

# **FETAKGOMO MUNICIPALITY**

## **POLICY ON WARD COMMITTEES**

**DRAFT MARCH 2006**

### **PURPOSE**

**TO REGULATE THE MANAGEMENT AND FUNCTIONING  
OF WARD COMMITTEES IN THE MUNICIPALITY**

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## 1. WARD COMMITTEES

The purpose of the ward committee is to assist the ward councilor with organizing, consultation, spreading information and encouraging participation from residents in the ward.

Ward committees must be broadly representatives and may not have less than three or more than ten members. All stakeholders should be well represented in the ward committees including women and disabled people. The Ward committees have no legal powers to make decisions - they are there to advise the ward councilor and help him/her to better represent the people in the ward. They may make submissions to council and will participate in forums that advise council on certain issues.

The proportion representative (PR) councilor must actively participate in the activities of a ward committee and will have an ex-officio status.

## 2. THE LEGISLATIVE FRAMEWORK

Local municipalities in South Africa have to encourage and facilitate community participation. Legislation stresses the role committees should play in participating in democracy at a local level.

Section 152 of the Constitution provides the foundation “*...local government must encourage the involvement of communities and community organizations...*”

The National White Paper that sets down government policy on local government provides that “*...building local democracy is a central role of local government and municipalities should develop strategies and mechanisms to continuously engage with citizens, business and community groups.*”

The Municipal Systems Act of 2000 sketches the duties of municipalities to ensure community participation and the rights of communities to be consulted.

Sect 72 of the Municipal Structures Act, 1998 allows for certain types of municipalities to set up ward committees and describes their role as: “...to enhance, participatory democracy in local government.”

Section 73 – 78 gives broad guidelines on setting up and running ward committees should make rules about the functions, powers and resources that will be given to ward committees. Councils must decide on:

- Nomination and election procedure
- How different interests will be represented

- When members have to vacate office
- How often meetings must take place
- What duties and powers should be delegated to the ward committee
- How long the terms of office should be
- How vacancies should be filled
- What resources and support to ward committees

### **3. POWERS AND FUNCTIONS OF WARD COMMITTEES**

The main function of ward committees is to assist democratically elected ward councilor to effectively carry out their mandate to represent the people of the ward.

Ward Committees must have advice on and assist the ward councilor with:

- Doing research to understand the conditions, problems and needs of residents in the ward
- Outreach work to sectors and general consultation meeting to consult and inform residents on municipal issues like IDP, budget priorities and service delivery options.
- Spreading relevant information to residents that will help them access municipal services.
- Interacting with other forums like Community Police or Development forums.
- Playing a resource and advice role for residents with problems
- Coordinating ward programmes of council – for example HIV/AIDS
- Participate actively in IDP and Budget processes.
- Input on draft By-Laws and other pieces of legislations and policies.
- Serve as eyes and ears of the community, ward councilor and the municipal council.

Ward committees have no formal powers other than to make submission to council through the ward councilor. They have no legal powers to make decisions that bind anyone in the municipality.

### **4. THE ROLE AND RESPONSIBILITY OF THE WARD COMMITTEE**

Ward committees are set up to increase the participation of residents in a ward in democratic decision-making. The main role of the ward committee is to make sure that voters are involved in and informed about council decisions that affect their lives. Ward committees should play a very important role in making democracy come alive at local level.

The ward committee must ensure that local people participate in discussions around council projects, service delivery, budgets and integrated development planning. The ward committee has the responsibility to make the residents views known to council. It can make submissions through the ward councilor. The ward committee will often represent the ward on consultative forums for the whole municipal area.

The ward committee should be set up in such a way that it can reach almost every sector and every area in that ward. The ward committee's main tasks are to communicate with and to consult the community in that ward. When council as to make important decisions about development plans, the kinds of services that have to be delivered or budget priorities, the community should be consulted. Ward committees are best placed to organize this consultation in a simple and meaningful way. Ward committees also have to inform communities of council plans, programs and decisions. When new processes are set up people have to understand how to use them.

It is very important for ward committees to understand that any decisions that are made in a ward committee meeting are not binding on the ward councilor and have no legal powers in terms of council decisions. The political power in a local area rests with the formal council meeting and finding decisions can only be made there. For a ward committee to be effective it has to have a co-operative relationship with the councilor and it has to use every possible avenue to influence council decisions. It has no power to force council to do anything and only make recommendations to council.

## **5. THE ROLE AND RESPONSIBILITY OF THE WARD COUNCILLOR**

A ward councilor is directly elected to represent and serve the people in a specific ward. There are usually between 3 000 and 6 000 voters in a ward. The job of a ward councilor is not simple and effectively representing the interests of voters in one ward can sometimes cause conflict in the council.

The ward councilor should make sure that the interests of the people in her or his ward are represented as properly as possible. The ward councilor should stay in touch with the issues in the area, understand the key problems and monitor development and service delivery. In committees, caucus and council meetings, the ward councilor should act as a spokesperson for the people in his/her ward.

The ward councilor is the direct link between the council and the voters. It is her or his responsibility to make sure that voters are consulted and kept informed about council decisions, development and budget plans and any council programmes that will affect them.

The ward councilor is also the face of the municipality in the ward. People will bring all kinds of problems and issues to them and expect that they will be addressed immediately. Ward councilors should take this role seriously. Where possible, people should be given advice and assistance to solve their problems. The ward councilor may have to take up some issues with the municipal officials. In many cases problems cannot be solved by the municipality and people have to be referred to other services.

## **6. COMPOSITION OF WARD COMMITTEES**

Different models should be used to select ward committee members in densely and less densely villages. In certain areas a ward may be densely populated, cover a small area and have many organizations. Other areas may have very large wards with a population that is spread out over different villages and where very few organizations are active.

The ward committee must be broadly representative of the interest groups in the community and must have equitable representation of women.

Ward committees should have the maximum of ten members to ensure as broad a representation of interest groups as possible.

## **7. CRITERIA FOR MEMBERSHIP**

Ward committee members must be registered voters in their ward. They shall not be in arrears to the municipality once they take up their seats. If they are when elected, they shall pay up before taking their seats.

Members should be active in the sector or geographic area they represent and should be motivated to work on the ward committee by their commitment to working for a better life for their constituency.

Ward committee members must be democratically elected by the community.

## **8. NOMINATION AND ELECTION PROCESS**

In our area which is consisting of villages it would better to have geographic rather than sectoral representation. The population spread should be analysed and each village should be allocated representatives according to their population. The total may not exceed ten.

Each village could directly elect a representative at a public meeting to serve on the ward committee and to report back to the community. Nominations should be forwarded to the council and each person should be allowed to address the election meeting before voters are cast. Criteria should be developed for the candidates and we need to be aware that traditional leaders may see the position of ward committee representatives as either a threat to their authority or an opportunity for themselves to be the representatives. Special provision should be made, where appropriate, for traditional leaders to have a representative on the ward committee.

If five or less villages are involved, we should insist that a male and female representative is elected for each area to ensure women's representation.

- Council should advertise widely that a ward committee will be set up, what its role will be and call for nominations from each geographic area
- Any organization or individual can send nominations for their area rep to the council
- The council then calls an area meeting for that village/farm to elect representatives
- Any registered voter may attend and vote
- Nominees are introduced and given time to address the meeting
- A vote is then held where the successful candidate has to have at least 50% support.
- If no-one gets that on the first round, the top three goes through to the next round, if no-one gets 50% the top two go through to a final round. If more than one rep has to be elected, the top two become the reps, provided that between them they receive at least 50% of the vote. If they do not, further rounds of voting should be held as above.

## **9. TERM OF OFFICE**

Rules that cover the following shall be made by council:

- Ward committees should serve for two and half years before new elections should be held.
- Ward committees may be disbanded by council if they fail to do their work.

## **10. VACATION OF OFFICE AND FILLING OF VACANCIES**

- Council should make rules that ward committee members may be replaced if they fail to attend three meeting in a row without good reason, becomes involved in activities that undermine the council or ward councilor's authority, is proven to be involved in corruption, resigns, moves from the area or dies.

- Vacancies could be filled by the person who got the next most votes during the election process or by a new election for that post.
- A ward councilor may co-opt not more than four members to the committee.

## **11. MEETINGS OF WARD COMMITTEES**

Ward committees shall meet at least once a month. Meetings shall be called and chaired by the ward councilor.

The purpose of the meetings should be to:

- Discuss local ward issues and problems
- Ward councilor should report relevant council information, discussions and decisions.
- Identify issues that require community consultation and plan consultation processes
- Develop plans to communicate important information to the community
- Plan outreach work.

Ward councilors must submit monthly reports to the office of the Speaker detailing the functionality and programmes and activities of the ward committee.

At least three public meetings shall be held in each ward per year. All residents should be invited to attend. Public meetings can be report back or consultation meetings.

## **12. SUB-COMMITTEES AND FORUMS**

### **Forums and sub-committees**

Sub-committees of sectoral interest groups could still be set up and ward committee members could be allocated different portfolios. A broader ward forum made up of sectoral representatives could be set up to discuss major issues.

## **13. MUNICIPAL SUPPORT TO WARD COMMITTEES**

Ward committee members shall not be paid for their work. If members have to travel long distances to attend meetings or perform their duties, council should pay for travel if possible. Where possible, the municipality should make available some administration support for ward committees to do their work. In smaller areas this could mean a portion of the work time of one administrator to deal with bookings, arrangements and minutes of meetings.

Ward committees will need a budget that covers at least the expenses attached to their own meetings and any community and forum meetings they held. The budget shall be administered by municipal staff.

#### **14. ACCOUNTABILITY AND RELATIONSHIPS**

The ward councilor is accountable to the following.

- The Council
- The voters in the ward

The ward councilor is not accountable to the ward committee and ward Committee decisions are not binding on the councilor – they are an advisory body.