planact

THE RAITH FOUNDATION

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PAPER TIGERS GROW TEETH – **PARTICIPATION TO EMPOWER CITIZENS**

Planact's Action Plan for Communities to Address Interruptions in Service Delivery

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ACRONYMS

AICDD	African Institute for Community-Driven Development
ANC	African National Congress
CBM	Citizen Based Monitoring framework
CET (Tool 1)	Citizen Engagement Tool
Cogta	Department of Cooperative Governance and Traditional Affairs
CRC	Citizen Report Card
CBMES	Community-Based Monitoring and Evaluation Systems
CRCCL	Citizens' Report Card at the Community Level
CAP	Community Action Planning
CBM	Community-Based Management
CSC	Community Score Card
CBMS	Community-based Monitoring Systems
CMAP	(Black Sash's) Community Monitoring and Advocacy Programme
DPME	Department of Performance Monitoring and Evaluation in the
	Presidency of South Africa
DPSA	Department of Public Service and Administration
GCIS	Government Communication and Information System
GDS	Growth and Development Strategy
IDP	Integrated Development Plan
LED	Local Economic Development
M&E	Monitoring and Evaluation
MIG	Municipal Infrastructure Grant
MSA	Municipal Systems Act No. 32 of 2000
MTEF	Medium Term Expenditure Framework
OMMT (Tool 4)	Operations and Maintenance Monitoring Tool
MFMA	Municipal Finance Management Act No. 56 of 2003
NDP	National Development Plan
PSC	Public Service Commission
QCF	Quality Control Framework
RIUT (Tool 2)	Resource Identification and Utilisation Tool
QSDS	Quantitative Service Delivery Surveys
PSC	Public Service Commission
SCM	Supply chain management
SDBIP	Service Delivery and Budget Implementation Plan
SIT (Tool 3)	Service Implementation Tool
WKPI	Ward Key Performance Indicators

PREFACE

Planact is a non-governmental development organisation whose aim is to bring about local development for the poor within an integrated framework. Planact's work is directed towards promoting and supporting integrated human settlements and contributing to both local government transformation and the development and strengthening of community-based organisations.

Legislation, policies and regulations to address the socio-political concerns that impede service delivery and development adequately exist, but are deficient in many respects. This reality motivated Planact to design and develop pertinent and user-friendly intervention tools that communities can use to help address service delivery and associated developmental problems, especially in relation to project implementation. The Tools that this document presents are collectively called the *Action Plan for Communities to Address Interruptions in Service Delivery* (in short *Action Plan*), and it is put forward under the title of Paper Tigers Grow Teeth. The development of the Tools falls within Planact's core Participatory Governance Programme. The objective of the programme is to develop the capacity of vulnerable communities so that they can have a strong and effectual presence in local government planning and governance processes, thereby ensuring greater developmental outcomes. In conjunction, Planact's Participatory Governance Programme extends capacity development to local government. This programme helps improve participatory community action and advances government accountability across the phases of policymaking and governance. It is envisaged that the Action Tools, where they require existing civil society capacity to help facilitate Tools operation, will work in conjunction with the Participatory Governance Programme.

It is furthermore anticipated that the Action Plan will be adopted for use by multiple communities that are suffering poor governance practices and insufficient development. When this Planact Tools document uses the term 'community', it is in the sense of people with common interests living or operating in a particular area. Their common geographical location and exposure to shared issues (such as using services provided by a particular municipality) – albeit with class and individual identity differences – bring them to have shared experiences and interpretations of the role of government in their lives[1]. It is in this respect that the original Latin term of 'communis' or things held in common, is useful. Their shared positionings (despite members each also being a member of other cultural, professional, and other communities) help create 'a sense of community', mostly based on shared physical location and a set of mutual needs regarding government-service and development[2].

The Action Plan is primarily intended for use by communities of local residents, empowering them for engagement, soliciting accountability and building community-government relations that will nurture developmental outcomes. The Action Plan is equally designed for use by

[1] This definition is aligned to the specification of 'community' in the Local Government Municipal Systems Act No. 32 of 2000, chapter1, section 1.
[2] See, for example, Selznick, P., 1996, 'Social Justice: A Communitarian Perspective', *The Responsive Community*, Vol 6 (4); Briggs, X., E. Mueller and M. Sullivan, 1997, 'From Neighbourhood to Community: Evidence on the social effects of community development…', Community Development Research Center.

developmental non-governmental organisations working closely with local municipalities in joint efforts to overcome problems of mismanagement, corruption and poor accountability. The tools that constitute the Action Plan are thus intended to help empower local governments to re-establish their relations of trust with their communities, and inaugurate sound and democratic, meaningfully-consultative local government.

In community and local government context the Action Plan is presented specifically in the interregnum of the run-up to South Africa's local government elections of 3 August 2016 (the fourth set of local elections since the formalisation in 2000 of the local government dispensation). This period, as politicians and parties prepare for electoral endorsements, may be particularly fruitful to obtain commitments from local governments and the main political parties. In addition, as the post-election local government takes root there will inevitably be fruitful soil for new ideas for improved and accountable government, such as those presented in the Action Plan.

Planact furthermore envisages that the Action Plan will be adding to scholarship on democracy, direct democracy and public participation. The preeminent contribution of Paper Tigers Grow Teeth is that it interrogates and unpacks the specifics of participation, the type of interventions that are possible specific to phase in the policy cycle, government and community conditions (including prevailing political cultures), and the likelihood that interventions will be taken seriously, given effect and will add to developmental practice. The standard and available interventions tend to approach participation and developmental impact generically, without centralising specific positionings that often determine the feasibility of interventions.

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Planact wishes to thank our donor on the participatory governance programme, along with a series of organisations and individuals, for their valuable roles in bringing Planact's Action Tools to light:

- Foremost, Planact extends its gratitude to the Raith Foundation for funding our participatory governance programme. We are confident that the Action Tools will make a significant difference in empowering communities for focused citizen participation, engagement and potentially partnerships with local government. We are looking forward to seeing the Action Tools facilitating improved accountability, governance and local development.
- Planact thanks Susan Booysen, Professor in Public Policy at the Wits School of Governance. Booysen is the author, researcher and analyst of the second iteration of the Action Tools, by now encapsulated in the document Paper Tigers Grow Teeth. Booysen, in turn, acknowledges Planact's work in constructing the original concept tools and draft Action Tools document.

Planact furthermore thanks:

- Spring Valley Development Committee – for their input into the draft;
- Siqalile Development Forum – for providing valuable comments;
- Community Organisation Resource Centre (CORC) – for helping to shape the Tools;
- Koogan Pillay, Wits School of Governance – for his input into the earlier draft; and
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In particular, we also acknowledge:

- The comments and suggestions from the Department of Cooperative Governance and Traditional Affairs (Cogta) and Cogta's Back to Basics Department;
- The Department of Planning, Monitoring and Evaluation (DPME);
- South Africa-Slum Dwellers International;
- Informal Settlement Network;
- Leandra Community Centre; and
- Wits University's School of Governance.

Planact, May 2016

SECTION 1:

Introduction, objectives and orientation

The lack of service delivery that unfolds *equivalently and in a sustained manner* across communities – delivery that sufficiently deals with the changing political, government and economic contexts – is amongst the most complex issues facing South African local government. Citizens in local communities, craving better service delivery and associated development are empowered through constitutional and legal provisions that promise them rights to participatory governance, service delivery and development. Yet, they are often entrapped in situations of non-responsive and often-unaccountable government that delivers not just at own pace but also do so in make-believe participatory and co-governance arrangements. A primary result is sub-optimal delivery and development, as well as an angry and frustrated citizenry. The Action Tools intervention is designed to help bridge the divide between paper provisions and realised delivery.

The Constitution of the Republic of South Africa Act No. 108 of 1996 provides communities with the right to access basic services. The Constitution's sections 195(I)(e),(f) state that government must respond to the people's needs and that public administration has to be accountable to the people. It is the mandate of municipalities in cooperative governance frameworks with the provincial and national spheres of government to provide basic services (including water, sanitation, electricity, waste removal, roads and shelter) to the communities they serve. These services are basic human rights, all contributing to the right to dignity that is enshrined in the Constitution of South Africa.

In fulfilling these mandates, local government institutions' activities are governed by multiple laws, policies, rules and regulations. South Africa has excellent examples of legislation to effect these tasks, drafted to enable communities' access to and often actual experience of quality basic services. However, despite the existence of such legislation, implementation and delivery of services to citizens often fall short. Implementation is erratic; non-existent in places. The Department of Cooperative Governance and Traditional Affairs (Cogta) has noted that "(m)uch needs to be done to support, educate, and where needed, enforce implementation of local government's mandate for delivery"[3].

The absence or inconsistent availability of services, for example, is also particularly high in ever-growing informal settlements. Protests in informal and formal residential areas over the lack of services (or lack of *sufficient and sustained services*) have become commonplace. Citizens demand better satisfaction of their developmental needs. Some are vocal in expression of their frustration; others suffer silently. Outrage against sub-optimal public service delivery speaks to the fact that services are often inadequate or unrealised, and that platforms for public participation processes are frequently insufficient and ineffectual: the platforms in own right

[3] Department of Cooperative Governance and Traditional Affairs (Cogta), September 2014, *Back to Basics: Serving our Communities Better! To build a responsive, caring and accountable local government.* The Presidential Local Government Summit, Midrand.

and on paper appear almost adequate. Yet, participatory practice remains defined poorly and anchored weakly. For example, the one moment there would hardly be any tangible community engagement and the next the local government would tick the boxes as to 'participatory requirements fulfilled' and the participation-compliant Integrated Development Plan (IDP) statement is issued. Thus, there are significant shortcomings in terms of achieving sustained and substantive engagement between citizens and local government.

Disputes about which services are being delivered or not delivered, at what pace and with what quality are core reasons for violent community protests[4]. Communities often feel frustrated and angry because they have no insight into what has gone wrong, at what stage of the process and for what reasons. Participatory forums fall short of being trusted forums for deliberation – participatory activities in South Africa's governance processes are often co-optive, top-down or simply ineffectual. These practices often lack clear evidence that they do not equate with the ideal of sound and substantive participation, probably in line with practices of deliberative democracy. Deliberative democracy strives to achieve "broad public participation in a process which provides citizens an opportunity to consider the issues, weigh alternatives, and express a judgement about which policy or candidate is preferred"[5]. Beyond such expression, 'being listened to' and impact are integral parts of the deliberative process. Breadth and quality of participation differentiate deliberative democracy from thin modes of public involvement.

Irrespective of the political party in power at the local level, the proposed Action Tools, when successfully implemented, will help bring communities closer to meaningfully consultative and responsive, systematically accountable and deliberative local level democracy. A crucial effect will be better prospects for uninterrupted service delivery and development.

1.1: Constraints on active citizenship

The Action Tools initiative aims to make a developmental difference at the public level, specifically at the interface between local government and the communities that are the intended or assumed beneficiaries of service delivery. Community-based interruptions of the governance process frequently flow from frustrations with the official processes, or from actions that emanate from the associations between political leaders and community groupings. As a result communities in general suffer. The Tools project aims at minimising deprivation and under-development that are associated with thin, unreliable engagement between municipalities and communities.

The South African government accepts that participatory practice in the country is flawed. Government has been stepping in continuously to supplement public participatory mechanisms

[4] Tsheola, J. P., 2012, 'Theorising a democratic developmental state: Issues of public service delivery planning and violent protests in South Africa', Journal of Public Administration, 47 (1), pp. 161-179.
[2] McGee, R. et al., 2003, Legal frameworks for citizen participation: Synthesis report, University of Sussex, Logolink, p. 10, citing Weeks, 2000.

– both in terms of scope and effectiveness. Powell notes, however, that there is a mismatch between the public's (low) awareness and uptake of participatory structures and even lower realised levels of participation, on the one hand, and the government's apparent high expectations for public participation, on the other hand[6]. Platforms that have been put forward by government include Integrated Development Plan (IDP) forums[7], and ward committees and service delivery improvement projects[8]. Further improvements have included increasing the size of ward committees from 10 to 30, and reviewing the funding model for ward councillors[9].

Nevertheless, government has achieved limited progress in definitively repositioning and improving participatory measures to an extent that they would be substantive in their work and trusted by citizens to deliver human dignity and development. Participatory mechanisms are strained in all phases of the process of policy-making and governance, but especially in the phase of policy and project implementation. Political and governance culture allows politicians and public officials to be sheltered from accountability. This means that they can get away with manipulating consultation, decision-making and procurement. They control their political and public sector territories and do not take kindly to (or even simply facilitate and tolerate) citizen attempts to call them to task when they act in disregard of their democratic and developmental mandates.

A series of factors typically impact on the smoothness and effectiveness of the determination and implementation of projects. It is such action that Action Tools will address. It aims to help ensure that project implementation unfolds without (or with minimised) 'socio-political interferences' – a notion that this study uses to denote corruption, mismanagement, cronyism and related phenomena. In bottom-up mode these are events in which citizens and communities react to top-down obstructions in and barriers to effective service delivery, especially at the implementation phase of projects and often resulting from government itself. At the public-political sector level, community level, or when these two act in cohort, socio-political process interferences can take the form of[10]:

Public-political sector level:

- Corruption and collusion between bureaucrats, politicians and service providers – including 'hijacking' of projects to favour cronies;
- Appointment of politically loyal persons, or persons in high community political positions, while they are un- or poorly qualified for the positions and cannot perform and deliver;

[6]Powell, D., 2012, 'Imperfect transition – local government reform in South Africa 1994-2012, in Booysen, S. (ed.), Local elections in South Africa: Parties, people, politics, Stellenbosch: SUN Press, p. 23.
[7]Njenga, T., 2009, A Critical Analysis of Public Participation in the Integrated Development Plans (IDP) of Selected Municipalities in Some Provinces (Gauteng, Eastern Cape, KwaZulu-Natal and Western Cape) in South Africa, Masters thesis, University of KwaZulu-Natal.
[8]See, for example, Marais, H., D. Everatt and N. Dube, October 2007, The Depth and Quality of Public Participation in the Integrated Development Planning Process in Gauteng, Johannesburg: Strategy & Tactics.
[9]Department of Cooperative Governance and Traditional Affairs (Cogta), 8 February 2011, presentation, 'Programme of action progress: April-September 2010', Parliament, Cape Town.
[10] The bulk of this listing is also reflected in Planact, 2015, Action Tools, Johannesburg.

• Procurement irregularities where tenders go to connected persons, including family members without experience or the required service-delivery means to deliver;
• Councillors interfering with implementation or delivery details – altering, for example implementation sites or procurement sources;
• Ineffectiveness through neglect of maintenance and facilities by responsible persons in the public sector (this includes lower level civil servants not doing their work and superiors failing to hold juniors to account); and
• Local (and often other level) politicians preventing access to political party meetings where unhappiness with politicians and their actions might be raised. [11]

Community level:

• Community protests delaying or derailing the implementation of projects – possibly because the employment opportunities are being filled through recruitment from outside of the community where the project is located and local unemployed people are angered by this;
• Vandalism of public infrastructure and amenities, manifested, for example, in the burning of public libraries or municipal offices (protesters believe this makes it more difficult to ignore their demands); and
• Community members tampering with public infrastructure – such as theft of cabling or steel structures in acts varying from vandalism and criminality to economic desperation.

In concert:

• Groupings in the community, local business interests, or others with interests in delivery outcomes, collude with political representatives and bureaucrats to ensure that implementation gets skewed (viz. inappropriately redirected away from the original, agreed plans) in order to advantage particular interests.

In this context of interruptive acts, supported by both community and municipal-political cultures, it has become imperative to design and test tools to help citizens and government find a way out of the quagmire. Planact through its Action Tools hopes to make a substantive contribution.

1.2: Objectives

Planact has developed the *Action Plan for Communities to Address Interruptions in Service Delivery*. The associated Action Tools are designed to be a user-friendly intervention that communities and non-governmental organisations working with communities can use to address problems (interruptions and potential interruptions) in project delivery processes. The Tools are envisaged to stand as mutually agreed sets of practices between communities

[11] Booysen, S., December 2013, *Twenty Years of South African Democracy: Citizen views of human rights, governance and the political system*, Washington DC and Johannesburg: Freedom House.

and local governments. Simultaneously Planact strives to see the Tools being recognised in the literature on participatory mechanisms. It believes the particular Action Tools contribution lies in the specificity of identification of problem sites and the proposed solutions that are designed to match exactly.

The current Action Tools document refines and positions the preliminary tool that Planact developed from 2014 to 2015. The initial Planact tool[12] delivered valuable insights and holds the potential to improve on preceding, roughly-comparable tools. Anticipated advancement of the initial Tools (as encapsulated in the current document) is to:

- Position the tools in relation to the prevailing debates on the practices and problems pertaining to public participation and thereby make them articulate with the real socio-political life at the community-government interface;
- Specify the proposed tools in relation to pertinent phases of the public policy process;
- Relate the tools to manifested gaps in the governance processes (including in terms of auditing and oversight);
- Contextualise the tools with regard to their political environment, including political contestation at the local level;
- Explore the tools in relation to the burden on citizens for time and resources required in oversight and participatory initiatives; and
- Explain the tools in relation to the need to achieve developmental local government.

Such advancements will thus help place the proposed Tools in the exact experienced reality, articulating with the specific issues and problems of getting improved service delivery on the ground. This articulation will also help make the tools user-friendly.

1.3: Approaches and methodology

The proposed Action Tools are anchored in the thematic and strategic analyses prevalent in a range of preceding studies, as well as in fieldwork by Planact, and feedback from Planact's range of community engagements. Planact's long-standing and continuous partnerships with communities and community-based organisations[13] anchor the initiative. Grassroots insights and experiences hence constitute the foundation of the Tools. With regard to preceding studies, we analyse in depth a selection of valuable documents. The insights help to position, contextualise and elaborate the Action Tools (Section 2). This is in line with the Ritchie and Lewis[14] definition of documentary analysis as the study of existing documents with a view to understand their substantive content and to unlock deeper meanings that may be revealed by

[12] Booysen, S., 20 October 2015, *Inception Report: Review of Tools for Addressing Interruptions in Service Delivery*, Planact, Johannesburg.
[13] These activities articulate with the actions and spirit emphasised in the statement of *HABITAT III Thematic Meeting on Informal Settlements*, Pretoria, South Africa 7-8 April 2016.
14 Ritchie, J. and J. Lewis, 2003, *Qualitative Research Practice: A guide for social science students and researchers.* Thousand Oaks: Sage publications, p. 35

themes, style or coverage. Similarly, Patton[15] points out that documentary analysis refers to, amongst others, the study of passages from organisational or programme records, memoranda, as well as official publications and reports. These analyses are executed, in interpretative style, as the first phase in the Action Tools research process to help understand prevailing practices and problems with participatory governance and associated delivery in South Africa.

The documents that are assessed in this phase of research and interpretation are, in main:

- Planact documents, and foremost amongst these documents, the already-substantive, initial Planact Action Tools document. The systematic assessment and refinement of the document is the essence of the brief for this phase of the tools development. The review of this document unfolds in the context of the literature and rest of the documentary analysis. Other Planact documents and a selection of documents provided by Planact – documents that had constituted the basis of the first draft of Action Tools – supplement this part of the analysis.
- Interventions for public service delivery have to be positioned in the context of what is possible and facilitated legally, and in terms of what is required from the authorities. The legislative frameworks of local government and public participation are important components of this work. Local government development legislation helps position the Action Tools in terms of municipal structures and development objectives. The logistics of intergovernmental relations also enter the fray.
- Governing party, the African National Congress (ANC), documents or statements on participatory democracy are assessed, because they reflect thinking on public participation by the main party in local government. Hence they assist in positioning the instrument when it is shared with communities and government structures. ANC statements on clean government are pertinent too, given that the ANC professes to be making strides in enforcing public sector ethics, besides requiring its own members increasingly to subject to anti-corruption guidelines. Should the August 2016 local elections bring change, generally or in particular communities, these documents will remain relevant given that they undergird prevailing practices.
- Scholarly publications such as research reports, journal articles and theses that have explored pertinent aspects of public participation and deliberative governance[16] are scrutinised. This helps establish insights into the use and positioning of Action Tools, especially in the prevailing political contexts.

Action Tools build on the insights that are gained from the research and documentary sources. The instrument extracts guiding themes and questions that are set as the benchmarks for the refined Action Tools (see Table 1). The Action Tools proposal distils core ideas to help fine-tune earlier drafts of Tools, and builds what is envisaged to be a concise and accessible framework and work plan.

[15] Patton, M. Q., 2002, *Qualitative Research and Evaluation Methods,* Third edition, Thousand Oaks: Sage Publications, p. 4.

16 Such documents include De Bruyn, G. H., 2013, Citizen Participation in the Gauteng Provincial Literature: A theoretical and case study, Masters thesis, University of the Witwatersrand; Mogaladi, R., 2007, *Capacitating Rural Communities for Participation in the Integrated Development Planning Process*, Masters thesis, University of the Witwatersrand.

1.4: Select conceptual and process clarifications

Public participation in governance processes in South Africa – as elsewhere, in many parts of the world – is treated with much cynicism. An exploration of the reasons for such disbelief in meaningful public engagement and partnerships is essential if the objective (as is the case with the development of the Action Tools) is to enhance participatory practice, especially with a view to engendering better development.

There are clear gaps between the 'talk' and the 'walk' – between governments' declared commitments to public participation and enabling policies and legislation, on the one hand, and actual realisation of engagement (inclusive of typical participatory practices), on the other hand. There is often little evidence of meaningful and truthful engagement, let alone realisations of deliberative democracy. In the age of policy networks much of urban governance rather testifies to the use of coercion and co-optation in the interest of building the hegemony of the ruling class[17]. In South Africa, it may be argued, coercive co-optation in the name of liberation hegemony regularly threatens to outstrip consultative and non-hierarchical state-civil society engagement.

[17]For the broader theoretical foundations of this argument, see Davies, J. S., 2010,'Neoliberalism, governance and the integral state', paper delivered at the Critical Governance Conference, University of Warwick, 13–14 December.

Table 1:

Guiding themes and questions from the literature to guide the development of the refined Action Tools

Area and focus	*Focus on*	*Themes / Questions*
Scholarly frameworks for the understanding of interruptions in service delivery	Major and changing emphases in the literature; extent of focus on socio-political interruptions; extent of focus on developmental impact of interruptions.	What is the place of public participation in public management? Is it recognised that many unintended effects (for the details see 'service delivery interruptions' in this report) obstruct and derail the assumed-to-be-smooth processes of project implementation? What is the impact on local developmental government?
Prevailing public participation / participatory practice	New recognitions and initiatives introduced from the side of government; community demands for additional measures; extent of developmental orientation.	What are the new innovations in public participation –both bottom-up and top-down? What provisions are being inserted into official documents that are generated? How much importance is afforded to public participation and deliberative democracy? What are the main frustrations coming from community actors? What is the legislative status of participatory measures?
Flaws / shortcomings in prevailing practice	Disjunctures between theory and practice of public participation; divergence of 'walk' and 'talk' on community engagement.	What are the recognised shortcomings of prevailing community engagement? To what extent are disruptions being interpreted as counter-developmental? What are the prospects for holding public officials and local politicians to account?
Trends in community protest	In-principle willingness / interest of communities to be more engaged, versus instrumental, in simple goal-oriented specific engagement.	What are the latest developments in the practices of community protest? To what extent is there evidence of growth in public protest and growth in more destructive community protest? What are the reasons?
Trends in pronouncements on clean government	Initiatives from government side (effective or not) to engender smooth implementation of policy projects, thus inserting a developmental thrust, without diversion of funds into private pockets.	How much are practices of corruption being projected as counter-developmental? What efforts are evident in stressing the importance of clean government? What are the trends (for example in the governing party) to enforce practices of clean government on officialdom and legislators? What are the consequences of bad governance/failure in government practice?
Lessons for the Tools	Prevailing best practice; opportunities for enhancing best practice through specific tools.	What aspects of the findings may be useful for incorporation as parts of the Action Tools?

The bulk of research projects concerning service delivery have a bearing on the articulation of community needs and interests. Such projects recommend that these needs be reflected in the formulated policies and associated legislative instruments.

This research tends to define community (also see the Preface, p. 5) as "a place-oriented process of interrelated actions through which members of a local population express a shared sense of identity while engaging in the common concerns of life". In a concordant formulation the Local Government Municipal Systems Act No. 32 of 2000 describes community or local community in relation to a municipality as a:

> "… body of persons comprising the residents of the municipality; the ratepayers of the municipality; any civic organisation and non-governmental, private sector or labour organisations or bodies which are involved in local affairs within the municipality; and visitors and other people residing outside the community who, because of their presence in the municipality make use of services or facilities provided by the community."

The notion of a 'policy community' articulates with this definition, as it refers to a community of individuals, CBOs, NGOs, business organisations, political parties' local formations - all who are affected by a particular policy matter. These "actors share common interests with regard to policy and exchange resources to pursue these shared interests acknowledging that co-operation is the best way to achieve common goals".

Government is inclined to be self-congratulatory in its emphases on processes and opportunities for community participation. There is, however, far less opportunity for ongoing engagement that includes effective accountability processes. When government officials take over to implement policy and other strategically related decisions it is (erroneously) assumed that there will be satisfaction of the original expressed needs. This assumption neglects the reality that many 'slips' occur in the ranks of officials and the overseeing or intervening politicians. These interventions often create or exacerbate substantial gaps between popularly expressed and officially realised needs.

In order to address deficits in the process of public engagement – and, in effect, minimise interruptions in service delivery and optimise local development – it is necessary to anchor action plans in the context of the processes of public policy-making and governance. Most of the participatory tools and mechanisms focus inconsequentially on public engagement at the time of implementation of policy and actual governance processes. Instead, the research and literature explore, for the most part inputs into shaping of policy decisions. Oversight and accountability themes enter generically when some of the implications of policy implementation are considered. The focus, however, is hardly ever on the interventions that citizens *could be enabled* to make – such as is the focus of the Action Tools. Rather, the stress is often on top-down approaches or weakly articulated bottom-up interventions – leaving crucial gaps in the participatory democracy towards which the Constitution of South Africa aspires. The Action Tools thus constitute a set of instruments that applies the generally formulated and abstract principles.

[18] Theodori, G., 2009, *Preparing for the Future: A guide to community based planning*, Southern Rural Development Centre (SRDC).
[19] Local Government Municipal Systems Act No. 32 of 2000, Chapter 1, Section 1, pp. 15-16.
[20] Börzel, T. A., 1998, 'Organizing Babylon – on the different conceptions of policy networks', *Public Administration*, 76, 253-273.

SECTION 2:

Frameworks anchoring the operationalisation of the Action Tools

This section takes two actions to develop and position the Action Tools. First, it positions the Tools in relation to phases – and possible popular interventions – in the process of policy-making and governance. Second, it relates the Action Tools to a selection of relevant bodies of knowledge, inclusive of government initiatives, which all will contribute to giving life to the Tools and help address interruptions in service delivery and development.

2.1: Positioning the Action Tools in relation to the phases of the policy process

The Tools are situated across the phases of the policy and governance processes, emphasising usage in different phases (Table 2). Phase-specificity is one of the great strengths of the Action Tools, ensuring suitability of the policy and governance actions that unfold in the particular phase. The four proposed Tools are not exhaustive in covering all phases of the policy and governance process, but cover four of the most problematic phases in these processes. The phases that are covered are the consultative phase (interaction between community and municipality is the point of departure), the *intra-government* procurement phase of policy implementation (not usually integrated into participatory practice, yet with the reputation of constituting major stumbling blocks in policy realisation), *implementation* phase in the concrete delivery of projects in the community (a focus that is lacking in the bulk of the available tools) and the *monitoring and evaluation* phase (which in this instance is defined to include maintenance of existing services and infrastructure).

At the implementation stage the policy process is operationalised through the realisation of projects in the delivery of, for example, water, electricity, sewerage, housing, community roads and access to amenities. This is the stage at which most of the local government-community engagements are likely to unfold, given that there is much policy consensus on the need for service delivery and agreed government responsibility for the developmental initiatives, along with transfer of funds from national and provincial governments to the local.

Nevertheless, despite such broad agreement on the need for particular services, much dissensus can follow at the phase of implementation. For example, the exact location, scope and quality of the services – and the possible interference by politicians, bureaucrats or sections of the community steered by political leaders – may elicit mayhem. This could occur in the form of disruptive 'service delivery protests' or developmental 'sabotage' in the process of political and bureaucratic functionaries operating for patronage and cronyism rather than community development needs.

South Africa's multiple legislative and policy instruments regarding consultative and participatory governance tend to emphasise the phases of policy design and post-implementation

'monitoring and evaluation' [21] – without acknowledging sufficiently that there is a pressing need for continuous and mutually-responsive government-citizenry engagement throughout the phase of policy implementation. If such engagement follows only in the post-implementation phase then much of the delivery may well already have failed or been frustrated. The Action Tools' detailed operational guidelines aim to guide both community and local government through this intricate field of policy implementation.

Table 2:
Phases in the policy process – as framework to guide civil society's participatory interventions in service delivery [22]

Howlett & Ramesh (1995)	Jenkins (1978 in Hill, 2005:20)	Hogwood & Gunn (1984 in Hill, 2005:20)	Anderson (1997)	Deleon (in Sabatier, 1999:21)
Agenda-setting – determinants & windows	Initiation	Deciding to decide; Deciding how to decide	Formation – problems, agendas & formulation	Initiation
	Information	Issue definition; Forecasting		Estimation
Formulation – communities & networks	Consideration	setting objectives, priorities; Options analysis		
Decision-making			Adoption; budgeting	Selection
Implementation – design & choice of policy instrument	Implementation	Implementation, monitoring & control	Implementation	Implementation
Evaluation – analysis & learning	Evaluation	Evaluation & review	Impact – evaluation	Evaluation
	Termination	Maintenance, succession & termination	Post-evaluation change	Termination

Source: Susan Booysen, 2015, *Public policy-making*, Lecturing Series for Policy Practitioners, Johannesburg.
Note: Grey blocks mean the cited author/s did not specifically differentiate that particular phase, but rather assumed its presence in one of the adjoining phases.

[21] See Presidency of the Republic of South Africa, August 2013, A Framework for Strengthening Citizen-government Partnerships for Monitoring and Evaluation, Tshwane.
[22] Howlett, M. and M. Ramesh, 1995, Studying Public Policy: Policy cycles and policy subsystems, Toronto: Oxford University Press; Hill, M., 2005, The Public Policy Process, Fourth Edition, London: Pearson Education Limited; Anderson, J. E., 1997, Public policy-making, Second Edition, New York: Holt, Rinehart & Winston;
Deleon in Sabatier, P. A. (ed.), 1999, Theories of the Policy Process, Boulder, Col.: Westview Press.

The Action Tools thus facilitate continuous monitoring and evaluation (M&E) by civil society of public sector services throughout the policy phase of implementation, rather than as an isolated phase of policy evaluation upon the completion (or approximate completion) of an implementation process. M&E more commonly is treated as a policy phase that will follow after the delivery actions. While government emphasises the importance of M&E in the service delivery process there is little regularised structuring of opportunities for immediate and relevant civil society feedback interventions in the process of such services to be implemented.

Table 3:

Public policy phases linked to civil society and government actions – from formal frameworks to action tools

Public policy phase	Civil society 'interventions' (active & passive) – both constructive & re-directive (select illustrations)	Government actions and responsibilities – both disruptive & developmental (select illustrations)
Agenda-setting (deciding to decide)	Expression of needs to have government take policy action	Government (& governing party) 'reads' the public mood & listens to representations
Consideration of options	Might express expectations as to level of government responsibility Continuously supportive exp	Determines matches between ideological positions of level of responsibility & fiscal abilities
Decision-making (adopting policy & legislation)	ressions, representations to legislative forums to achieve better content	Engagement to determine priorities & possibilities, allocation & placement, ensuring that target groups will be covered
Allocating budgets & diffusing responsibility to implement	Advocacy & mobilisation, public debates to pressurise government	Government passes budgets at all levels & civil society can lodge appeals, petitions, etc.
Implementation of policy through policy instruments of projects & programmes	Representations, requests for meetings, memoranda, petitions, community protest – peaceful, obstructive or destructive	Community consultation, which is generally ineffectual because there are few obligations; objections, protests may follow
Monitoring & evaluation – subsequent but also continuous throughout implementation	Providing formal inputs into M&E processes, or, more informally, to protest & boycott municipal events	Often done by consultants or local government councillors to solicit community feedback
Reconsideration/review for strengthening, supplementation, termination & policy replacement	Little direct opportunity at this stage – the Action Tools suggest recourse options to ensure that citizens have leverage	More top-down intra-institutional action at this stage

Source: Susan Booysen, 2016, Developed for *Paper Tigers Grow Teeth – Participation and Partnerships to Empower Citizens,* Johannesburg: Planact.

Delivery could, however, be far more effective and thus developmental if there is better and structured scope for intermediary (and immediate) citizen interventions to call government to task and insist on accountability and responsible government when things start going wrong. This means – and this will be one of the core arguments and proposals in the Tools – that public participation in the service delivery process needs to be continuous and meaningful. Such a relationship may be understood as a partnership, and not merely as engagement. [23]Meaningful in this context refers to M&E information being used to improve service delivery outputs. The operational style of the Action Tools leads the tool users to apply the collected information for the betterment of delivery.

The policy-phase details in Table 2 present and compare the typical phases that a range of public policy scholars delineate. The recognition of the total line-up of phases – and their linkage to typical civil society participatory actions and government responsibilities – assist in fine-tuning the most appropriate types of interventions to keep policy implementation and development on track.

Table 3 distils the most pertinent phases of the public policy process (building on Table 2) and links the phases to a selection of suitable participatory and accountability interventions. This facilitates the practical positioning of the Action Tools given that the phase of the policy process will determine what type of interventions, delivered in what mode, and with what level of 'force' or 'obligation' behind them can be instituted at any particular point in the delivery process.

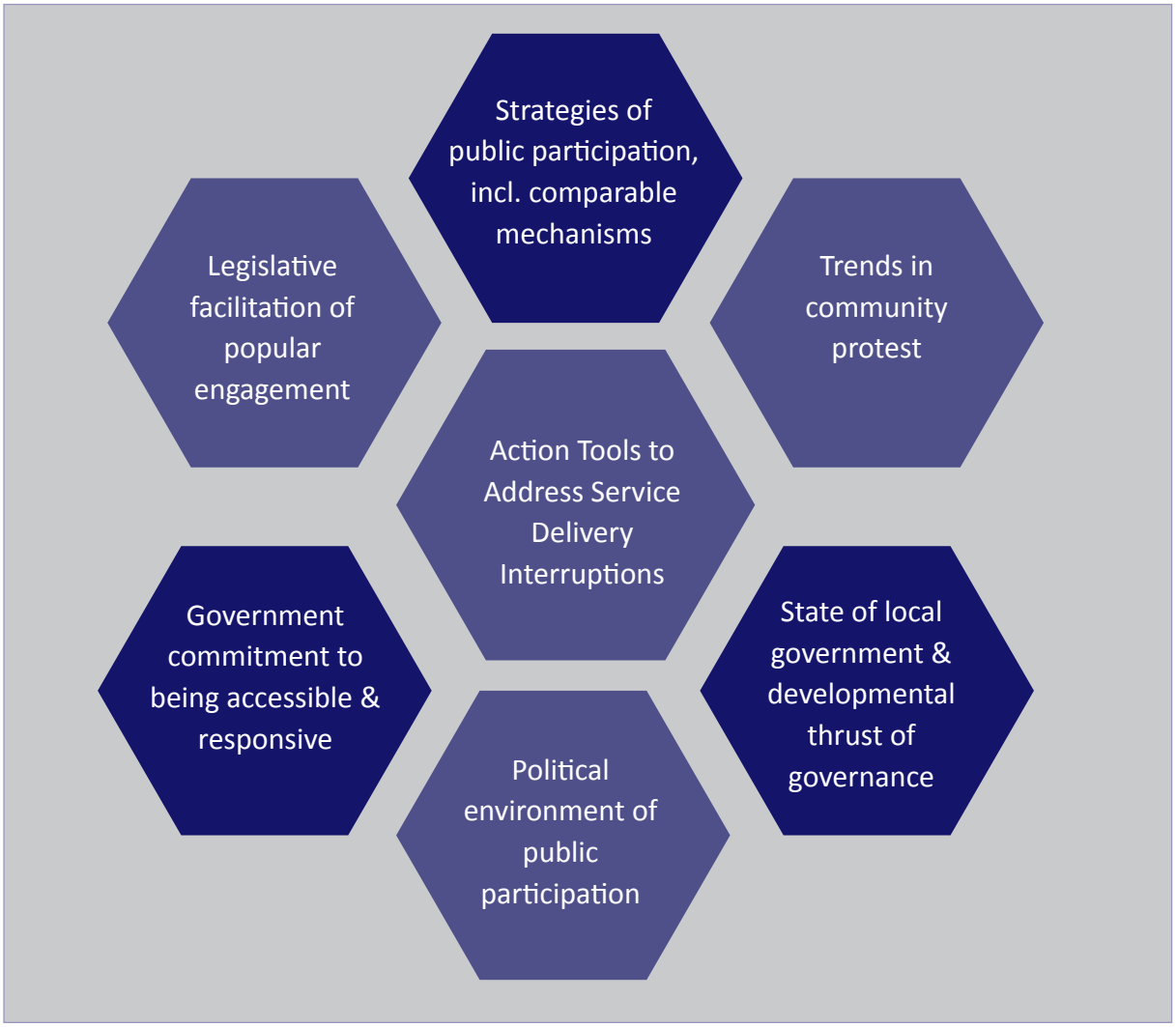
Hence, the level of correction, possible interventions and specifically the types of actions vary greatly from one phase of policy and governance to the next. The phase-specific requirements for municipal-civil society engagements, interventions and corrections informed the creation of the Planact Action Tools.

2.2 Anchoring the *Tools* in relevant contexts

The details in this section help position Planact's Action Tools. The section pulls together six strains of literature and knowledge, legislation and government documents to help ensure that the Tools will be a realistic and anchored venture. The strains (Figure 1) are derived from scholarly sources and government generated materials on the mechanisms of public participation, and government procedural policies[24] and pronouncements on transparent, representative and accountable government. Whereas the detailed assessment of each of these literatures is not within the scope of the current document, the guidelines that we set out highlight and incorporate the primary insights. The interwoven scholarly and government literatures alert us to, amongst others, the potential problems and obstacles concerning interventions to optimise processes of public engagement and partnership formation.

[23] Habitat, 2016, op. cit.
[24] Booysen, S., 2015, Public policy-making, Lecturing Series for Policy Practitioners, Johannesburg.

Figure 1: Anchors to the formation of the Action Tools



2.2.1 Legislative facilitation of delivery and development

This sub-section considers government documents on participatory democracy, on the official side of structuring, requirements, templates, etc. of public participation, produced by the Public Service Commission (PSC), Department of Public Service and Administration (DPSA), Department of Performance Monitoring and Evaluation (DPME) in the Presidency of South Africa, the Department of Cooperative Governance and Traditional Affairs (Cogta, and its predecessor departments), and the office of the Auditor-general of South Africa.

Besides the provisions in the 1996 Constitution of South Africa, in particular section 152 and 153, along with Chapter 7 generally, government has passed a wealth of legislation that all commit it to responsive, accountable and open government in which citizen voices will be heard. The Constitution's Section 152 specifies that "local government must encourage communities

and community organisations to be involved in the matters of local government". Community participation is a requirement in the formulation of municipal Integrated Development Plans (IDPs), as stipulated by two national planning processes – those done in terms of the Medium Term Expenditure Framework (MTEF) and the Municipal Systems Act No. 32 of 2000 (MSA)[25]. The White Paper on Local Government of 1998 prescribes that local government shall allow consumers of services to give input on the way services are delivered. It adds that developmental municipalities should be positioned and committed to working with citizens to find sustainable ways to meet their social, economic and material needs and improve their quality of life. The MSA stipulates that municipalities shall develop five-year IDPs, linking planning and delivery while providing a framework for all of the municipality's developmental activities. Section 29(b) of the Act also specifies that communities will be consulted regarding their needs and that they will also participate specifically in drafting their municipality's IDP. The Municipal Structures Act No. 117 of 1998 provides for the establishment of ward committees as mechanisms for active community participation in local affairs. The Act requires municipalities to report annually on the municipality's community involvement. There is a potential qualitative shift away from 'tick-box exercises' to shared visioning and meaningful engagement. Similarly, Chapter 13 of the National Development Plan (NDP)[26] urges the state to focus on engaging people in their own forums rather than expecting citizens to engage principally with state-created forums, such as those promoted through the MSA.

In implementing projects municipalities are legally bound to have Integrated Development Plans (IDPs), as briefly noted above. The IDP is described in the Municipal Systems Act (MSA) No. 32 of 2000 35(1) (a) and (b) as:

> ... the principal strategic planning instrument which guides and informs all planning and development, and all decisions with regard to planning, management and development, in the municipality; [and] … binds the municipality in the exercise of its executive authority...

Furthermore, the Local Government: Municipal Planning and Performance Management Regulation, 2001 provides the guidelines for the IDP and the implementation and evaluation processes, as illustrated through the case of the IDP process in the Emalahleni Municipality (Table 4). The tabulated IDP process reflects an ideal case scenario where the local government plays its part in ensuring that citizens are fully engaged in matters relating to service delivery. Recorded realities, in contrast, mostly deviate from the ideal.

There is much acknowledgement that the provisions of the Municipal Systems and Structures Acts, the Municipal Finance Management Act (MFMA) No. 56 of 2003 and the Municipal Property Rates Act No. 6 of 2004 (and various subsequent amendments), have hitherto not amounted to much when it comes to public participation and sound government[27]. Many of

[25]See Good Governance Learning Network (GGLN), *Community Based Planning in the Context of the National Development Plan Research Paper.* (Provided by Planact for purposes of this project); also available on http://ggln.org.za/publications/research-papers/community-based-planning-in-the-context-of-the-national-development-plan/Community%20Based%20Planning%20in%20the%20Context%20of%20the%20NDP%20Research%20Paper_BESG.pdf/view, accessed 27 December 2015..

[26]The National Planning Commission (NPC), 2012, National Development Plan, 'Our Future – Make it Work'.

[27]http://mfma.treasury.gov.za/MFMA/Legislation/Local%20Government%20-%20Municipal%20Finance%20Management%20Act/Municipal%20Finance%20Management%20Act%20(No.%2056%20of%202003).pdf; http://www.treasury.gov.za/legislation/PFMA/act.pdf.

the legislative frameworks have come to be relatively meaningless: participatory practice has shown that frameworks might have been adhered to and guidelines have been followed, yet this had not led to substantive public engagement, or better delivery and accountability from public representatives. Even when subsequent policy and governance actions might have improved, communities have often been left angry, disappointed and alienated.

Table 4:

Emalahleni Municipality's IDP and Budget Process Plan 2014/15 – as illustration of municipal processes

PRE-PLANNING PHASE	• Drafting of IDP review process plan • Consultation of communities about IDP process plan • Implementation of draft IDP review process plan & budget review process plan
ANALYSIS PHASE	• IDP steering committee to discuss implementation progress of IDP review • Inter-governmental relations cluster to report back on IDP assessment & to outline process of review • IDP steering committee to collect ward information • IDP rep forum presents status quo report & analyses data priorities in order of importance as ranked by wards
REFINING STRATEGIES	• IDP steering committee reviews existing strategies & present operational budget
PROJECT PHASE	• IDP steering committee o Identifies projects o Prepares draft capital budget • Mid-term reporting
ALIGNMENT & INTEGRATION PHASE	• Inter-governmental relations meeting: Alignment with sector departments & district IDP steering committee o IDP & budget alignment
ADOPTION PHASE	• IDP steering committee – alignment of budget & IDP • IDP & budget document consolidation • Adoption of draft IDP & budget by council within 21 days • Submission to office of MEC • Publicise draft IDP & budget for comments within 21 days • Local & district municipal roadshows (Mayoral Izimbizo) • Drafting of service delivery & budget implementation plan (SDBIP)
IDP & BUDGET IMPLEMENTATION PLAN	• Incorporate relevant comments on draft IDP & finalise document • Adoption of final IDP, budget & SDBIP • Adoption of the district municipality final IDP & budget • Submission of SDBIP within 14 days of budget approval • Approval of SDBIP

Delivery at the local government level thus far has remained deficient despite a sequence of government interventions, encompassing both participatory and governance expectations. Cogta's *Operation Clean Audit* is acknowledged to have failed.[28] The *Back to Basics* strategy[29] has had partial and modest successes to date. Its five core principles concern putting the people first, delivery of basic services, good governance, sound financial management and building sound institutions. In many respects its successes have been because the bar had been lowered and recognition built into the programme that some municipalities simply cannot be expected to succeed.[30] Such recognitions have implications for the design and operationalisation of the Action Tools, given that local government is often 'out of control' or recognised to be beyond repair. This further articulates with a political culture of minimal rather than maximal accountability for clean and democratic governance (next section).

2.2.2 State of local government and the developmental rationale

The literature on local government constitutes an essential part of the development of the Action Tools. The Tools recognise that the operation of local government in South Africa leaves much to be desired, as the Department of Cooperative Governance and Traditional Affairs (Cogta) and its consultative associates realise.[31] Multiple interventions have been implemented with limited effect. Flawed, unstable local government persists. For development to take full effect, local government needs to be effective, both in rural and urban-metropolitan contexts [32]– and the Action Tools strive to help leverage such a change.

The Constitution of South Africa (through sections 152(1)(c) and 153) specifies that local government is obligated to promote social and economic development. The Municipal Systems Act gives further details. Much of the devolved responsibility for local economic development (LED), including job creation, lands on the shoulders of the municipalities. The assumption is that local governments are to work collectively with the business and social sectors to improve economic growth and generate employment. Municipalities generally lack sufficient resources to mount substantial, dedicated development projects on their own (they rely on transfers from national government). Only small proportions of municipal operational budgets go towards such projects[33].

[28] Powell, D. M., M. O'Donovan and T. Chigwata, 2014, *Operation Clean Audit 2014: Why it failed and what can be learned*, Ford Foundation, Cape Town.

[29] Department of Cooperative Governance and Traditional Affairs (Cogta), Presidential local government summit, *Back to Basics: Serving our communities better!*', Tshwane.

[30] Author's interpretation of details presented in Cogta, 2014, op. cit.

[31] See, for example, Department of Cooperative Governance and Traditional Affairs, 2009, *State of Local Government in South Africa*, working documents, Pretoria.

[32] See, for example, Edigheji, O. E., 2007, *The Emerging South African Democratic Developmental State and the People's Contract*, Research Report 108, Johannesburg: Centre for Policy Studies; Madumo, O. S., 2012, 'The promotion of developmental local government to facilitate a developmental state', Administratio Publico, 20 (3), pp. 40-54. For an in-depth analysis of local government and sectoral development, see Beall, J. and S. Fox, 2009, *Cities and Development*, London: Routledge.

[33] See Zybrands, W., 2012, in Booysen, S. (ed.), Local elections in South Africa: People, parties, politics, Stellenbosch: Sun Press.

Local government is in many respects the problematic stepchild of democracy in South Africa. It found its legislative feet several years after the 1996 Constitution of South Africa had set down the institutional and procedural foundations of national and provincial government. Foundational legislation was set out at the time of the millennium (sub-section I) when national democracy had already started consolidating. Many of the tasks of policy implementation and development were left to the local sphere. This was also despite the facts that this is politically the most junior of the spheres of government, and that both its bureaucrats and politicians often show limited interest in becoming local government professionals. Instead, they aspire to move to provincial and national government.

At the local government accountability and capacity have continued lagging. Municipal bureaucrats and representatives often operate within local ivory towers and minimise engagement with their constituents. The interface between civil servants and local politicians is often problematic, the requisite skills for effective local government are frequently obstructing delivery and development, and political gate-keeping at the party political (and mostly governing party) levels contributes to local government being seen as a patronage-based and rent-seeking stop-over to greater political fortunes.

These phenomena have been contributing to local government – also in official circles – being described in terms of 'breakdown of local democracy', hand-in-hand with 'serious breakdowns in services'. The detailed reasons include community alienation from municipalities, breakdown in the social compact (evidenced in community protest, lack of trust between government and the people) and unresponsive government.[34] Cogta's detailed list also includes municipalities failing to manage their powers and functions and related responsibilities; exercising weak oversight, supervision, support and intervention mechanisms; hosting contested political-administrative interfaces; holding too many opportunities for fraud and corruption; exercising insufficient institutional and organisational professionalism or accountability; having poor understandings of differences between areas to deliver services to, along with weak abilities to establish value-for-money in service provision.

Elsewhere in the 2009 Cogta document (see footnote 31; other reports confirm that there had been limited progress since; for example the Back to Basics document), the problems are summarised six-fold as:[35]

- A collapse in core municipal infrastructure services, resulting in services either not being provided or provided at unacceptably low levels;

[34] Department of Cooperative Governance and Traditional Affairs (Cogta), 2009, *State of Local Government in South Africa*, Working Documents (section on 'Sample assessment of key problem areas', pp. 71-75).
[35] Ibid., p. 5.

• Slow or inadequate responses to service delivery due to breakdown of community trust in institutions and councillors;
• Social distance by public representatives, reflecting inadequate public participation and poorly functioning ward councillors and ward committees;
• Low rates of municipal revenue collection that make many municipalities unviable;
• Inappropriately skilled (sub-requirement) and poorly placed municipal personnel; and
• Widespread instances of rent-seeking and corruption amongst public representatives and business, reflecting a broader breakdown in values and good governance principles

In addition, many municipalities suffer weak growth prospects and fragile revenue bases, poor records of municipal infrastructure grant (MIG) outputs and increasing backlogs. On the financial front there are sequential sets of evidence regarding audit qualifications and other financial disclaimers when it comes to audit oversight by the Auditor-General of South Africa.[36] Many of the smaller or marginal municipalities are not viable, with growing dependency on grants or transfers from national government, do not produce credible budgets and suffer strikes, abuse of sick-leave and under-performance. Municipal dysfunctionality is the order of the day while turnaround plans have not taken effect, or simply have often failed.

At the service delivery interface a second generation of challenges confronts municipalities, according to Cogta (see also section 2.2.3). The three main and unabated challenges, compounding the other problems, are:[37]

• An increased demand for economic infrastructure due to the growing economy (even if it is growing modestly at best);
• Aging infrastructure that requires increasingly upgrading, rehabilitation and replacement; and
• Urbanisation that brings a change in the nature of poverty.

Municipal dependence on national government transfers confirms the gloomy prospects for improved local government. Financial management of the municipalities equally leave much to be desired, with very modest improvements over time. Reports by both the National Treasury and the Auditor-general of South Africa have detailed the shortcomings.

The stack of municipal governance problems thus hampers service delivery and development, while multiple governance improvement plans have been adopted over time. There have been, for example, *Operation Masakhane*, the *Local Government Turnaround Strategy of 2009, Operation Clean Audit 2014* (launched in 2009)[38], and most recently the *Back to Basics: Serving Our Communities Better strategy* (released soon after the 2014 national and provincial elections). These programmes have had some impacts, but have failed largely at bringing definitive turnarounds.

In terms of the Planact Tools this means that they would be implemented in sub-optimal contexts, where some of the basics of operational and ethical local government do not apply. It is in this context that municipal capacity will be flagged as one of the preconditions for the successful application of the Action Tools.

[36] See Powell et al., 2014, op. cit.
[37] Cogta, 2009, pp. 54; 56.
[38] See Powell et al., 2014, op. cit.

2.2.3 Participatory governance, transformational voice and development

Action Tools recognise that the mere act of participation neither satisfies people nor makes them believe that due consultative process has been realised. Voice, impact and accountability are what citizens seek generally in the process of participation with government (both politician-representatives and bureaucrats). It is in this context that the current study prefers generally to use of the term of engagement (to denote substantive and interactively-derived effects that result from participation; in optimal cases this will constitute partnerships) over that of mere participation. Engagement, thus, could very well also fall short of constituting transformational voice. Cvetkovich and Earle[39] argue that the problem with 'accommodative voice' (as opposed to 'transformational voice') is that power relationships are left unchanged. 'Transformational voice' enables people to also change outcomes and be satisfied that they have exercised their power. In such instances participation is more than engagement for the sake of engagement; instead, voice is used for particular progressive and developmental objectives. The Planact Action Tools are designed with the objective of leveraging such transformational voice.

For most citizens expectations of participatory local democracy will nevertheless be moderate; the achievement of human dignity through the delivery of basic services will suffice. Others might have experienced some community-level delivery previously. But citizens' needs change (also as unemployment and migration take their tolls), besides delivered services and infrastructure requiring maintenance and sustained delivery (as part of second-generation service delivery projects). Furthermore, elected and bureaucratic representatives need to show continuous accountability and empathy. Perhaps more delivery had happened in a neighbouring community, or councillors and other municipal functionaries are seen to be advantaging some communities more than others. Comparative developmental advantage is therefore a crucial part of the process of citizen satisfaction (and non-protest) in developmental local government[40] in South Africa.

In conceptualising participatory government arrangements, and in particular the Action Tools, a distinction needs to be drawn between citizen-driven participation (as an external force to government, and this may be seen as *claimed spaces* for participation) and citizen participation in the form of bringing citizens into the state in a form of co-governance and (co-operative) service delivery as the 'guests' of government and largely on government's terms (invited spaces). In addition, authors like Gaventa stress the important addition of closed spaces (those where bureaucrats operate, for example).[41] Each of these types of spaces implies certain do's and don'ts and particular forms of power that might be possible. Recognition of these realities

[40] See Koma, S., 2012, 'The Evolution of Developmental Local Government in South Africa: Issues, trends and options.' *Journal of US-China Public Administration*, 9 (1), pp. 53-67; also see Jolobe, Z., 14 May 2014, Public Positions: The crisis of democratic representation in local government, Seminar at WISER, University of the Witwatersrand, http://wiser.wits.ac.za/event/public-positions-crisis-democratic-representation-local-government, accessed 15 October 2015, on the context of the introduction of developmental local government in South Africa.

[41] See Cornwall, A. and Coehlo, V. (eds.), 2006, Spaces for Change? *The Politics of Citizen Participation in New Democratic Arenas*, London: Zed Books; Gaventa, J., 2004, 'Towards Participatory Governance: Assessing the Transformative Possibilities', in Hickey, S. and G. Mohan (eds.), *From Tyranny to Transformation*, London: Zed Books; also see Buccus, I. and Hicks, J., 2005, 'Taking local government to the people', http://www.cpp.org.za/publications/2005/mercury081205.pdf, accessed 21 November 2015; also Buccus, I., D. Hemson, J. Hicks and L. Piper, 2007, *Public Participation and Local Governance*, Durban: Centre for Public Participation.

and working with and around them in application of the Tools will help determine the success of the application.

Community engagement is used as umbrella participatory term in Action Tools. It is used to refer to connecting the citizenry with members of both the political and bureaucratic government spheres and cooperative power then being exercised. It brings executives, legislatives, bureaucrats and citizens together to help address developmental issues that might have become neglected in the processes of more conventional representation and participation. For the purposes of the Action Tools, the following modes of popular engagement will be differentiated:

- Many citizens are satisfied with having their interests represented indirectly by elected members of government, across the respective spheres. *Representation or representational participation* relates to such indirect, representative democracy. Citizens who stand by this form of participation are likely to have high levels of trust in their representatives.
- Citizens desire active engagement in several phases of the policy process, including agenda setting, policy formulation, implementation, and monitoring and evaluation. This is designated *conventional participation*. It may be manifested upon request and initiative by government (using 'invited' spaces), or be of a more spontaneous nature, requested or demanded by the citizenry (in 'invented' spaces). It may emanate from community and/or NGO initiatives. This form of participation may also be prevalent both when there are collective and proactive mobilisation and as interventions when citizens are dissatisfied with the way in which governance conducts itself.
- There are *centre-driven initiatives* to help give effect to policy, although bureaucrats and their associated politicians often guard these spaces as their own reserved spaces, which could also be termed 'closed spaces'. The political and bureaucratic executives drive processes for the integration and coordination of policy and governance. Participatory options are likely to come on co-optive terms as the power-holders are likely to see this participatory option as intrusive.
- Civil society members could regard the formal processes as ineffectual, and feel that pressure, protest and mobilisation are the required forms of participation. This is referred to as *'alternative (or unconventional) participation'*. It constitutes an extension of the modes of public participation, and, at this stage in South Africa's unfolding democracy, is also aimed at the deepening of democracy.
- Participation may also evolve in *information-related engagement* with government, both via conventional media and social media. Most citizens, in some form or another, receive government and policy-related information. This would be either directly from government media, or from the mass electronic and print media. Citizens use this information to try to inform participation; others remain passive recipients.

Cogta[42], in its Back to Basics intervention tries to secure improved municipal performances, and also attend to public participation and assistance, promising that it will be rendered at national, provincial[43] and local levels. The following details are useful in informing the Action Tools in that they illuminate the meanings and effects that Cogta associates with these actions. Where citizens in their application of the Action Tools have to gain the cooperation of the politicians and bureaucrats it will be useful to have these details as 'negotiating chips':

- Nationally, the strategy undertakes to conduct regular citizen satisfaction surveys; assist communities to develop community engagement plans; national and provincial sector departments to increase their visibility at and support to Thusong centres; and Cogta to work with the Government Communication and Information System (GCIS) to better communicate local government successes and use them as learning opportunities for other municipalities.
- Provincially, Cogta equally undertakes to assist municipalities in developing community engagement plans targeting existing and potential hotspot areas; and it undertakes to get provincial sector departments to increase visibility and support at Thusong Centres.
- Locally, municipalities will work to implement plans targeting hotspots and potential hotspot areas; implement responsive and accountable processes with communities; get ward committees functional and councillors to meet and report back to their communities at least quarterly; use community development workers, ward committees and ward councillors to communicate projects earmarked for implementation; urge proportional representation councillors to represent the interests of the municipality as a whole and ensure effective oversight and leadership; get municipalities to communicate their plans to deal with backlogs; and ensure that municipalities will monitor and act on complaints, petitions and other forms of feedback.

There is a tendency in the ranks of comparative tools to emphasise participatory processes in general, rather than develop *specific tools* that are usable within the constrained spaces that exist for public participation within an often poorly functioning system of local government in South Africa in which bureaucrats are also inclined (especially in the implementation phase) to guard their spaces against popular participation that could detract from their perceived powers exercised in *'closed spaces'.* The details in the current section have been presented to help both citizens and their local governments anchor mutual Action Tools engagement. Section 3 of this document synthesises and assesses important contributions amongst comparable tools and then tests them against the screeners that Section 2 dissects.

[42] Cogta, 2014, op. cit., pp. 14-16.
[43] See, for example, the work done by the National Council of Provinces (NCOP), *NCOP Provincial Week Programme: Advancing the developmental agenda of municipalities for a better life for our people*, 21-24 July 2015, Johannesburg.

2.2.4 Community protest against deficient service delivery

Community protest often serves as a barometer of unhappiness and frustration with both service delivery (in quality and scope) and with closed channels for communicating with authorities about these problems.[44] Public reaction against deficient service delivery is usually an indication that developmental needs have not been met. It could also be that protest had been politically manipulated, or that communities want to ensure that their delivery is at least on par with that which has been received in neighbouring areas. Public protest can, of course, be the immediate *cause* of such interruptions as well as the *result* of inefficiencies and ineffectiveness of prevailing service delivery. Even in the latter case, however, the fundamental cause would be lack of services or sustained services, unemployment, alienation, etc. This section's analysis of protest action helps anchor and contextualise the Action Tools, recognising community protest as both the evidence of unfulfilled service needs and as a tool, in certain frustrated circumstances, to help get better service.

Community protest is often functional in the context of developmental local government – it helps ensure corrections in services delivery and often helps bring public representatives and officials to account. It should, however, *not be necessary* to conduct protests, which can often be disruptive and counter-developmental, especially for its occasional destruction of or damage to public infrastructure. Lives have also been lost and public facilities destroyed in some of the protests against poor and non-delivery of essential community services. With the necessary tools – such as the proposed Action Tools – the need for such protests could be minimised.[45]

To illustrate the scope of community protest, in conjunction with the full trends recorded in Table 5:

- Research conducted by the Social Change Research Unit, University of Johannesburg, showed that a total of 43 protesters were killed by police between 2004 and 2014.
- At one stage community protests leapt from 162 in 2008 to 314 in 2009, and spiked at 470 in 2012 – more than a protest a day, according to some of the monitoring agencies.[46]While statistics vary, the rise in protest trends has been confirmed by a range of protest monitoring services (Table 5).
- Between January and early December 2014 different monitoring agencies calculated that there were there were 176, 218 or 317 service delivery protests against local government. The different counts notwithstanding many of the protests could probably have been averted had service delivery and government's processes of community contact proceeded systematically and with substantive outcomes.

[44] See, for example, Booysen, S., 2015, 'ANC in the cauldron of protest', Chapter 8 in *Dominance and Decline: The ANC in the Time of Zuma*, Johannesburg: Wits University Press; Booysen, S., 2012, 'The ballot and the brick enduring but under duress', in Booysen, S. (ed.), *Local government election 2011 and the politics of the local in South Africa*, Stellenbosch: Sun Press, Chapter 17

[45] It can be argued that protest, even if destructive, is good in own right because it might help bring an unresponsive and often-corrupt government to its knees. In contrast, we are aware that protest in South Africa does not indicate the early stages of revolutionary upsurge. Citizens and communities turn away from protest quite seamlessly to again support the ANC in elections, or clearly use protest as bargaining chip to help get government active and/or accountable. See, for example, Booysen, S., 2007, 'With the ballot and the brick … The politics of service delivery in South Africa', *Progress in Development Studies*, 7 (1), pp. 21-32.

[46] Grant, L. Research shows sharp increase in service delivery protests, 12 February 2014, http://mg.co.za/article/2014-02-12-research-shows-sharp-increase-in-service-delivery-protests, accessed 26 February 2014.

Empirical tracking data reveals the confluence of procedural and substantive issues when it comes to community protests (Table 6)[47] – a trend that is important for the operation of Action Tools. There are always some substantive first- or second-generation service issues at stake. When citizens experience compromised delivery of services such as shelter, water, electricity and transport, the procedural issues of mismanagement and corruption will often be found to have been the cause. Many community members have personal knowledge of corruption at the point of employment, mismanagement or corruption by councillors and/or municipal officials. Second, protests are aimed at the procedural aspects of getting better representation and more ethical or democratic government. Municipalities frequently do not respond to memorandums and petitions, and visiting the municipal offices to deliver personal complaints is known not to make any difference. In many instances, councillors avoid their wards and do not engage their electorates on their delivery demands.[48]

Table 5:
Community protest trends in South Africa

Monitoring agency	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	'15
Municipal IQ	10	34	2	32	27	107	111	82	173	155	176	-
Social Change	13	106	50	169	164	314	252	206	471	287	-	-
CLC-UWC*	-	-	-	95	120	204	130	145	150	140	218	-
SABC-Dhawraj	11	87	41	69	40	85	112	100	215	125	317	166

Notes: * Some figures are approximate, deduced from bar charts. '-': data have not (yet) been released.
Sources: Updated from Susan Booysen, 2015, *Dominance and Decline,* Chapter 8, Johannesburg: Wits University Press, citing information from Municipal IQ Hotspots Monitor; Social Change Research Unit; Community Law Centre University of the Western Cape; Ronesh Dhawraj, SABC research department (the latter up to December 2015).

To summarise, various explanations have been put forward as to the causes of compromised delivery of basic services, which then had led to protest. These include:

- Too little communication and information-sharing between municipalities and communities;
- Corruption in the procurement and tender allocation processes;
- Over-spending on projects, leaving work incomplete and dysfunctional;
- Maintenance and running costs of assets are not accurately established;
- Lack of, or inadequate, needs assessments and consultation with communities on the nature and nurture of the required services;
- Compromised and ill-conceived priorities by municipalities; and
- Poor intergovernmental communications among the different departments or, more commonly, between the local and district municipalities.

[47] Booysen, S., 2015, Chapter 8, *Dominance and Decline*, op. cit.
[48] Ibid.

The ANC and ANC-in-government circa 2014-2016 were still inclined to highlight the need to communicate better with the local communities, trying to make it clear to the communities that while progress was often insufficient the ANC had a plan to make things better. In contrast, the emphasis for the communities was on communication with *results*. Increasingly they want to see the substantive results of previous consultations.[49] Communities will repeat protests when promises do not bear fruit. There is also a high possibility that these protests will get more violent over time – about 80 per cent of 2014 protests involved violence, compared with 50 per cent in 2007.[50]

Frustrated by the seemingly never-ending processes and promises of improvement (as depicted in Table 6, communities resort to protest (often violent): it solicits rapid attention and responses from the state. Escalations of protest can often be linked to the dysfunctionality of South Africa's representative institutions and the elected representatives' inability or unwillingness to service their communities.[51] In such instances community members up the ante and summon their representatives through 'the smoke that calls' (with reference to damage to and burning of infrastructure or facilities).[52] They learn that 'protest works' – in the face of otherwise dysfunctional representational mechanisms, including unresponsive local bureaucrats and municipal councillors. Circling over the disorganisation and dysfunctionality in service delivery – caused by bureaucratic red-tape, corruption and maladministration, which combine with some ineffectual and reluctant representation of constituents – are thus socio-political interruptions. These can side-track otherwise well-intended and effectively planned projects. Currently there are no policies that adequately address the complications in service delivery that are the result of these socio-political factors.

It is important for Action Tools to differentiate between factors that are usually associated with community protest (Table 6), organising these in terms of settings (personal, demographic), triggers (the category of services and municipal governance), moderation or escalation through political parties and their representatives, and inherent protest expediters (including police handling of the protest situation, the community's experience of protest, and media that bring public 'spectacle' potential). Such differentiation will help both citizen groups and municipalities to decide on the content and the targets of interventions.

[49] Booysen, S., 2013, op. cit.

[50] See the analysis by Powell, D., M. O'Donovan and J. De Visser, 2015, *Civic Protests Barometer 2007-2014*, University of the Western Cape, Community Law Centre (CLC).

[51] Ibid.

[52] Von Holdt, K. et al., 2011, *The smoke that calls: Insurgent citizenship, collective violence and the struggle for a place in the new South Africa*, Johannesburg, Centre for the Study of Violence and Reconciliation. Also see Centre for Development and Enterprise (CDE), 2007, *Voices of Anger: Protest and conflict in two municipalities*, Johannesburg, Centre for Development and Enterprise; and Pithouse, R., October 2007, The University of Abahlali baseMjondolo: Voices of resistance from occupied London, https://www.google.co.za/#q=The+University+of+Abahlali+baseMjondolo:+Voices-+of+resistance+from+occupied+London, accessed 3 January 2016.

Table 6:

Explaining community protest – synthesis of community protest triggers and facilitators in South Africa, with special attention to socio-political factors[53]

		Typical sequence of filters, facilitators & triggers	Likely characteristics / contributing factors	Dynamics of determining the occurrence of protest action
SETTINGS		Personal demographics	Unemployed, youth, living in poverty, with few opportunities. Shacklords are often present, political provocateurs play factions.	Young people, amidst deprivations, are also available for protest action. Citizens in new settlements are subject to new informal power structures, along with 'agent provocateurs' & 'violence entrepreneurs'.
		Type of settlement, migration	Largely in urban environments, densely populated areas, often metro peripheries – mostly in informal settlements with shack housing.	People have been migrating to areas where they expect to have better opportunities; adverse conditions prevail, yet still better than in a poor rural areas.
TRIGGERS		Basic and second-generation services	Provision of basic water, sewerage & sanitation; quality & sustained provision & cost of basic services, housing & roads.	Many services are provided, although sufficient electricity often unaffordable, water supply & quality of water erratic, road and security poor.
		Municipal governance	Officials absent, incompetent, politically deployed, fail to do work; absorbed in own patronage employment deals & this is visible to residents.	Corrupt &/or incompetent municipal (or provincial & national) employees who are unaccountable / accountable only to political masters.
PARTY & COUNCILLOR MODERATION / ESCALATION	SOCIO-POLITICAL FACTORS IN OPERATION	Party political intermediation	Competing elites play local politics in party branches, factional battles; position for local economic advantage, channel issues through grassroots structures: street or ward committees.	Citizens observe sets of political insiders striking deals & mediating benefits; they themselves are probably outsiders; alternatively, they are oblivious to this world of party networks.
		Representation in elected & bureau-cratic structures; communication	Real or attempted contact with local government politicians, struggles to enhance accountability, regular communication from political powers contribute restraining power.	Protesters battle to connect with elected representatives, to deliver claims, except at election campaigns; they see well-heeled councillors, smart cars, but service & housing remain poor.
INHERENT PROTEST EXPEDITERS		Experience with previous protests	Large proportion of protests is 'repeat' or escalated protest – marches, peaceful protests proved futile.	The more protracted the protest sequence, the more likely community is to resort to violence.
		Police handling of protest	Police stand in for local government in engaging protesters, often poorly qualified to deal with protest.	Can act provocatively and trigger violence, fail to channel protest away from secondary protest targets like foreigners.
		Protest, media, the power of 'spectacle' & attention to grievances	If frustration & insufficient delivery persist, frustrated citizens are likely to take the next step, community protest, which might incorporate violence, attract media attention & leverage action on community problems.	Protest action, especially with elements of violence/destruction will draw media, cause embarrassment to politicians & officials, get in higher powers like MECs, premiers & cabinet members – chances to get improved services / assurances that attention is forthcoming.

Note: Top-end government initiatives: Evidence of the Department of Cooperative Governance and Traditional Affairs (Cogta) actively pursuing cleaner government, better accountability might contain rampant protest action.
Source: Based on Booysen, S., 2015, *Dominance and Decline: The ANC in the time of Zuma*, Johannesburg: Wits University Press, Chapter 8.

[53] Booysen, S., 2015, *Dominance and Decline*, op. cit., Chapter 8

Planact's intervention tools for communities to use amidst the paucity of legislation, policies and regulations to address *effectively* the socio-political concerns that have been raised stand in this context. The Action Tools are designed to help fill this gap, thus facilitating improved service delivery and empowering communities to persuade their government increasingly to work with and for them. This is in line with Planact's Participatory Governance Programme, the objective of which is to develop the capacity of vulnerable communities for a significant presence in local government planning and development processes.

2.2.5 Political environment – party politics

The political environment in which the Action Tools need to be situated is characterised by a complex interplay of strengths and weaknesses of the predominant governing party in South Africa – the African National Congress (ANC). In the time of 2015-16 it is a party that knows that despite its continuous decline it is unlikely to be voted out of power soon – yet it is also a party that is becoming aware increasingly of its own vulnerabilities, especially in terms of growing distance and alienation between itself and the citizens. Citizens (often including ANC members) are critical of government leadership and see a great amount of inequality before the law – with leaders being resented as a highly privileged political class.[54] The ANC is advantaged by the fact that opposition parties are still not commonly considered as alternatives in terms of governing parties. Up to this time voters have treated election times as special times when between-election transgressions are forgiven and voters close ranks to reconfirm the ANC's 1994 victory over apartheid.[55] Persistent and abhorrent manifestations of racism serve to remind citizens that the victory over apartheid remains incomplete.

While the contemporary ANC, however, is tangibly weakened popularly by the prevalence of corruption, favouritism and cronyism it is also the 'stop of first choice' for citizens looking for employment, tender opportunities or access generally to government services. Citizens are aware that demonstrations of loyalty and voter action in support of the ANC might very well open doors, even if it pertains to modest, temporary jobs.[56] This contemporary ANC is therefore not mortally wounded by widespread perceptions of public sector corruption. This means that there is limited immediately-available pressure on the ANC to be more accountable and responsive to community pressures for enhanced service delivery.

This is significant for Planact's Action Tools in that it demonstrates that municipalities (with their politicians and bureaucrats) are likely to have the basic willingness to find 'settlements' with the local citizens, which will help them retain (or learn to retain) heightened popular support that is required to sustain them in power.

[54] Booysen, 2013, op. cit.
[55] Booysen, S., 2011, *The ANC and the Regeneration of Political Power,* Johannesburg: Wits University Press, Chapter 5.
[56] Booysen, 2013, op. cit.

2.2.6 Government and ANC commitment to open and accountable government

Government's public commitment to open and accountable government is the other side of the coin (compared with the points in section 2.2.5 concerning party politics). The South African government is on record to pronounce in favour of participatory modes of governance. While it is obligated constitutionally and legally to operate in this mode, it is treated as a moral obligation – when it comes to the legal aspects broad, flexible interpretations apply. It is also the politically legitimate stance to adopt. Its own internal policy statements endorse public participation as an obligatory part of democratic government. Many aspects of public participation have been elaborated over time. For example, the mechanism of ward committees was first elaborated in 1999, and subsequent legislation followed through.[57] The Izimbizo project was launched in 2001, the Community Development Worker initiative followed in 2003.[58] The *Ten Year Review* of the South African Government[59] noted ward committees, IDP processes and the Chapter 9 Institutions as important agencies taking forward citizen participation in public affairs. Others included e-communication between citizens and government and government's multi-purpose community centres. These anchors of available knowledge – informing both the substance of the proposed Action Tools and the essential context in which the tools need to be situated in order to become effectual – are explored in the rest of the specification of the Action Tools.

Official and ANC-endorsed commitment to public participation is commonplace in government pronouncements on the state-civil society interface and its contribution to democratic governance. Government prides itself in having advanced multiple forms of public participation, through the conceptualisation of participatory processes, their implementation and through subsequent interventions to improve prevailing practice. Such processes notwithstanding, public participation in South Africa as a means to more effective service delivery and associated development remains poorly articulated – and it is this gap that the Action Tools strive to fill.

To illustrate, public participation gets special attention in the Presidency of South Africa's Twenty Year Review of the state democracy in South Africa.[60] Documents abound on how to implement public participation, often generated by the Public Service Commission and the Department of Cooperative Governance and Traditional Affairs (and its predecessor departments). Such documents include 'A Framework for Strengthening Citizen-Government Partnerships for Monitoring Frontline Service Delivery', 'Citizen-based Service Delivery Monitoring: Research into Current Practices', and 'Template for Developing Guidelines on Public Participation'.[61] The National Development Plan (NDP) of 2012 and multiple ANC statements (given its status as

[57] Department of Provincial and Local Government (DPLG), 2005, *Ward Committee Resource Book: Best practices and lessons learnt for municipal officials, councillors and local government practitioners*, http://www.capegateway.gov.za/Text/2006/2/ward_committee_resource_book.pdf, accessed 10 November 2012.

[58] Department of Public Service and Administration (DPSA), 2004, *A Handbook on Community Development Workers in South Africa, Presidential Programme*, Tshwane; Department of Public Service and Administration (DPSA), June 2007, First Community Development Worker Conference, Conference Report.

[59] PCAS 2008, 15 year doc

[60] Policy Coordination and Advisory System (PCAS), 2003, *Towards a Ten Year Review: Synthesis report on implementation of government programmes,* Pretoria; Goldman Sachs, Two decades of freedom: A 20-year review of South Africa, 2013, http://www.goldmansachs.com/our-thinking/outlook/colin-coleman-south-africa/20-yrs-of-freedom.pdf, accessed 2 January 2016

[61] The Presidency of South Africa, Department of Performance Monitoring and Evaluations, August 2013;; Departm of Performance Monitoring an Evaluation, August 2011; and Public Service Commission, March 2010, respectively. http://www.gov.za/Public participation.

governing party) form a substantial component of the literature. Municipalities offer many further extensions. The City of Johannesburg, in the process of identifying and understanding citizens' needs, and planning the execution of its associated developmental strategy, devised a process of feedback and engagement called the Growth and Development Strategy (GDS) Outreach.[62] The eThekwini municipality's Community Participation Programme and the related extension of Free Basic Water strategy[63] are further cases in point.

It is useful to highlight a small selection of recent government and ANC pronouncements on public participation and participatory democracy:

ANC: [64]

"As the governing party, the ANC relies on the strength of its branches and their ability to work among the people, mass participation of communities in programs of the ANC and those of government, and its ability to use state power to advance speedily its goal of realizing the ANC's historic mission."

ANCYL:[65]

"Mayors and councillors … need to mobilize community participation in the structures of governance such as hospital boards and clinic committees. Communities should also participate in grass roots programmes to ensure access to quality services and the fight against serious diseases such HIV and AIDS, TB, diseases of lifestyles, cancers etc."

President Jacob Zuma on behalf of the ANC:[66]

"We call upon all members of our movement … to intensify the Back to Basics programme and ensure that:

- There is political stability and good governance at municipal level.
- There is direct hands-on support for and monitoring of the work of municipalities.
- There is meaningful participation of citizens in municipalities.
- Qualified and experienced officials are appointed in municipalities.
- Bottlenecks in the provision of housing, water and sanitation are removed.
- There is a vigorous and targeted approach to fighting corruption and fraud.

"We must work harder and smarter to ensure that citizens' experience of local government will be a happy one. It is the responsibility of every ANC cadre to promote activism in society …"

[62] City of Johannesburg, 2011, Growth and Development Strategy 2040 (GDS 2040), Johannesburg.
[63] Community Participation Policy (CPP), 2006, *Creating an Enabling Environment for Citizens' Involvement in Matters of eThekwini Municipality,* www.cpp.org.za, accessed 6 November 2015.
[64] ANC NGC Discussion Documents, September 2015, Introduction.
[65] Statement by the African National Congress Youth League: The 4th National General Council has ushered in a new era, 14 October 2015.
[66] Zuma, J., 9 January 2016, Statement of the National Executive Committee on the occasion of the 104th Anniversary of the African National Congress, Rustenburg.

Such statements of commitment to participation could be useful at the time of Action Tools' application to bring additional gravitas to communities' efforts to gain full and meaningful rights to policy engagement. They could equally assist the politicians, representatives and bureaucrats at the local level who wish to be more engaged with – and responsive and accountable to – their constituents. Evidence of authoritative commitment to substantive engagement is likely to help the way into more transformative government.

SECTION 3:

Existing tools, their shortcomings and the need for the Planact framework

Various organisations and government institutions have developed tools to assist communities in monitoring service delivery, citizen experiences of services, and government responsiveness. This section takes stock of major trends in these contributions. It aims at learning from best available practice and building on aspects of the related tools when Planact's Action Plan for *Addressing Interruptions in the Delivery of Basic Services to Communities* is compiled. After consideration of the main available tools, the section argues that there is a great need for well-designed and realistically anchored action tools to help ensure uninterrupted developmental delivery by government.

3.1 International service delivery monitoring tools

Internationally there are multiple tools that community organisations use to track aspects of community service delivery. They focus predominantly on planning, and monitoring and evaluation of the outputs. Notable international examples of service delivery monitoring tools, their assessments (positive and critical) and potential lessons for Planact include:[67]

- CARE Malawi developed the Community Score Card (CSC) aimed at engendering sustainable models to improve health services. The score card facilitates citizen participation in the delivery process. CARE describes the CSC as "a two-way and ongoing participatory tool for assessment, planning, monitoring and evaluation of services. The CSC brings together the demand side ('service user') and the supply side ('service provider') of a particular service or program to jointly analyse issues underlying service delivery problems and find a common and shared way of addressing those issues."[68]

  Assessment and lessons: One of the most positive aspects of the CSC is that it facilitates responsiveness and accountability from service providers such as local government. The scorecard is multifaceted, focusing on delivery trends generally. The scorecards are generated by the community itself. They partner with self-evaluation scorecards by the service deliverers. Both government and citizens thus get involved and this generates comparative assessments of experiences of the same services. This shared engagement is a big positive, which the Planact Action Tools will strive to achieve.

[67] This section retains largely the basis that was set out in the first draft of Planact's Action Plan for Addressing Interruptions in the Delivery of Basic Services to Communities. The Planact draft relied substantially on the document from the Department of Performance Monitoring and Evaluation (DPME) in the Presidency, August 2011, Citizen-based service delivery monitoring: Research into current practices, authored by Felicity Kitchin, Community Agency for Social Enquiry (CASE), Johannesburg. The assessments are interpretation of the lessons learnt, and are Planact's and Booysen's interpretations.

[68] Malawi's Community Score Card (CSC); see http://www.care.org/sites/default/files/documents/FP-2013-CARE_CommunityScoreCardToolkit.pdf.

• The Citizen Report Card (CRC) is a large-scale citizen feedback project that allows people to rate their local authority and service delivery.[69] Citizens assess services in terms of availability, access, quality and reliability. The tool is administered commonly through focus group discussions and assessment surveys.

Assessment and lessons: As a feedback project the CRC survey methodology can be used to monitor citizen satisfaction with service delivery. It obtains insights into levels of citizen satisfaction with service delivery. The data can be of great use to municipalities that wish to improve their services and value the experiences of their constituents. The drawbacks include that specific skills are required to anchor the CRC in communities – and this expertise may not always be available. A deficient political will of government to use the data is also likely to make the instrument less useful. Lessons for Planact's Action Tools include rigour in the collection of monitoring data, recording and formalising the processes of community decision-making, and the need to forge citizen-government engagement (building partnerships) around the services.

• Community-based Monitoring Systems (CBMS) provides regular and relevant local data in easily-understood form. Monitoring takes the form of providing information on the impact of government services on people at the local level, with the focus on poverty. [70]

Assessment and lessons: The CBMS makes a contribution through tracking the impact of services on the improvement of poverty conditions. This is also a lesson for Planact in that the CBMS presents collected data without a means of engaging authorities about the level of services – a large part of the Planact proposals concern engagements and specifically *agreements* (partnerships, in effect) with authorities.

• The tool of Quantitative Service Delivery Surveys (QSDS) focuses primarily on the relationship between those who contract for a service and those who deliver it. It examines the efficacy of spending and oversight of incentives.[71]

Assessment and lessons: The great advantage of this instrument is that it can be used in triangulations of monitoring data. It surveys the service providers through interviews and assessment of their data, and, in some instances, it cross-validates the information through surveys of the beneficiaries. Such data collection processes, however, can be labour-intensive and time-consuming – and after that there still have to be deliberation on how the data is to be used in the governance process. Planact's approach is to forge direct and potentially immediate interfaces between service providers and service users.

[69] On Citizen Report Card (CRC) see, for example, Citizen Report Cards: Concept and contents, n.d., http://siteresources.worldbank.org/INTPCENG/1143333-1116505690049/20509278/crcconcept&content.pdf; Citizen report card learning toolkit: Improving local governance and pro-poor service delivery, www.citizenreportcard.com, accessed 18 December 2015.

[70] See DPME, 2009, op. cit., p. 6.

[71] See DPME, 2009, op. cit., p. 7.

• The Community-Based Monitoring and Evaluation Systems (CBMES) was established to monitor government expenditure.[72] The CBMES involves holding preliminary community meetings to build support for CBMES and mobilise key organisations and individuals, meeting with local communities to introduce the CBMES concept, eliciting community responses, mobilising participants, and selecting and training monitors from local communities. The tool generates community indicators and an information management and action system.

Assessment and lessons: The CBMES system holds advantages in its community anchoring and community-based development of indicators of service delivery. Projects are monitored and the collected information is shared with authorities. Another great lesson is the workshops held by the network of community organisations, events that are attended by the authorities.

3.2 South African examples of community engagement tools

In South Africa service delivery monitoring tools have been developed and implemented to varying levels of success. The most prominent service delivery monitoring tools are the government's Citizen Based Monitoring (CBM) framework[73] and Black Sash's Community Monitoring and Advocacy Programme (CMAP)[74]:

• The Department of Performance Monitoring and Evaluation (DPME) developed the Framework for Strengthening Citizen Government Partnerships for Monitoring Frontline Service Delivery.[75] This framework, referred to as the Citizen-Based Monitoring (CBM) framework, is an approach to monitor government performance. It focuses on the experiences of ordinary citizens, and aims at strengthening public accountability and driving service delivery improvements. It places citizens as active participants in shaping what is monitored. The tool goes into the details of roles for the DPME, DPSA, PSC, sectoral departments, local government and civil society. The model uses four focus areas: tools to gather monitoring data; processes to analyse this data; selection and implementation of actions to respond to the analysis; and feedback to stakeholders, including citizens.

Assessment and lessons: This is a comprehensive, multi-faceted tool for service monitoring. As such it requires major resources to design and apply. One great lesson for Planact to take forward is that the instrument attends to implementation actions. Another positive to take forward in Planact's work is the feedback to all stakeholders.

[72] Uganda Debt Network (UDN), Partnering to Make Budgets Work for the People, n.d., http://www.internationalbudget.org/wp-content/uploads/Profile-of-UDN-Uganda-2011.pdf, accessed 30 December 2015.
Program (UNDP), 1997, Who Are the Question-Makers? Participatory Evaluation Handbook, New York: UNDP.
[73] Department of Performance Monitoring and Evaluation, 2013, A Framework for Strengthening Citizen Government Partnerships for Monitoring Frontline Service Delivery, Pretoria.
[74] Department of Performance Monitoring and Evaluation in the Presidency, 2011, Citizen-Based Service Delivery Monitoring: Research into Current Practices; http://www.blacksash.org.za/images/case_report_oct2012.pdf.
[75] Department of Performance Monitoring and Evaluation, 2013, op. cit., also known as the Citizen-Based Monitoring Framework (CBM), Pretoria.

• The Community Monitoring and Advocacy Programme (CMAP) sees the actual monitoring being done by 30 community-based organisations (CBOs) in all of South Africa's provinces. Questionnaires are developed based on the type of service to be monitored and the needs identified by the community-based organisations (CBOs). As far as possible, the questionnaires are linked to the minimum and norms and standards of government, with performance measured against these. An advantage of CMAP is that it is both flexible and standardised. CMAP helps create public acknowledgement of challenges, providing a platform to talk about issues around delivery.[76]

Assessment and lessons: Advantages of this system include that CBO volunteers are trained and used in a generalised system. This helps address the issue of the form and standard of monitoring actions. The coordinating organisation captures the information and obtains government responses. Government buy-in (as has been the case) has enabled take-off – this form of monitoring has ensured that data is used and that matching corrective actions are undertaken.

Additional South African-developed tools to monitor service delivery, along with the lessons we derive for Planact, include:

• Mvula Trust's Community Sanitation Infrastructure Quality Control Framework (CSIQCF) in which community members form part of teams to monitor the quality of work on infrastructure building and report on health issues.[77] The application of this instrument brought useful lessons, such as the need to bring on board public officials and politicians, yet ensure that the platforms do not become official forums for public relations.

Assessment and lessons: One of the great advantages of this system, and a lesson for the Planact initiative, is that the 'community development facilitators' from the community where the project unfolds are used to mentor the service deliverer while providing feedback from community meetings. The facilitators also use a quality control system to track to quality of the service that is provided.

• The Citizens' Report Card at the Community Level (CRCCL) involves survey research at the local level, the development of information dissemination strategies, empowerment training programs for citizens, and efforts to strengthen two-way municipal-client interactions. The CRCCL is anchored in a perception survey, which requests people to rate services against standards, where these are available.[78] Major agencies – in this instance the World Bank and the Human Sciences Research Council – facilitate the collection and dissemination of substantial amounts of service delivery and project information.

[76] See also http://spii.org.za/wp-content/uploads/2014/10/Policy-brief-7-Community-Monitoring-Report.pdf.
[77] On Mvula Trust's *Community Sanitation Infrastructure Quality Control Framework* (CSIQCF), see DPME, 2009, op. cit., p. 10;
[78] Citizens' Report Card (CRC),

Assessment and lessons: A notable advantage of the CRCCL is that it fosters two-directional municipal-community interactions, aiming at open discussions of cost, quality and performance of municipal projects. Citizens are empowered hugely through the reliable and detailed information which is put at their disposal.

• Community-Based Management (CBM), as applied by Khanya-African Institute for Community-Driven Development (AICDD), monitors services in municipalities by obtaining the views of citizens.[79] This has been used mainly in the planning and design stages of policy-making and governance processes.

Assessment and lessons: The CBM instrument is similar to several other tools that also use the collection of monitoring information to assess the impact of service delivery. As we see from other cases, the monitoring information in own right is not sufficient to leverage delivery or additional action by municipalities, or to extract accountability.

• The Ward Key Performance Indicators (WKPI) matrix is a performance-monitoring instrument designed for use by ward committees or similar civil society organs to hold their councils accountable for performance affecting the neighbourhood or ward. It is designed simultaneously to provide municipalities with reliable and structured feedback on municipal performance. Planact uses this model in its local governance programme on service delivery at municipal level.[80] Its matrix is used by some ward committees, CBOs and especially created community development committees.

Assessment and lessons: The WKPI is strong in its emphasis on community participation. Its attention to community development committees, for example, helped elevate public participation above the level where these resemble party political gatherings. The two strongest lessons to take forward are the creation of mutual trust, and therefore partnerships, between community and municipality, and the fact that the structures have gained grassroots legitimacy.

• Community Action Planning (CAP) involves participative community action in planning delivery.[81] It is a particular response which provides information about what issues are important and what opportunities there are for engagement. Participative community action planning is also important in its emphasis on capacitating civil society for the task of engagement with state structures.

Assessment and lessons: Two strengths of the CAP are that it builds community capacity, which in turn leads to an active role for communities in decision-making and problem-solving. For example, community leaders are educated about phases of planning and implementation, as well as the types of costs involved. Such elements empower them to be engaged in monitoring and insistence on accountability.

[79] Community-Based Management (CBM) as used by Khanya-AICDD, http://www.dlsu.edu.ph/research/centers/aki/_pdf/philippines/cbmsPhilippinesFaqs.pdf.

[80] On the Ward Key Performance Indicators (WKPI) matrix see, for example, http://www.afesis.org.za/local-governance/local-governance-articles/125-active-citizen-participation-through-ward-committees.html.

[81] On the Community Action Planning (CAP) tool, see http://www.fukuoka.unhabitat.org/docs/publications/pdf/peoples_process/ChapterIV-Community_Action_Planning.pdf.

3.3 General assessment and the need for the Planact Action Tools

Analyses of these existing service delivery monitoring tools reveal that the majority are generic in nature, working in terms of the ideal-type roles that government and civil society assume generally. Several of the tools offer valuable methodologies for obtaining feedback on how well citizens and their communities have been serviced, and what their experiences were of the quality and scope of policy implementation projects. Others consolidate valuable contributions in terms of forging citizen capacity, both in terms of collection of data on service delivery and in terms of governance processes and budgets. Furthermore, some of the instruments make progress in terms of forging transformational voice – through leveraging transparency and accountability – in spaces where citizen inputs hitherto had not been welcomed. The proposed Planact Action Tools learn from these interventions and build the valuable aspects into the new proposed instruments or Action Tools.

As such the prevailing instruments do not address some of the most crucial barriers to service delivery – the socio-political factors that the Planact Tools incorporate. Only a few of the tools put forward suggestions for engaging the bureaucrats and their associated politicians (or vice versa) at the crucial stage of policy implementation. The proposals regarding monitoring and evaluation follow largely *after* the implementation phase, which then entails delays to get to a point of improved implementation. Barriers to successful policy realisation include interruption during the implementation stages of service delivery. This barrier is related to the political environment that includes the phenomenon of politicians and public officials not feeling obligated to be responsive to needs and accountable to citizens in the communities they serve. In addition, most of the tools do not propose methodologies for formalisation (in the form of signed agreements) of state-civil society service delivery undertakings, irrespective of the stage of policy and governance at which the engagement is realised.

The DPME and Public Service Commission (PSC) themselves recognise the shortcomings in the prevailing participatory tools. The 2013 *Framework for the Strengthening of Citizen-Government Partnerships notes*, for example, that previous practices have been uneven, and that there is a need *for guidelines for practices to strengthen the use of findings in decision-making* to be institutionalised, besides assisting in the training of officials on how to plan and manage public participation.[82] It also refers to the fact that responsiveness and accountability to citizens in the course of using the prevailing participatory processes have been weak, that public participation has been weak and ad hoc, and that low levels of trust between government and civil society have resulted in a confrontational climate.

Despite the existence of the policies, legislation and multiple official and civil society participatory guides[83] therefore numerous local level service delivery projects are interrupted,

[82] DPME, 2013, 'Framework for Strengthening …', op. cit. Executive Summary; pp. 3-4; see http://www.gov.za/sites/www.gov.za/files/framework_strenthening_partnerships_service11June2013.pdf.

[83] The Municipal Systems Act No. 32 of 2000, Public Finance Management Act No. 1 of 1999 and the Municipal Finance Management Act No. 56 of 2003 were drafted to regulate the management of finances in government and improve the quality and quantity of services delivered by municipalities to the people of South Africa; see details in Section 2.

stalled, or diverted (especially at the stage of implementation). This happens as a result largely of what can be referred to as 'socio-political factors'. The Action Tools conceptualise socio-political factors as the social and political phenomena, features and events that affect the planning and implementation of projects (see Table 7). The factors originate amongst both citizens in their communities, and, on the official government side, in the ranks of both elected representatives and appointed bureaucrats. The factors include the politicisation of projects, collusion, maladministration, corruption and cronyism, lack of sufficient accountability, and community unrest. At community level, the delivery of services is also compromised by vandalism of public services and amenities, neglect of services and facilities by beneficiaries and tampering with public structures by community members. These problems occur in any phase of the policy and governance processes.

Table 7:
Illustration of socio-political factors affecting service delivery in South Africa: Planact fieldwork [84]

Origins	Phenomena	Responsible persons or agencies
Government bureaucracy	Corruption Cronyism Maladministration	Bureaucrats – both routinely employed & deployed cadres Political associates of deployees Family members or associates of bureaucrats & politicians Patronage masters who ensure appointments in exchange for a fee, for example
Politicians & party political functionaries	Corruption Cronyism & tenderpreneurship Tolerance of maladministration	
Citizens in communities	Damage to roads, municipal buildings, councillor property through stone-throwing, fire, etc.	Angry individuals & spontaneously constituted groups Groups or persons associated with rival governing party factions, or contesting political parties

News headlines often highlight the nature of the socio-political interruptions that are outlined in Table 7, including arbitrary councillor interventions, and in particular cronyism and likely corruption and mismanagement. This media coverage (along with fieldwork reports from Planact workers and other relevant research[85]) deals with allegations about jobs for friends, the hijacking of building materials, and police violence used on protesters. Media headlines over time capture the gist of the disruptions. To illustrate:

- 'Councillor stopped our housing project', *Sowetan*, 23 August 2011;
- 'Building stops over "jobs for buddies"', *Daily Sun*, 19 June 2013;
- 'Residents who've been waiting for houses will have to wait a little longer. The material meant for building their homes is being sold illegally allegedly by those

[84] Derived from the Planact draft document, 2015.
[85] For example, Booysen, S., 2013, *Citizen Perceptions of Democracy* …, op. cit.

involved in the construction of the housing project...', *eNCA*, 2 December 2013; and

- 'Cops gun for raging protesters', *The Star*, 4 May 2015.

These illustrations relate details of well-intended, mostly well-planned and policy-compliant projects going awry in the course of implementation. At the time of the implementation phase community members start seeing results of policy projects as evidence of matches, but also mismatches, between original expectations and realised delivery become clear. Corruption, cronyism, political interference and inadequate community consultation (including regular and substantive feedback on progress against specified targets) bear much of the responsibility for these problems in the implementation of service delivery projects. Incomplete housing and water projects, cancelled electrification projects and never-ending sanitation projects often result from such socio-political interruptions.

Current policies, legislative frameworks and practical guides to direct government-civil society engagement at local level governance fall short of addressing the range of factors that affect the delivery of services. The policies, legislation and regulations at the one level seem to be appropriate for addressing administrative and office-level requirements for service delivery. However, there is a gap in that the existing policy instruments (policies, programmes, projects) do not incorporate guides to transcend South Africa's real-life delivery processes in which multiple socio-political interruptions often disrupt or derail the implementation processes. To illustrate, the policy instruments remain silent on 'what to do' if corruption (for example) or community protests (or factional protests within communities) impede or derail the delivery processes. The losers are the communities as they do not get the developmental services that are required.

Planact's *Action Plan for Communities to Address Interruptions in Service Delivery* is thus designed to assist communities in addressing the relentless sequences of socio-political interruptions in the planning, initiation, implementation and monitoring of government projects for community development.

SECTION 4:

Action Plan for Communities to Address Interruptions in Service Delivery

The *Action Plan for Communities to Address Interruptions in Service Delivery* comprises a set of four tools that can be applied by communities where projects have stalled or become derailed as a result of socio-political interruptions. These 'interruptions' refer to disruption in the delivery chain due to factors that occur largely (albeit not exclusively, since civil society can also be responsible) in the ranks of government structures and the occupants of the public positions. The four tools focus on pertinent phases of the process of policy and governance, but include a detailed focus on the notoriously inaccessible-to-the-community implementation phase – a phase for which there is a dearth of instruments for communities to engage with government (the available tools pertain to the phases of planning, post-implementation monitoring, and the use of collected information to correct the delivery processes). It is during the implementation phase that evidence of project non-realisation and mismanagement becomes evident to communities, when non-responsiveness from government is common, and communities become frustrated, angry and turn to protest. The Planact Action Tools provide a set of easy-to-use and step-by-step guides for resolving delays, derailments and bottlenecks that arise. Besides the current document (which develops and contextualises the Action Tools) Planact also offers accompanying stand-alone practical tool guides for use in communities.

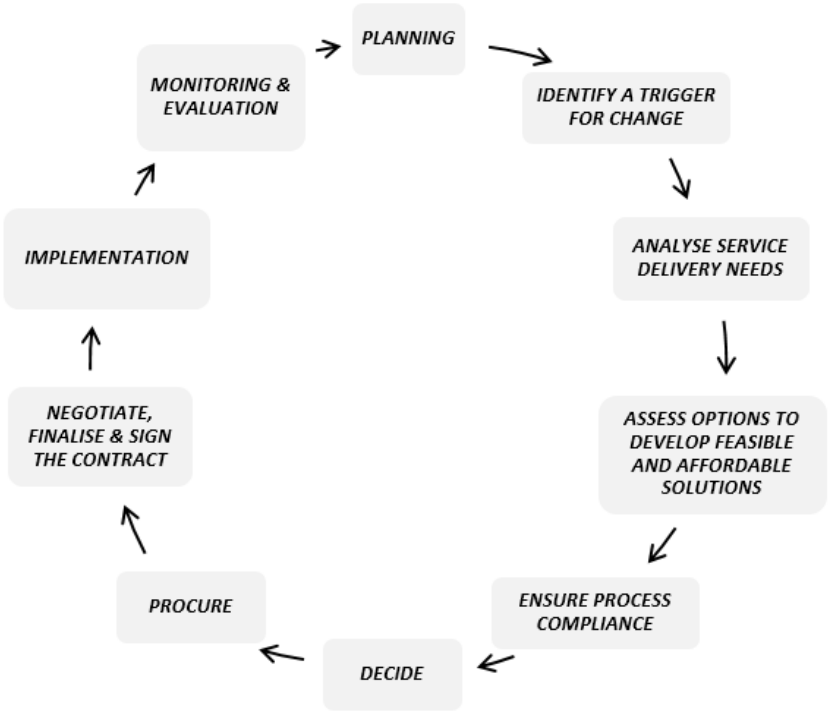
4.1 Recapping the rationale for the development of the Planact Action Tools

Most of the prevailing tools attempt to address the problems in service delivery in generic manners, or in ways in which there is only fleeting attention to the agreements that need to be forged between citizens and government. They tend to formulate instruments suitable for specific phases in the governance process, but assume suitability across all phases and ability to address all types of interruptions.[86] Instead, there is a need to develop practical, easy-to-use tools that will assist communities to unpack and resolve the specific interruptions at the point where the service delivery problems manifest themselves. Action tools need to be suitable for local communities and municipalities to use them to complement their existing systems and procedures – and thereby improve the delivery of services. We envisage that Planact's proposed tools will contribute in this regard.

The *Action Plan for Addressing Interruptions in Service Delivery* is a set of four tools that is unique in that they bring proposed interventions that are custom-made for action at specific stages of the service delivery process. Planact's experiences in working with inadequately serviced communities reveal that particular stages of the service delivery process need to have specific tools that will assist communities in addressing and resolving the stalled, disrupted or bottleneck-prone aspects of delivery. They streamline interventions to address the particular bottleneck, the stalled or diverted delivery process without getting stuck in bureaucratic tangles.

[86] It could also be that the policy, or the municipality's delivery plan, had promised more than what is being delivered – either due to capacity and new budgetary constraints, or because of mismanagement and corruption. The budget might have become too modest to match the original delivery plan: there might have been legitimate price escalations or illegitimate diversion of funds and inappropriate or suspect procurement processes. Planact's experience of working in communities shows that communities get angered particularly when there is evidence or suspicion of corrupt and cronyist government behaviour.

Figure 2: **The municipal service delivery process**[87]



4.2 The Planact tools in relation to municipal service delivery processes

Municipal service delivery processes are guided by the relevant legislation and policies such as the Municipal Finance Management Act of 2003, the Municipal Systems Act of 2000, and the Public Finance Management Act of 1999. The municipal service delivery process can be illustrated graphically, as in Figure 2. It articulates in policy process terms with the details that were elaborated in Table 2 (Section 2.1), which referred to the policy and governance processes as they unfold at any of the national, provincial or local levels.

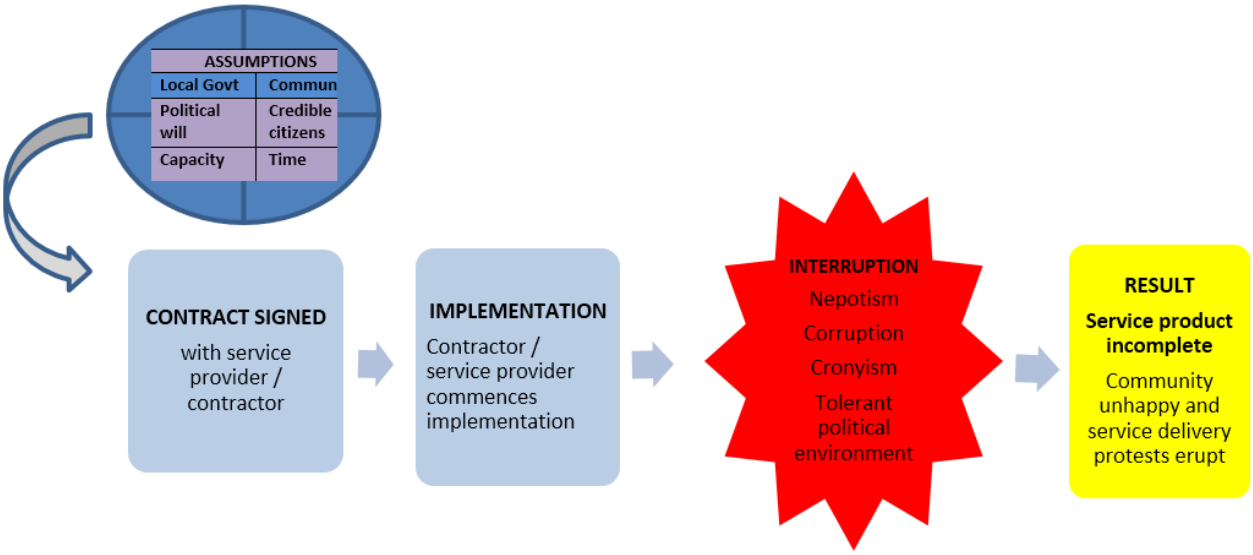
In practice there is often a disjuncture between the laid-out service delivery plans and their implementation, which may be caused by unforeseen socio-political interruptions, such as those that were documented in Section 3. Such disjunctures are common to the processes of policy and governance.[88] At the national and provincial levels, however, the effects of such process breaks are much less tangible, being more removed from the community as the intended recipients of the services. Because the causes of mismanagement and corruption at the higher levels of government are less visible to community members, these persons are also less prone to protest in any form that resembles the typical 'service delivery protest'. At the level of local government and community, however, these possible causes (corruption, mismanagement, etc.) of sub-optimal service delivery are visible and they cause anger that translates into protest (which may be disruptive, but which can also accelerate corrections of the delivery process).

The four tools that Planact developed aim to minimise the interruptions in the service delivery processes. Because existing policies, regulations, and rules have not been able to

address the interruptions, and interruptions lead to compromised developmental outputs, there is an urgent need to have tools that communities can use to avoid compromised, or no, service delivery. Through these tools Planact therefore hopes to reduce the need for service delivery protests as actions that could also hold undesirable consequences such as damage to community infrastructure.

Figure 3 demonstrates the 'interrupted' process. In the illustration, the **cobalt circle-with-grid** signifies the checks that have to be conducted (and corrections effected) before the service-specific interventions will take off. Over to the core of the Tools actions, the **blue boxes** represent select phases of the municipal processes of service delivery, zooming in on the contract signing and implementation stages. The **red explosion shape** highlights the socio-political interruptions that have a negative impact on service delivery, resulting in service delivery protests, followed by the results of the interruption as represented by the **yellow box**.

Figure 3: **Interruptions in the service delivery process**



4.3 Recourse

For the sake of providing a comprehensive Action Tool, Planact also considers the options that citizens need to have at their disposal in order to *ensure* that they will be given hearings and that legitimate grievances, including process queries, will be listened to and will be corrected by the relevant local authorities. Citizens' approaches to political representatives and officialdom will have a better chance to succeed should the authorities be aware that the community *members know their rights and know that recourse options* are available to them.

Noting that there is much evidence (as also documented in Section 1 of Action Tools) of governing parties' and leading politicians' stated commitment to public participation and

[87] Adapted from graphic by the National Business Initiative, 2006, http://www.nbi.org.za/, as listed in Planact, 2015, op. cit.
[88] See, for example, Powell, D. et al., 2015, op. cit.

developmental local government, communities using the Action Tools already have the base to support their requests for cooperation. In addition, they could have additional leverage in the periods leading up to and immediately following local government elections – as is the case in South Africa in 2016. In such periods political parties and their associated bureaucrats usually try to show their commitment to communities and to effective governance. Community members' efforts to get the buy-in into the Action Tools could thus be boosted in these conditions.

Each situation in which recourse is required will be different, but Action Tools suggest a series of possible, sequential points of recourse, which may be adapted according to specific circumstances. The recourse is likely to pertain broadly to cases of proven or suspected corruption, mismanagement and lack of representation and accountability. Possibilities include:

- Given that it is political parties largely that deploy their members to positions of municipal government, and that proportional representation is the predominant electoral system, it follows that the party political interface is the first point of call. Here citizens might approach the branch, regional or provincial executive structures of the party that rules in the area. It is possible that the 'defaulting' bureaucrats and/or politicians are ingrained in the same political networks as the leadership that is being approached. It might therefore be necessary to escalate the matter, should it be serious enough, to the higher provincial and national levels (the same blockages as at the lower level may also apply here). Unwillingness to cooperate in embedding the Action Tools in the local community (a relatively modest blockage), however, might only justify recourse measures at the lower levels. In the final instance it will be community mobilisation and the threat of shifting voter support in elections that are likely to give communities better bargaining power.

- Citizens' might have the strongest case for recourse should they follow the spirit of the Action Tools. Here they might approach and engage the person in charge of the official(s) or politician(s) and explain the mutual benefit of adopting the Tools. This person could be the municipal manager, the head of the department, the chief executive officer, or a party leader. As a further recourse the Member of Parliament or Member of the Provincial Legislature might be contacted and engaged.

- If these avenues have been exhausted (or their use are inadvisable in particular circumstances) and there is evidence that serious wrongdoing informs the unwillingness to endorse and participate in the Action Tools (or similar) processes, communities also have the option to approach South Africa's public protector. The public protector can investigate improper prejudice experienced as a result of the abuse of power; unfair, discourteous or other improper conduct; undue delay; decisions taken by the authorities; maladministration; dishonesty or improper dealing with respect to public money; improper enrichment; and receipt of improper advantage.[89]

The Public Protector's advice on substantiating documentation that should accompany

[89] See Public Protector South Africa, http://www.publicprotector.org/docs_publications/11_lang/Public%20Protector%20brochure.pdf, accessed 11 February 2016.

approaches to that office might be borne in mind by community members generally. The list is a reminder of the type of information that would support them in their approaches to local government and political structures. The types of information that will bolster recourse include: a concise description but sufficiently detailed of the nature of the complaint; the background and history of the complaint; the reasons why the complainants (community members) reckon the issue should be acted on; the steps that have already been taken to try and solve the problem; and the names, dates, and details of what has been said or done on the issue, including copies of correspondence and agreements.

4.4 The tools and problem identification

The Action Plan for Communities to Address Interruptions in Service Delivery is a framework that incorporates four interdependently working tools to address the problem of interruptions in service delivery. The four tools have been designed to address interruptions in service delivery at different stages of the processes of service implementation. The four tools are:

- The Citizen Engagement Tool (CET);
- The Resource Identification and Utilisation Tool (RIUT);
- The Service Implementation Tool (SIT); and
- The Operation and Maintenance Monitoring Tool (OMMT).

Before applying the tools, basic steps of problem identification should be followed. Without knowing the details and scope of the product or service that is to be delivered, for example, community members will be unable to assess the extent of the delivery deficit that had arisen due to the interruptions. These deficit scoping details – constituting the guide to problem identification – are set out in the questions in Table 8. On completion of the problem identification exercise, a formalised (or documented) assessment has to be made on the nature of the interruption to the service that is to be provided, or which is in the process of being provided. It will then be clear which part of the system is generating the problem or service delivery interruption, and which stakeholders are responsible, to what extent.[90] Communities and municipalities should use this set of eight questions to prepare themselves for their mutual engagements. The copies of the formal assessment need to be lodged at, first, a place (such as a community resource office) to which the community has access and, second, with the municipality and its representatives (preferably with as many as possible of the responsible departments, the ward councillor, and, where applicable, the ward committee).

The tools will not have sufficient status without *formalised commitment* from the municipality that administers the community wishing to apply the tools. To formalise the application of the tools, a *Municipal-Community Commitment/Agreement for Applying the Service Delivery Enhancement Tools* (Annexure 1) has been designed. It has to be signed by the municipality and community before implementing any of the tools. The agreement needs to be captured and lodged in ways similar to the outcome of the problem scoping exercise.

[90] Probst, G. and A. Bassi, 2014, *Tackling Complexity: A Systemic Approach for Decision Makers*, London: Greenleaf Publishing

The problem identification exercise[91]

What service/product is expected? (Question 1)

How much of the product/service is to be delivererd? (Question 2)

Who delivers the service/product? (Question 3)

(If applicable) What frequency of the service is to be delivered? (Question 4)

How is the service/product to be delivered? (Question 5)

Who should be contacted in case of problems in delivery? (Question 6)

How does the beneficiary prove standards and compliance? (Question 7)

What are the potential challenges/threats to the delivery of the product/service? (Question 8)

4.5 Points of departure and corrective actions

Four crucial points of departure or prerequisites undergird the operation of the set of tools that Planact presents. Communities, in cooperation with their policy community partners, need to prepare the ground and get the necessary prerequisites established. The main points of departure bottom-up (community) and top-down (municipality and politicians) are:

Political will: There will be the political will amongst councillors and municipal officials to enter into agreements with communities to help engender accountability, and, by derivation, also developmental delivery in the communities in question. A part of this assumption is that governing political parties will enter and oblige their deployees (or persons in standard types of appointments) to engage actively with their communities. It will be required to acknowledge that some actions that the communities may insist on could run counter to the personal interests (for example business interests) of party political figures who are influential locally. In this regard it is to be noted that there is also emerging consensus that municipal governance is better served when councils are run by executive committees that include all political parties instead of executive mayors.[92] It needs to be borne in mind that sometimes 'the political' will be beyond Planact's (or any civil society actor's) control. For example, a mayor may be cooperating on Tools application, but might be dismissed or redeployed – and the partnerships would have to be rebuilt again.

Administrative capacity: There will be administrative capacity in the municipality to ensure that the administrative processes referred to in the agreements, and which

[91] Listing as in Planact, op. cit., 2015.
[92] Interview with O'Donovan, M., 16 July 2014, Johannesburg.

are necessary to support the service delivery processes, are *in place and functional.* This would require that the sequential municipal strategies of the Local Government Turnaround Strategy of 2009, Operation Clean Audit of 2014, and especially the subsequent Back to Basics strategy[93], are bearing fruit in the municipality concerned. It has been exactly some of the politics of local government that have contributed to the failures to date of most of the local government improvement plans. The Municipal Systems Amendment Act No. 7 of 2011 was designed in part to insulate the municipal government system from political interference by prohibiting office-bearers of political parties from occupying municipal managerial positions. It contributes to addressing the problem, but is still a drop in the ocean. The 2012-13 and 2013-2014 auditor-general municipal audits highlighted politicians' resistance to implementing rules that could affect their local networks negatively. As an ongoing, emphasis the ANC's 2016 municipal local elections manifesto again emphasised that local party functionaries will be prohibited from doing business with municipalities.[94]

Available or dedicated community members: The use of the tools will require that there will be a consistent group of local community members who will take an active interest in monitoring and liaising on local project implementation, as undertaken by the municipality. This group will have to be above local party or factional-party politics and will have to obtain and retain the trust of their communities. They would have to be of considerable ethical standing, and be above being influenced, co-opted or bought-off by local political and business interests. Existing ward committee members and community development workers have made a difference in many cases in the past[95], but they have become integrated into the government system and are seen to have lost their status of community agents.

Time: One of the biggest practical problems with extensive community consultation and, in effect, co-governance, is that is can be time-consuming. It may equally take time to convene community meetings that will be well attended. Municipalities, however, have the resources to assist communities in convening meetings, and meetings are certain to gain in popularity and uptake as the communities realise that their opinions and other inputs are being sought sincerely, and that there will be impact. When community members know that their actions will be taken seriously they tend to make time for engagement.

It can never simply be assumed that these conditions will be present or that the absence of constraints (thus strong political will, administrative capacity, activist citizen representatives available and with time on hand) will automatically foster favourable conditions for tool application. It is recommended therefore that this set of prerequisites be treated as a *preparatory checklist exercise* leading into the application of the Tools, along with the problem identification exercise. The details that were presented in Section 2 of this

[93] Pursued by Minister Pravin Gordhan, in his Cogta tenure that lasted until December 2015; subsequently succeeded by a junior minister, Desmond van Rooyen.
[94] ANC, 2016, speech of ANC president Jacob Zuma, launching the manifesto, 16 April 2016, Nelson Mandela Bay.
[95] See, for example, Department of Provincial and Local Government (DPLG) with GTZ, 2007, *National Community Development Worker Evaluation*, Pretoria.

document will help both communities and municipalities to deliberate and ensure that the points of departure are put in place and are upheld.

To summarise, the four points of departure or prerequisites are political will amongst politicians and bureaucrats (which will also mean that agreements will be entered into and taken as binding), municipal administrative capacity, availability of dedicated and credible community leaders, and time available (or made available) for engagement.

Should the top-down prerequisites not be met, the communities working with the Action Tools would need to revert to the drawing board, for the time being and activate the recourse actions (Section 4.3) in the case of officialdom and politicians being unwilling or unavailable, despite prevailing or pending service delivery interruption. Should there be a bottom-up problem pertaining to the availability of community members who are credible and have the time to drive the application of the Action Tools there would need to be renewed recruitment drives. Given that it is likely that the community will be mobilised around the service delivery issues there are likely to be community gatherings where actions can be initiated.

4.6 How to read the tools

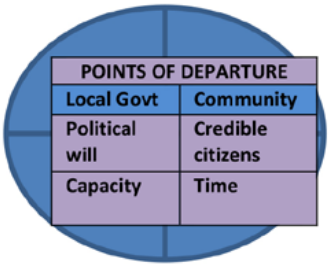
The main keys to reading the graphical depiction of the tools are summarised in Table 9. It is also important to note, on reading and interpreting the Planact Action Tools, that:

- The tools are presented in a 'process flow' format (Figures 5, 7, 9 and 11), with the pre-application points of departure checks at the top, followed directly by the first stages of activities at the top, and subsequent activities below; and
- Differently coloured information boxes represent activities and processes as explained in the key below (Table 9).

Importantly, in order to have an impact each consultative stage in the tools' operation has to have a:

- Binding Community Resolution (generic template in Annexure 1); and/or a
- Community Acknowledgement of Receipt (generic template in Annexure 2).

Table 9: **Key to interpreting the Planact Action Tools**

Inclusive Consultation	*The **orange coloured information boxes** represent community consultation stages that the tool proposes be applied.*
Project	*The **sky blue coloured information boxes** represent the municipal service delivery and IDP processes pertaining to a particular project on for example water, electricity, refuse removal, road development, shelter or sanitation.*
Resolution	*The **green text boxes with arrows and dotted line borders** represent the community resolutions emerging from the community consultations. It is important that these will be formally recorded and appropriately lodged.*
Red Flag	*The **post box red coloured boxes in banner shape** represent the processes where communities have no input or say in the municipal processes.*
	*The **grey arrow** guides the process flow direction.*
Problems	*The **burgundy coloured boxes** represent the problem phase of the implementation process.*
	*The **red explosion shape** represents the community service delivery protest.*
	*The **cobalt ball-with-grid** represents the set of points of departure (or prerequisites) assumptions that need to be checked for leveraging application of the tools.*

Documenting and signing the Community Resolution is crucial as it gives the community an effective reference to instances of dispute or interruptions to service delivery. These community agreements confirm that the municipality has fulfilled the required needs of meaningful (and as extensive as required in the particular circumstances) consultation as set by the communities. Without a signed *Resolution*, the community will be left vulnerable to individuals and/or groups that can swing the direction of service delivery, and compromise communities' access to the necessary services.

4.7 The tools operationalised

This section now presents the four Planact Action Tools for communities and municipalities.

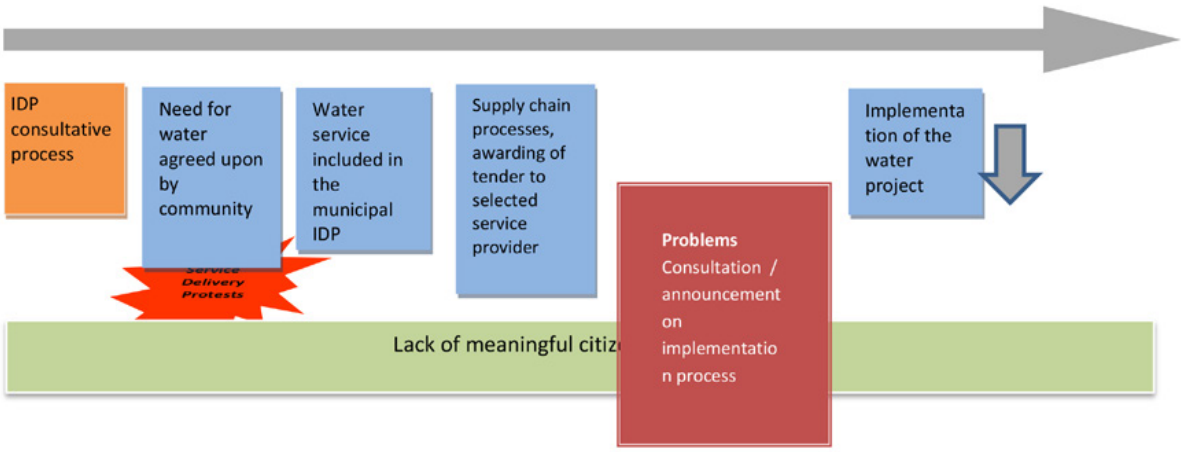
4.7.1 TOOL I: The Citizen Engagement Tool (CET)[96]

In many of the cases, interruptions in service delivery processes occur during the community consultation stages. Influential individuals such as councillors and/or political leadership structures are known to hijack the citizen engagement processes for their own benefit. The results can be seen in delivery resolutions that are not popular with the community, non-inclusive and/or non-beneficial for the community.

The Citizen Engagement Tool (CET) is designed as instrument to address the service delivery interruptions that occur during the initial planning and consultative stages of project development. An example of water provision will be used to illustrate the tool. Simplified, the consultative processes in the provision of water services involve the identification of water as a needed service during the IDP consultative process, and, after a (possibly long) timeframe, the announcement on the implementation plans follows if the project has successfully gone through to approval. The illustration in Figure 4 highlights the perceived problems in the consultative processes.

In the case of the illustrated processes, citizen engagement is weak and initiated top-down. Citizens' inputs are solicited during the IDP Consultative Forums where the activities are largely community wish-list exercises, rather than inclusive and substantive consultation. It is public knowledge that the IDP consultations are marred by disorder, poor organisation by municipalities, political wrangling and logistical nightmares. Many times the consultations have been held in the evening when public transport for most constituencies is unavailable. In other cases the meetings are convened at localities that are inaccessible geographically to possible opponents or critics. After the IDP consultation, communities only get to be consulted when an announcement is made on what projects had made it through the IDP process and when they will be implemented.

Figure 4: **Perceived problems in the consultation and service delivery processes**



[96] The empirical details in this section are from the first draft of the Planact Tool, 2015, based on information collected by Planact fieldworkers.

Crucially (and this constitutes the basis of the tool), politically powerful individuals (elected, appointed to the bureaucracies, or in local political structures where they hold sway over the others) and/or groups are known to intervene or interfere in, hence interrupt, the consultation processes during both the services' identification and project announcement stages. These individuals and/or groups interrupt community processes by applying their power and threats to change common views of needed services and projects. They have the ability to change implementation plans of projects, change service providers, and change labour and personnel to be used on projects. The power (usually political, and laced with threats to those opposing them) of these individuals/groups is so much that it derails implementation of projects and leaves communities with no avenue for resolution.

In recognition of the explained deficiencies in the current practices, Planact has designed a tool with multi-consultative stages. With the Citizen Engagement Tool (CET), communities should go through multi-consultative processes with formalised commitments and resolutions before a service or product is implemented. An example of accessing water provision services is used to show how the tool is applied (Figure 5).

How to use Tool I (CET)

Below is a step-by-step guide to applying the tool in practice (the preparatory actions of problem identification and the assumptions check have been completed):

Points of departure check: Do an assessment by interview, conversation, or correspondence as to the political will of government and political role-players, capacity of the municipality to undertake the project, the availability of community leaders, and establish that community members have the time to devote to the process. Record the outcome of the assessment and lodge it in the community and with the municipality.

Step 1: Identify community needs through inclusive community consultation and formally document these needs.

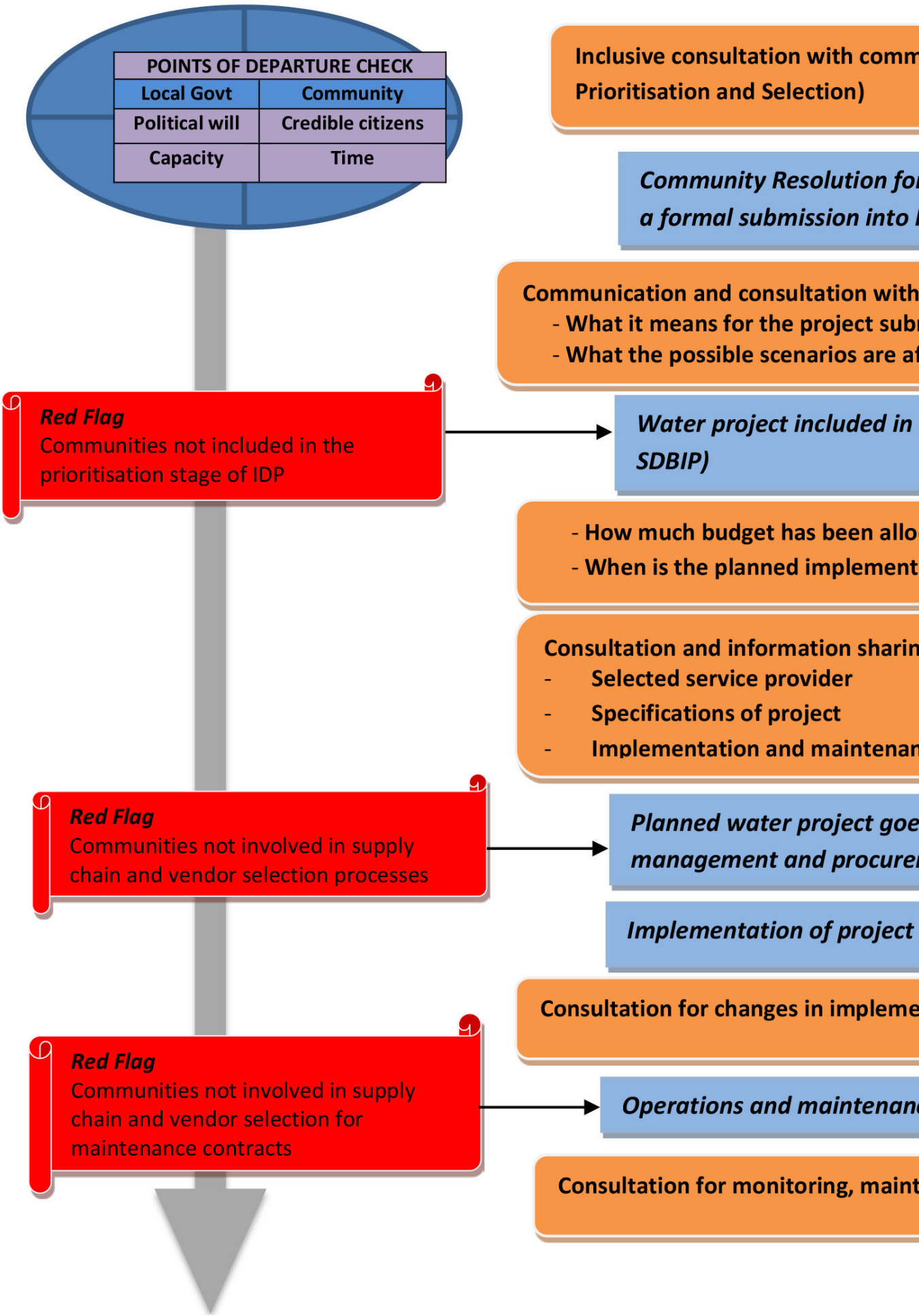
Step 2: Through community meetings, the community agrees on the prioritised needs and the community signs a binding Community Resolution that explains the community agreements. A detailed record is kept of who participated in the community meeting, who agreed and who dissented. The meeting resolutions are recorded, reported to the meeting, signed off on behalf of the community and lodged appropriately both within the community and at the municipality with the bureaucrats and the councillors.

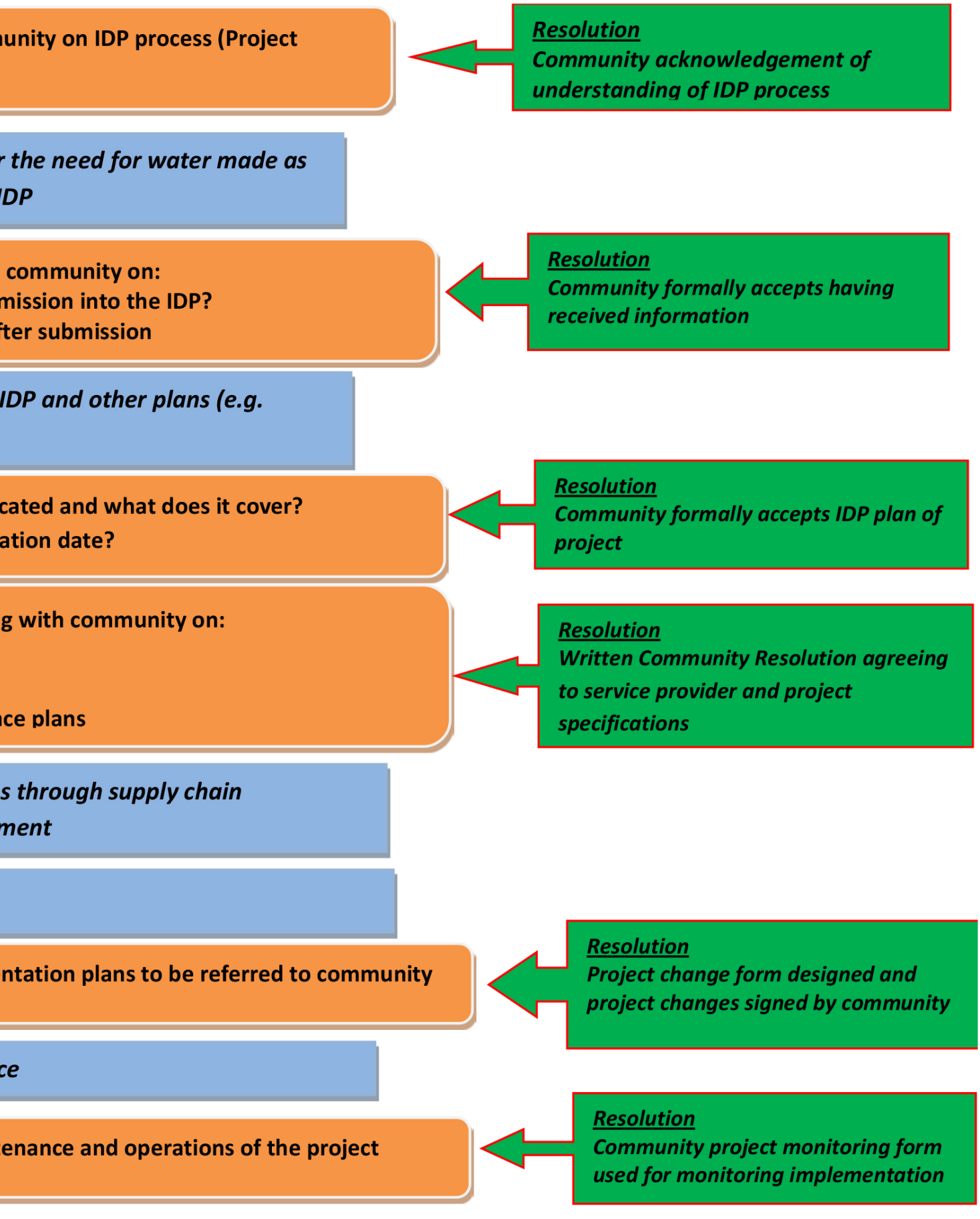
Step 3: Community representatives, councillor, ward committee and (if possible) the municipality get a copy of the Community Resolution. This exact Community Resolution is lodged equally at an accessible community centre (or the premises of a community-based or non-governmental organisation that forms part of the policy community).

Step 4: Move on to the next phase of project development and repeat steps 1 to 3.

As in the case of application of all of the other tools, the CET implementation steps need to be weighed against the prerequisites or points of departure. The engagements between the local municipality and community will ensure that the agreements eliminate the possibility that the municipality has insufficient will to see through the project, that it brings the necessary capacity on board to see through the projects, that community members will have to bring the appropriate and legitimate community members on board, and that both community and municipality ensure that the consultative projects be given the necessary time yet be streamlined to ensure that delivery does not get delayed due to problems with constituting consultative fora and arriving at the required agreements.

Figure 5: **Citizen Eng**




unity on IDP process (Project
Resolution
Community acknowledgement of understanding of IDP process
r the need for water made as
IDP
community on:
mission into the IDP?
fter submission
Resolution
Community formally accepts having received information
IDP and other plans (e.g.
cated and what does it cover?
ation date?
Resolution
Community formally accepts IDP plan of project
g with community on:
nce plans
Resolution
Written Community Resolution agreeing to service provider and project specifications
s through supply chain
ment
ntation plans to be referred to community
Resolution
Project change form designed and project changes signed by community
ce
enance and operations of the project
Resolution
Community project monitoring form used for monitoring implementation

The graph-style representation (Figure 5) shows that Planact's Citizen Engagement Tool (CET) has up to six stages of consultation and communication with communities, as opposed to the normal practice of only two stages of consultation.

4.7.2 TOOL II: Resource Identification and Utilisation Tool (RIUT)[97]

Supply chain management (SCM) is an important tool for managing public procurement processes and procedures. SCM is an integral part of prudent financial management in the South African public sector. The aim of SCM is to add value at each stage of the procurement process – from the demand for goods or services to their acquisition, managing the logistics process, and finally, after use, to their disposal. The legislative and policy frameworks guiding SCM systems in South Africa are detailed and generally sound. The problem has been the inconsistent and superficial application of these policies at project implementation level.

Service providers are selected through a supposedly rigorous system that includes tender evaluation committees and professional SCM personnel. However, when the service providers get to the implementation phases of the projects, they become kings of their destiny as they make the decisions on the purchasing of project material and services. This is where the delivery of the services often gets derailed as the socio-political factors surface. Suppliers implement projects with sub-standard products, politicians put pressure on suppliers to procure goods from their own companies, politically connected individuals pressure suppliers to procure goods from them and service providers have labour (that may be unsuitable for the job) imposed on them. These are some of the factors that derail implementation of projects, and they are documented in Figure 6. Figure 6 follows the municipal processes of service delivery and records the perceived problems in the *resource identification and utilisation stage.*

In the Figure 6 illustration it is evident that the problems listed in the burgundy box need intervention strategies that are specifically focussed on these issues. Commonly, municipalities attempt to address the problems through using 'the book' but ultimately fail since service providers would have gone through legitimate steps in getting the contracts. Service delivery ultimately gets derailed as a result of factors not covered by the rule books.

Planact's second tool addresses the socio-political challenges in the identification, procurement and utilisation of resources stage in service delivery. The process is depicted in Figure 6 and the tool presented in Figure 7.

[97] The empirical details in this section are from the first draft of the Planact Tool, 2015, based on information collected by Planact fieldworkers.

Figure 6: **Perceived problems in resource identificationand utilisation**

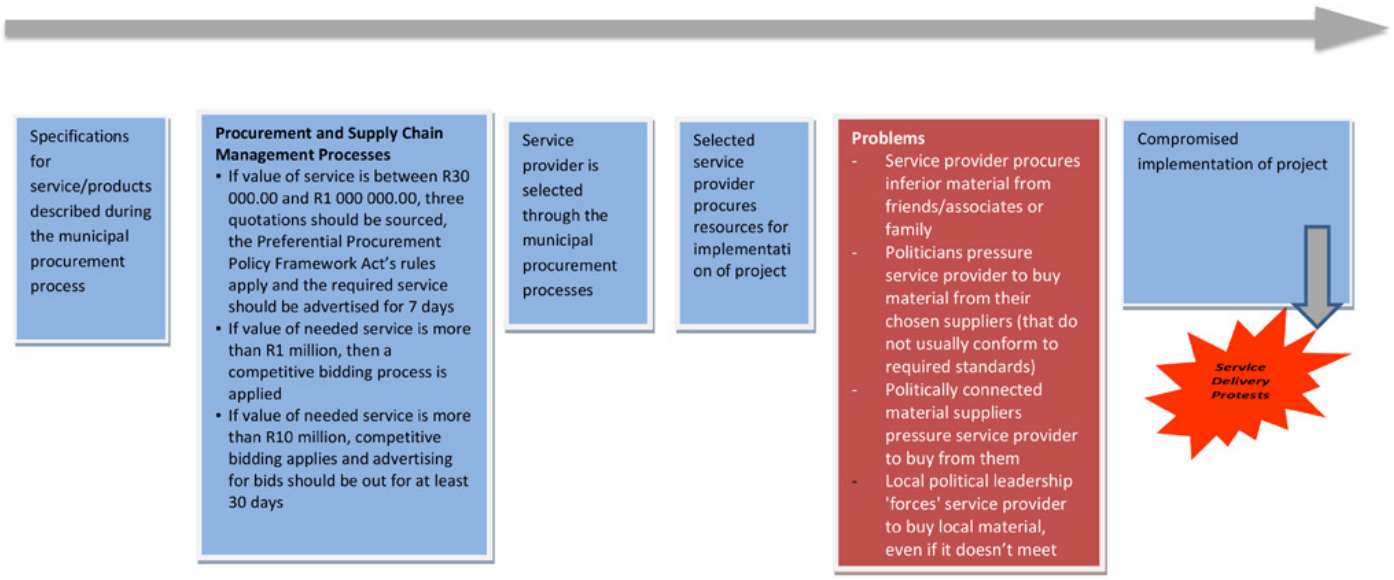
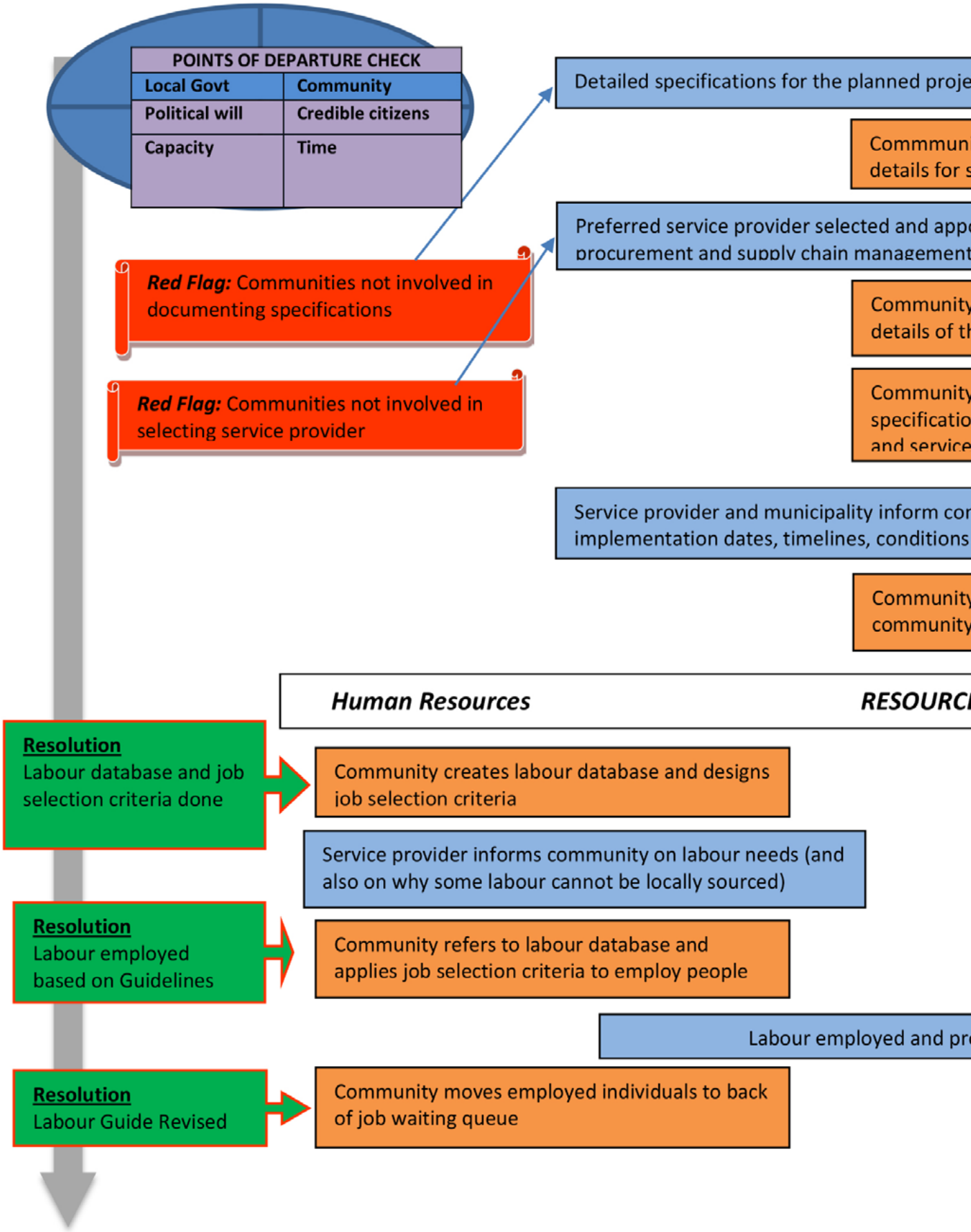
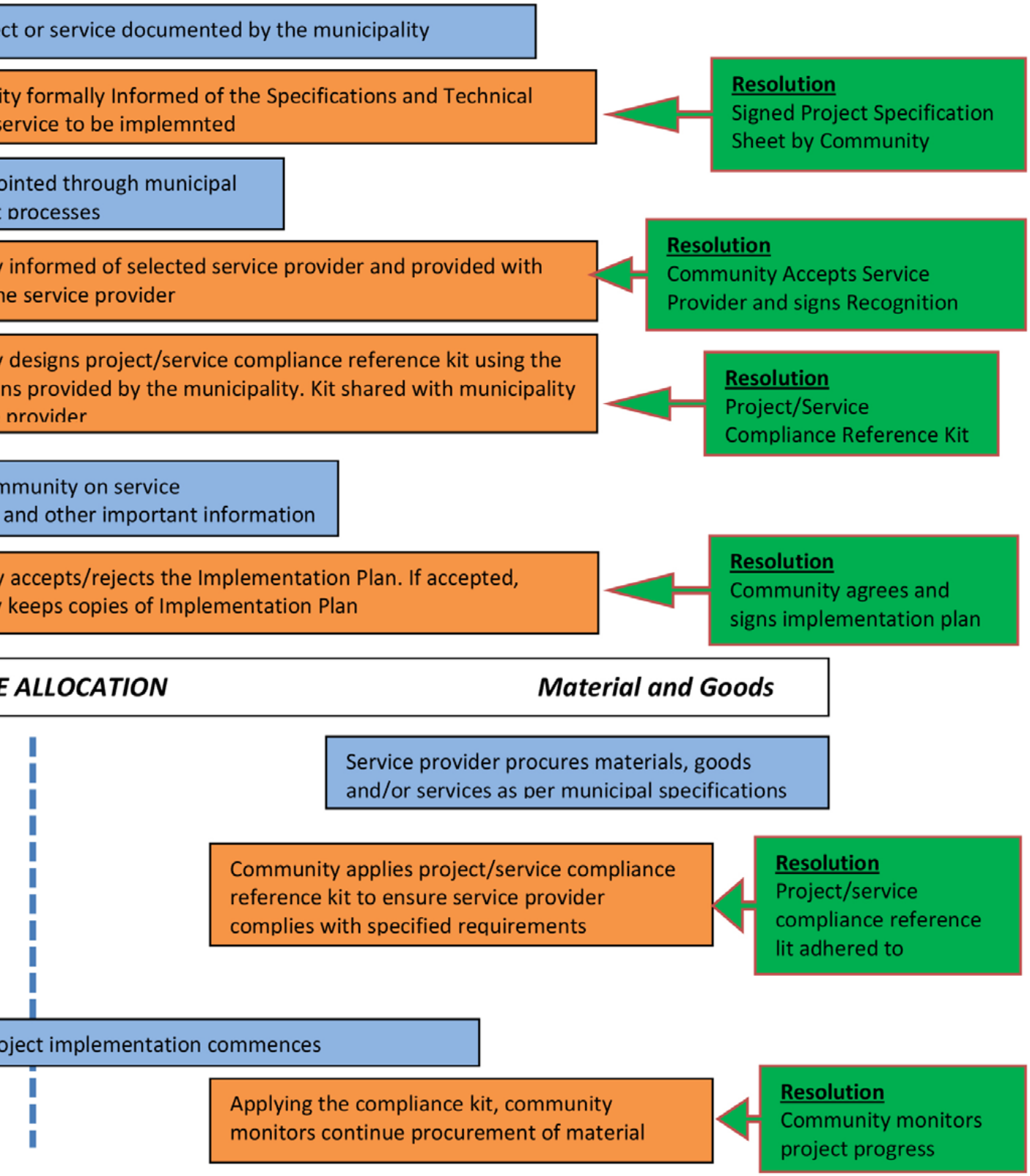


Figure 7: **Resource Identific**



6


ct or service documented by the municipality
ity formally Informed of the Specifications and Technical service to be implemnted
Resolution
Signed Project Specification Sheet by Community
pointed through municipal processes
informed of selected service provider and provided with he service provider
Resolution
Community Accepts Service Provider and signs Recognition
designs project/service compliance reference kit using the ns provided by the municipality. Kit shared with municipality provider
Resolution
Project/Service Compliance Reference Kit
mmunity on service and other important information
accepts/rejects the Implementation Plan. If accepted, keeps copies of Implementation Plan
Resolution
Community agrees and signs implementation plan
E ALLOCATION
Material and Goods
Service provider procures materials, goods and/or services as per municipal specifications
Community applies project/service compliance reference kit to ensure service provider complies with specified requirements
Resolution
Project/service compliance reference lit adhered to
oject implementation commences
Applying the compliance kit, community monitors continue procurement of material
Resolution
Community monitors project progress

5

The Resource Identification and Utilisation Tool (RIUT) emphases exhaustive citizen engagement, with signed Community Resolutions, Community Agreements and/or Community Acknowledgements at all stages. For every phase of the Municipal Service Delivery and Supply Chain Management process there should be a corresponding community engagement process that results in a signed agreement.

How to use Tool II (RIUT)

Below is a step-by-step guide to applying the tool in practice. The generic Community Resolution Template documented under the Citizen Engagement Tool is adapted for use in this stage. The preparatory actions of problem identification and the assumptions check have been completed.

Points of departure check: Do an assessment as to the political will of government and political role-players to constitute this partnership with the community, capacity of the municipality to undertake the project, the availability of community leaders, and that community members have the time to devote to the process. Record and lodge the findings of this assessment.

Step 1: The community obtains detailed specifications of the project to be implemented from the municipality. The community documents these details formally, and attaches all documents obtained, which contains these details, to this its record.

Step 2: In a representative meeting, the community agrees to the project specifications and signs a formal acknowledgement of the specifications. A detailed record is kept of who participated in the community meeting, who agreed and who dissented. The meeting outcomes are recorded, reported to the meeting, signed off on behalf of the community and lodged appropriately both within the community and at the municipality with the relevant bureaucrats and the councillors.

Step 3: The community goes through the consultation stages and, at each stage, documents the process and agrees/disagrees in a formal, written and signed document. This document of agreement/disagreement is lodged equally at an accessible community centre (or the premises of a community-based or non-governmental organisation that forms part of the policy community) and with the municipality.

Step 4: Move on to the next phase of project development and repeat steps 1 to 3.

As in the case of application of all of the other tools, the RIUT implementation steps need to be weighed against the points of departure. The engagements between the local municipality and community will help ensure that the agreements eliminate the possibility that the municipality has insufficient will to see through the project, that it brings the necessary capacity on board to drive the projects to completion, that community members will have to bring the appropriate and legitimate community members on board, and that both community and municipality ensure that the consultative projects be given the necessary

time yet be streamlined to ensure that delivery does not get delayed due to problems with constituting consultative fora and arriving at the required agreements.

Applying the RIUT will help communities to address the interruptions in service delivery. Additionally, this tool empowers the community to decide their service delivery destiny and also empowers them to become active citizens. It furthermore assists the municipality in building structures for community-municipality partnerships and deriving clear-cut specifications of performance criteria.

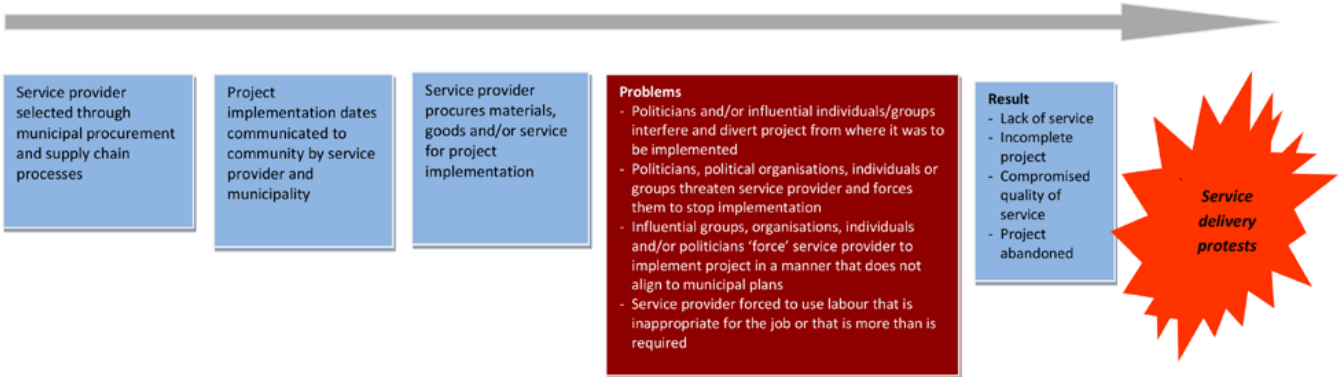
4.7.3 TOOL III: Service Implementation Tool (SIT)[98]

The implementation phase of projects and/or services is the Achilles' heel of municipal service delivery processes. Services and projects fail at this phase despite them having sailed through some of the best legislation and regulations of municipal governance. It is unsurprising that the failed projects that lead communities to barricade roads and burn tyres often have sound paper trails, with all the requirements of a perfect project documented. Some well-known examples of the implementation process going awry are water not coming out of taps, toilets constructed and left without enclosing walls ('open toilets'), water pipes unable to withstand the pressure and bursting, incomplete or decaying houses, and sewer pipes or roads abandoned half-done. Desperate communities end up resorting to extreme measures such as violent service delivery protests as they try to get meetings with municipal representatives who hide behind bureaucracy.

Planact, in line with its programme of strengthening citizen engagement and participation in local governance, developed the third tool of the Action Plan for Communities to Address Interruptions in Service Delivery to suit the problem-solving requirements of the implementation phase. The tool is titled the Service Implementation Tool (SIT), and it aims to assist communities to proactively address complications in service delivery implementation that are caused by socio-political interruptions.

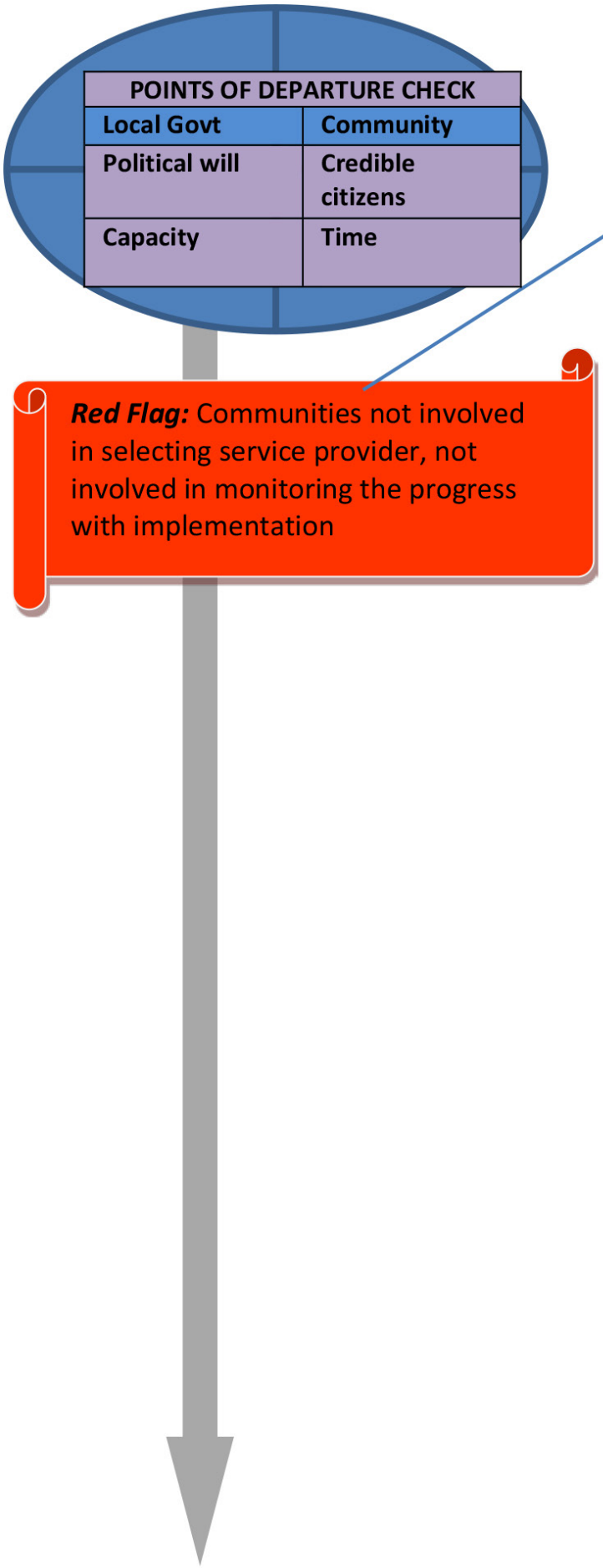
The illustration in Figure 8 follows the municipal service delivery processes and identifies the complications in project implementation. The SIT (Figure 9) is designed to help communities and municipalities deal with such complications and, in the process, ensure that delivery and development continue.

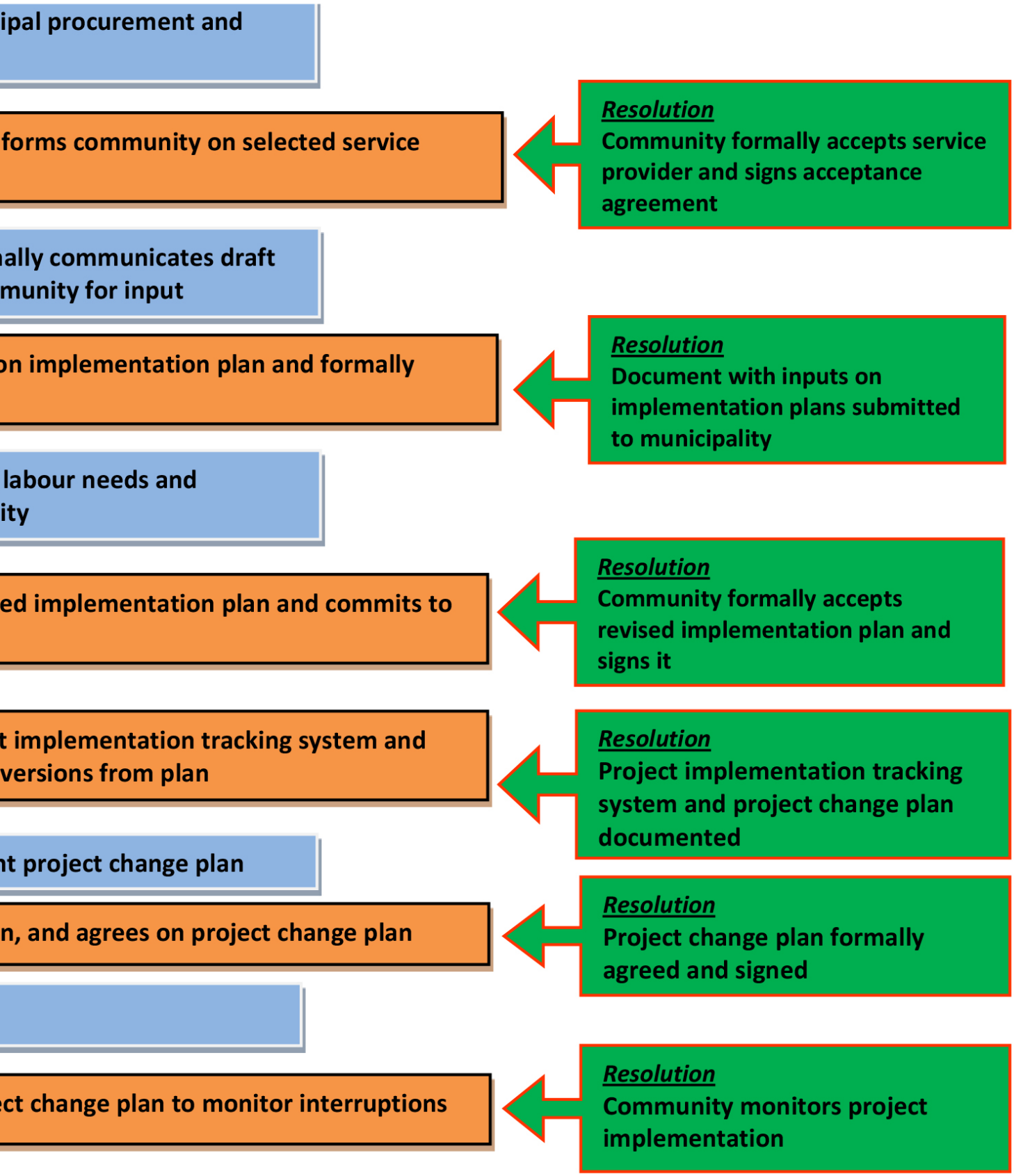
Figure 8: **Perceived problems in service implementation**



[98] The empirical details in this section are from the first draft of the Planact Tool, 2015, based on information collected by Planact fieldworkers.

Figure 9: **Service Impl**




ipal procurement and
forms community on selected service
Resolution
Community formally accepts service provider and signs acceptance agreement
ally communicates draft munity for input
on implementation plan and formally
Resolution
Document with inputs on implementation plans submitted to municipality
labour needs and ity
ed implementation plan and commits to
Resolution
Community formally accepts revised implementation plan and signs it
t implementation tracking system and versions from plan
Resolution
Project implementation tracking system and project change plan documented
nt project change plan
n, and agrees on project change plan
Resolution
Project change plan formally agreed and signed
ct change plan to monitor interruptions
Resolution
Community monitors project implementation

The service provider is selected by the municipality through the Supply Chain Management (SCM; Figure 9) process. After being selected, the service provider and the municipality communicate the implementation plans to the communities. The service provider then commences implementation and things often start going wrong as political forces and influential people assert themselves and derail the project. These individuals disrupt implementation by diverting the project to sites that are not the planned ones, or forcing the service provider to stop implementation, and imposing labour that may not be suitably qualified for the job.

It is common knowledge that it is easier and better to prevent a problem than trying to fix it when damage has been done: the SIT deals with the problems by addressing the issue pre-emptively before it gets to the problematic area. The SIT thus requires communities to engage with service delivery projects from the onset, rather than wait for the results and react to them. As is the case with the CET and RIUT, the success of this tool is in the agreement to and signing of Community Resolutions, Agreements or Acknowledgements, as well as the systematic *recording and lodging* of the details of assessments and the resolutions.

How to use Tool III (SIT)

Below is a step-by-step guide to applying the SIT in practice. The generic Community Resolution Template documented under the CET is adapted for use in this tool.

As in the case of application of all of the other tools, the SIT implementation steps need to be weighed against the points of departure. The engagements between the local municipality and community will ensure that the agreements eliminate the possibility that the municipality has insufficient will to see through the project, that it brings the necessary capacity on board to bring the projects to delivery, that community members will have to bring the appropriate and legitimate community members on board, and that both community and municipality ensure that the consultative projects be given the necessary time, yet be streamlined to ensure that delivery does not get delayed due to problems with constituting consultative fora and arriving at the required agreements.

Prerequisite check: Do an assessment as to the political will of government and political role-players, capacity of the municipality to undertake the project, the availability of community leaders, and that community members have the time to devote to the process.

Step 1: The community obtains detailed information about the selected service provider.

Step 2: In a representative meeting, the community formally accepts the selected service provider. A detailed record is kept of who participated in the community meeting, who agreed and who dissented. The meeting resolutions are recorded, reported to the meeting, signed off on behalf of the community and lodged appropriately both within the community and at the municipality with the relevant bureaucrats and the councillors.

Step 3: The community goes through the consultation stages and, at each stage, documents the process and agrees/disagrees in a formal, written and signed document. This document is lodged equally at an accessible community centre (or the premises of a community-based or non-governmental organisation that forms part of the policy community), and with the municipality.

Step 4: Move on to the next phase of project development and repeat steps 1 to 3.

Applying this tool will help communities to pre-emptively address the interruptions that occur typically at the implementation phase of service delivery. Additionally, this tool has the potential to empower the community to decide its service delivery fortunes and advance community members to becoming active citizens.

4.7.4 TOOL IV: Operations and Maintenance Monitoring Tool (OMMT)

One of the biggest criticisms of government service delivery is the poor (or entirely absent) maintenance of public services and facilities. Crumbling community halls, leaking water pipes, spilling sewage, over-flowing public toilets, pot-holed roads and non-functioning streetlights are common examples of the problem of non-maintenance. In most poor communities, the poorly maintained infrastructure becomes easy targets for vandalism and theft. Local governments and communities blame each other: local municipalities blame communities for vandalising and stealing public amenities, while communities blame the municipalities for not maintaining the facilities and also for providing low quality services in the first place.

In view of these challenges Planact designed the (services and facilities) Operations and Maintenance Monitoring Tool (OMMT). The OMMT aims to empower communities to implement public service monitoring on the basis of understanding the processes of monitoring the operations of public services. The tool helps ensure accountability and responsibility on both the local government and community sides. The illustrations in Figures 10 and 11 follow the local government service delivery implementation and maintenance processes and identify the complications in service operations and maintenance, and then present the OMMT tool, designed to mitigate the complications.

Figure 10: **Perceived problems in service implementation**

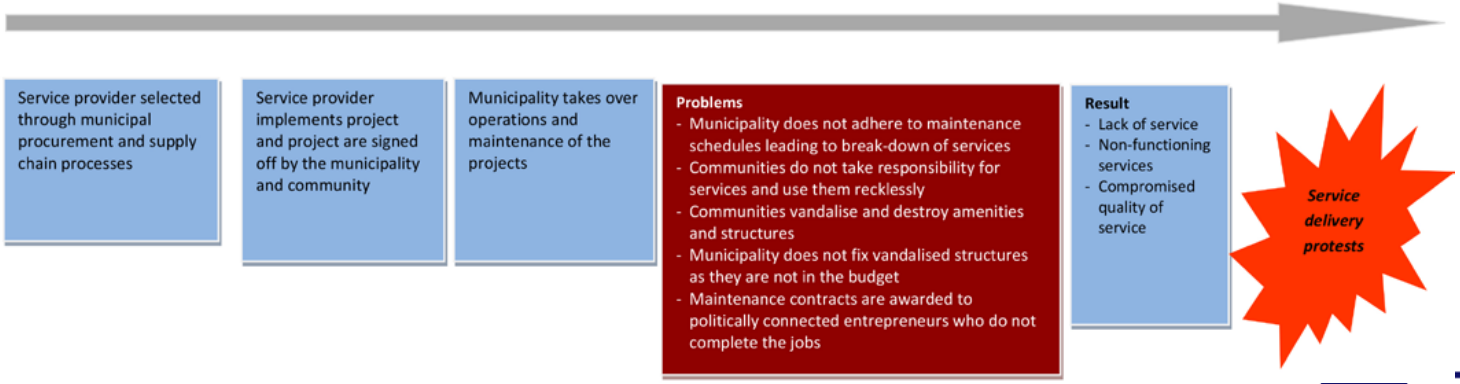
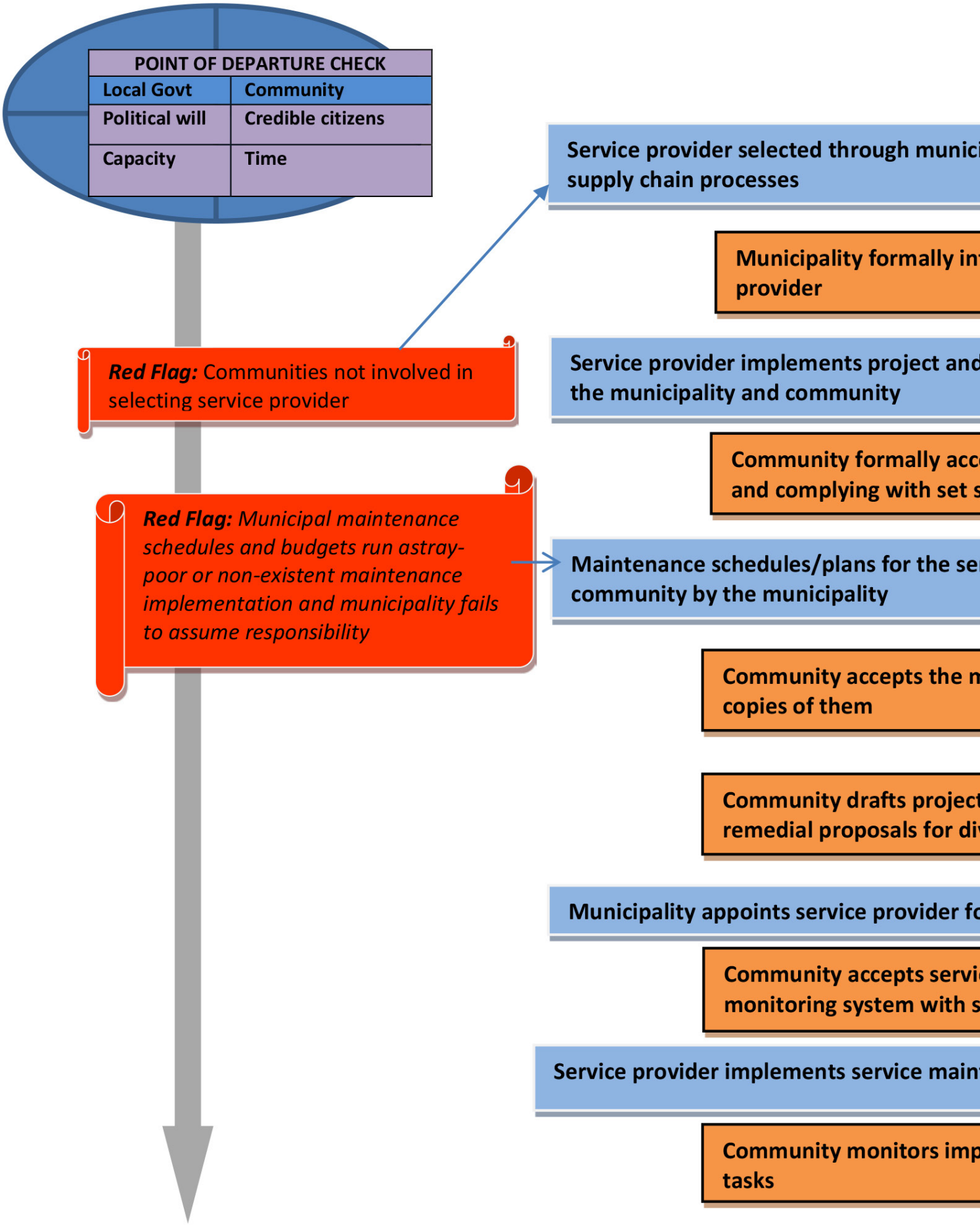
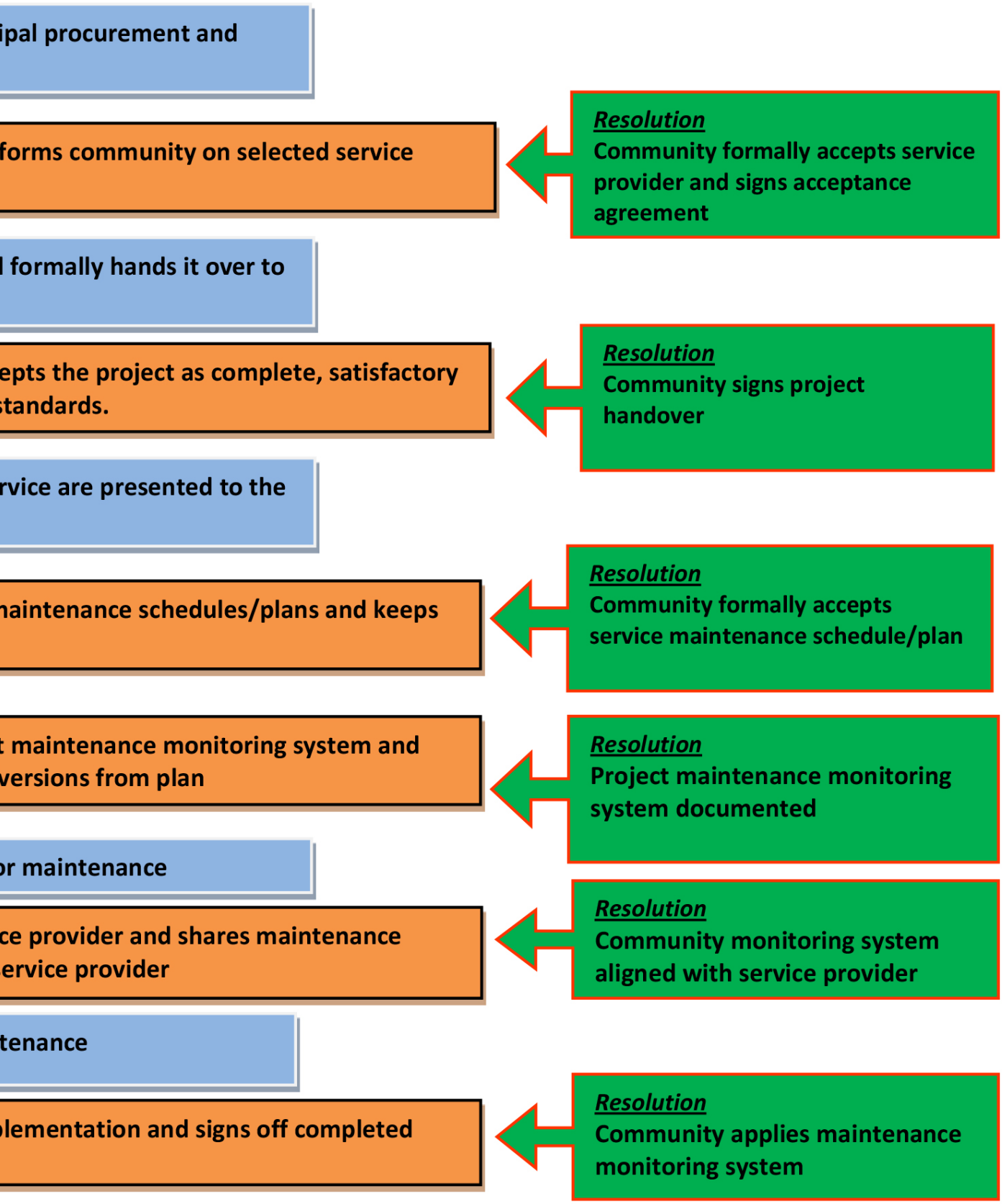


Figure 11: **Operations and Maint**




ipal procurement and
forms community on selected service
Resolution
Community formally accepts service provider and signs acceptance agreement
l formally hands it over to
epts the project as complete, satisfactory standards.
Resolution
Community signs project handover
rvice are presented to the
naintenance schedules/plans and keeps
Resolution
Community formally accepts service maintenance schedule/plan
t maintenance monitoring system and versions from plan
Resolution
Project maintenance monitoring system documented
or maintenance
ce provider and shares maintenance ervice provider
Resolution
Community monitoring system aligned with service provider
tenance
plementation and signs off completed
Resolution
Community applies maintenance monitoring system

The service provider is selected by the municipality through the Supply Chain Management process. After being selected, the service provider implements the project, completes it, and signs it off along with both the municipality and the community (where applicable). On handover, the project belongs to the municipality and the operations and maintenance responsibilities become the task of the municipality. Problems arise at this stage as maintenance schedules are not adhered to, communities neglect and vandalise amenities, and maintenance contracts are awarded to entities that do not have the capacity to do the work. The result is that services and amenities break down, leaving communities without services and the communities then resort to service delivery protests.

The OMMT deals with the problems by addressing the issue pre-emptively before it develops into a fully-fledged problem. It provides the framework for action to address the problem pre-emptively rather than to try and fix the problem after the act when damage has already been inflicted. The OMMT thus requires communities to engage with the municipality and service delivery projects from the onset, rather than wait for the services to be damaged and then react. As in the case with the CET, RIUT and SIT the success of OMMT depends on the relevant parties agreeing and signing the Community Resolutions, Agreements and Acknowledgements.

How to use Tool IV (OMMT)

Below is a step-by-step guide to applying the tool in practice. The generic Community Resolution Template documented under the Citizen Engagement Tool is adapted for use in this stage.

As in the case of application of all of the other tools, the OMMT's implementation steps need to be weighed against the points of departure. Engagements and, in effect, partnerships between the local municipality and community will be required to ensure that the agreements eliminate the possibility that the municipality has insufficient will to see through the project. There will also have to be agreement that the municipality will mobilise the necessary capacity to maintain the projects. Also, it will be non-negotiable for the community to bring credible and diligent community members on board, and for both community and municipality to ensure that the projects be streamlined to roll out continuously.

Prerequisite check: Do an assessment as to the political will of government and political role-players, capacity of the municipality to undertake the project, the availability of community leaders, and that community members have the time to devote to the process.

Step 1: The community obtains detailed information about the selected service provider. The details get recorded and lodged at the appropriate places.

Step 2: In a representative meeting, community formally accepts the service provider that has been allocated the tasks of infrastructure maintenance in that community. A detailed record is kept of who participated in the community meeting, who agreed and

who dissented. The meeting resolutions are recorded, reported to the meeting, signed off on behalf of the community and lodged appropriately both within the community and at the municipality with the relevant bureaucrats and councillors.

Step 3: The community goes through the consultation stages and, at each stage, documents the process and agrees/disagrees in a formal, written and signed document. These signed documents are lodged equally at an accessible community centre (or the premises of a community-based or non-governmental organisation that forms part of the policy community) and with relevant municipal stakeholders.

Step 4: Move on to the next phase of project development and repeat steps 1 to 3.

If well-instituted, applying the OMMT will help communities to address the spiral of interruptions in service delivery. Additionally, this tool empowers the community to help decide the state of already-delivered infrastructure in their place of residence or more generally, their place of work or interest.

SECTION 5:

Concluding remarks

Planact believes that the proposed Action Tools will help map new participatory interventions that will contribute to ensuring that delivery and development in South Africa's local communities will proceed faster and more effectively. The tools are of particular value in that they delineate the precise steps that will be required, and agreements that will have to be reached, in order to lend substance to frequent empty talk about the virtues of consultation, participation and development. Unlike most comparable tools the Planact Action Tools are anchored in the exact prevailing local government and local politics contexts, and the details of the Tools are tuned to the precise areas where actions need to be instituted. The tools delineate specific steps and concrete deliverables, and hence unpack crucial phases in policy participation processes.

The Action Tools' value is anticipated to be in their concrete, mapped intervention plans that cross several important phases in the process of policy and governance. Several of the tools apply to the hitherto largely regarded as 'closed' space of state bureaucracies and politicians operating to implement service projects. The four Action Tools iterations in the 'Paper Tigers Grow Teeth' document open up the implementation operations; in fact they demystify a terrain where the 'socio-political factor operatives' (those responsible for corruption, mismanagement, cronyism and related factors) have thrived in the past.

Planact emphases the need (prior to activation of the tools) to get in-principle buy-in from municipalities and communities who will be required to enter into forms of cooperative engagement and partnerships in order to advance service delivery and development. The Action Tools specify that for successful application political will is required, along with municipal administrative capacity, credible and available community members, and sufficient time to move through the processes of mutual engagement to reach agreements. The Action Tools also include actions of recourse and general suggestions as to how unrealised points of departure and unfulfilled or under-realised delivery expectations would be dealt with.

The fruits that the adoption of the Action Tools processes are likely to exceed by far the 'costs' of change in political culture and dealing with the fallout from recurrent community protest. Successful adoption and implementation are likely to be important stepping stones to enhanced community development. Planact advocates that the platforms and partnerships where and as soon as they work be institutionalised – formalised and officially recognised – in order for them to be available routinely for the next cohorts of activists and community-oriented municipal politicians and bureaucrats.

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ANNEXURE 1: Municipal Commitment to Application of Tools

Sample municipal commitment to application of the tools

eMalahleni Local Municipality Civic Centre, Mandela Street eMalahleni *Tel:* 013 690 6911 *Fax:* 013 690 6207 *Web:* www.emalahleni.gov.za	Spring Valley Development Association Spring Valley Township Emalahleni
Date:	
REF: AGREEMENT BETWEEN EMALAHLENI MUNICIPALITY AND SPRING VALLEY COMMUNITY FOR THE APPLICATION OF THE SERVICE DELIVERY ENHANCEMENT TOOLS REF: COMMITMENT BY EMALAHLENI MUNICIPALITY TO ALLOW THE COMMUNITY OF SPRING VALLEY TO APPLY SERVICE DELIVERY ENHANCEMENT TOOLS FOR ADDRESSING INTERRUPTIONS IN SERVICE DELIVERY	
Introduction Spring Valley Community adopted a set of tools that will assist the community in addressing the socio-political factors that interrupt the smooth implementation of services. The tools specifically focus on the socio-political factors as these fly under the legislative and regulatory radar, thus making it difficult for the municipality to do remedial action. Most importantly, the tools will assist both the community and municipality to proactively anticipate and deal with problems, rather than trying to deal with negative results. The tools that have been developed are: • Citizen Engagement Tool • Resource Identification and Utilisation Tool • Service Implementation Tool • Operation and Maintenance Monitoring Tool	
This commitment compels the Municipality by all means necessary and within its capabilities to abide to the following responsibilities: • That the Municipality will ensure that it will exercise community participatory processes to the extent that all members of the community have been accorded the achievable ability to consult with, and be consulted by, the municipality • That the Municipality will ensure that community members, within legal and regulatory parameters, have freedom to access documentation that impacts service delivery • That the Municipality will receive, acknowledge and use the community resolutions, agreements and assessments as legitimate documents in acting against compromised service delivery • That the Municipality will intervene in a fair and just manner in disputes that may arise among the different stakeholders during the processes of applying the tools	

This commitment also compels the Community to, by all means necessary, act in a just and fair manner in applying the tools by:

- Explaining the aims, objectives and processes involved in applying the tools to the Municipality, Elected Leadership and Service Providers
- Granting the Municipality, Councillors and Service Providers ample time to read and understand the tools before applying them
- Applying the tools in the context of the relevant existing laws, regulations and by-laws
- Communicating the contents, requirements and application of the tools to all members of the community in a way that is simple and understandable

Commitment

On behalf of eMalahleni Local Municipality, I_____ declare that I understand this undertaking and commitment and agree that eMalahleni Municipality acknowledges and commits to the application of the four tools for improving service delivery in eMalahleni.

Signed at _____

On the _____/_____/20___

Signed: Name and Surname Designation	_____ _____
Witness 1:	
Witness 2:	

On behalf of Spring Valley Development Association, I_____ declare that I understand this undertaking and commitment and agree that the Spring Valley Community acknowledges and commits to the application of the four tools for improving service delivery in eMalahleni.

Signed at _____

On the _____/_____/20___

Signed: Name and Surname Designation	_____ _____
Witness 1:	

ANNEXURE 2: Community Agreement and Resolution Template

Community resolution template

Spring Valley Development Association Section C Spring Valley Township	
4 April 2016	
RE: COMMUNITY RESOLUTION ON WATER AND SANITATION PROJECT FOR IDP INPUT	
VENUE OF MEETING: SPRING VALLEY SPORTS FIELD TIME OF MEETING: 11:00 NUMBER OF PEOPLE IN THE MEETING: 275	
We, the community of Spring Valley, held a meeting on the 4th of April 2016, that was attended by 275 members of the community (out of a population of 500), with the agenda of discussing and making formal agreements on the community's inputs into the IDP. Our written submissions into the IDP are that Spring Valley Community needs: 1. Piped water service with a water tap in each household of Spring Valley 2. Ventilated Improved Pit toilets for each and every household in Sections A through D 3. Refuse collection bins for each household in Spring Valley 4. 20 refuse collection plastic bags per household, per month	
We agree that the above resolutions fully represent the wishes of the community and that any changes thereof can only be done by a representative community meeting.	
Signed on this ___the day of _____ 20__ at Spring Valley Names and signatures of section representatives, Ward Committee and Ward Councillor.	
Ward Councillor _____	Ward Committee Member _____
Section A Representatives _____ _____ _____	Section B Representatives _____ _____ _____ _____
Section C Representatives _____	Section D Representatives _____

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