members, the consultation sessions, and the NDoH.
25 January 2008:	NDoH presentation of new policy to Housing MinMEC.
8 February 2008:	PHP Ref Grp meeting with NDoH to finalise policy and discuss growth / implementation strategy.
21 February 2008:	PHP Ref Grp meeting to discuss growth plan / implementation strategy (issues discussed: planning and funding, pilot projects, support for CoDHI, resolving blocked PHP projects, institutional arrangements, growth and scale).
March 2008:	Presentation of CoDHI policy to national task team, attended by PHP Ref Grp members. Policy finalized and submitted to NDoH to take through internal approval process. Growth and implementation strategy also finalised and submitted to NDoH to take through internal approval process.
April to July 2008:	Policy and growth strategy taken through internal NDoH processes (Strategic Management, Technical MinMEC) and then approved by MinMEC in July 2008. Political decision to keep name of Peoples Housing Process (PHP), but PHP Directorate and PHP Ref Grp calling it enhanced PHP (ePHP).
September to December 2008:	Gearing up for PHP growth and implementation strategy. National PHP Task Team set up bringing together government (provinces and national) and PHP Ref Grp. Five working groups set up to deal with specific issues, with PHP Ref Grp members asked to head up the working groups—terms of reference submitted by each chairperson. PHP Director appointed to head up Directorate at NDoH.
February 2009:	PHP Road Shows to promote the new PHP policy in each province.
April 2009:	Targeted formal roll-out of new PHP policy and programme.

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