

DATA FOR LOCAL GOVERNMENT'S DEVELOPMENTAL MANDATE

THE MUNICIPAL BAROMETER, DATA CHALLENGES AND SUPPORTIVE NATIONAL SPATIAL DATA LEGISLATIVE AND POLICY FRAMEWORKS

INTRODUCTION

Local Government is responsible for constitutional mandates related to promoting the developmental agenda. Section 152 of the Constitution states that local government must aim to meet 5 mandates that improve democratic developmental outcomes. These mandates aim to 1) provide democratic and accountable government for local communities, 2) promote sustainable service delivery, 3) promote economic and social development, 4) promote safe and healthy environments and 5) encourage the involvement of communities and community-based organisation in local government affairs. In order to fulfil this mandate cluster, local government requires information to identify and plan the delivery of its mandates.

At present, local government has demonstrated varied capacity to collect and process data for planning purposes. Metropolitan municipalities conduct living standards and lifestyle surveys to assist them plan out their services better. This capacity is generally underdeveloped or insufficient to meet the needs in local and district municipalities. In order to solve this issue, the South African Local Government Association created the Municipal Barometer, a web-based data portal that allows Local Government to access relevant and useful spatial data sourced from national government departments and agencies. This brief provides a background to the existing data challenges confronting local government as experienced through the implementation of the Municipal Barometer and maps out some of the pertinent legal and policy instruments related to spatial planning data. The experiences of ensuring the functionality of the Municipal Barometer are shared to illustrate the challenges presented in coordinated data storage envisioned in the spatial data legislation and policies.

BACKGROUND

a) Challenges

In a participatory action research endeavour in Ilembe district to mainstream migration into Integrated Development Planning, it was found that national departments harvest data from local government. After harvesting this data, national government departments provides no feedback or reciprocal data sharing. As a result, local data is not supplemented. If it is assumed

that this behaviour is consistent across the country, very few municipalities are capable of collecting and collating data in sufficient quantities and of effective quality to conform to existing spatial data requirements.

b) The Municipal Barometer: Addressing Data Challenges

The process to establish the Municipal Barometer was commenced in 2011 by the South African Local Government Association's (SALGA) Local Governance Development Data Unit. Its initial purpose was to create a data warehouse for local government which would be useful to local government planners and administrators. During the implementation and awareness raising of the Municipal Barometer among SALGA members, the data challenges at local level are generally limited to;

- indicator standardisation,
- data reliability in terms of data management, collection frequency and quality, and
- data accessibility and data sourcing from national custodians.

At the local level it has also been identified that different sectors operate off different datasets. There is a general distrust of national statistics due to the way indicators are defined. What makes sense at an aggregated provincial or national level may not necessarily make sense at a local level. Certain national definitions are perceived to lack applicability at local levels. As a result, there is no standard way to measure the impact of sector departments working in the same geographical areas. Moreover, accessing datasets relevant to local planning is a challenge due to the lack of data collection capabilities. Many municipalities are uncertain of what data resides in which national department. As a result, persistent challenges around standardisation and custodianship remain despite the preparatory work done through the legislation and policy frameworks.

Furthermore, the Spatial Planning and Land Use Management Act (16 of 2013) (SPLUMA) places local government in the position where it must use spatial data and information to guide its planning processes in the most robust of possible ways. The lack of information to implement SPLUMA provisions in the planning and delivery of services is indicative of the data challenges confronting local government.



LEGISLATION

a) Data-supported planning

Section 48 of the National Development Plan (NDP) makes provision for the establishment of a national observatory to be used for spatial data and analysis. As this supports data collection and storage at national and provincial levels for development purposes, the data local government requires to effect improved planning is theoretically available in national government ministries and departments. The primary purpose of this data is to ensure that local government planning documents such as the Integrated Development Plans become the primary planning documents of the country. Data storage norms and norms governing Local Government access to national data sets are structured through legislative and policy architecture. These norms should be interpreted through the Local Government White Paper.

b) The White Paper on Local Government

The White Paper on Local Government spells out Local Government mandates and pays considerable attention to intergovernmental relations and finances. There is noticeable omission of information requirements to inform planning and budgeting. Acknowledged data sources at the local level are cited in the White Paper as deriving from community based focus group discussions. This participatory action research format allows Local Government to determine the needs of their communities and to plan accordingly.

Constitutional intergovernmental relations provisions ensure that information flows smoothly intra-governmentally and between government and citizens. However, the conceptualisation of information flows and data collection in the White paper implies that there is no obligation placed on local government to apply the data standards set out in Spatial Data Legislation (i.e. the Spatial Data Infrastructure Act (54 of 2003)) and Policy Frameworks. This oversight may be due to the fact that Local Government Legislation predates Spatial Data Infrastructure. This has some implications for the regularisation of performance management indicators and planning for Local Government's delivery of its developmental mandate.

c) The Spatial Data Infrastructure Act (54 of 2003)

The Spatial Data Infrastructure Act (54 of 2003) (SDI Act) had specific ends in mind to deal with the demands of local government service delivery planning. In order to establish South African Spatial Data Infrastructure (SASDI), the SDI Act makes provision for the establishment of a committee and an electronic metadata catalogue. The combined purpose of the committee and the metadata catalogue is to provide for the housing, sharing and coordination of spatial information. The primary goal of the combined purpose of the committee and metadata catalogue would be to avoid the duplication of effort.

Spatial data legislation nominates the Department of Rural Development and Land Reform (DRDLR) as the coordinating body of the data housing and storage process. This means that the DRDLR is responsible for ensuring that relevant government departments act as custodians of data sets. The SDI Act obliges data custodians and vendors to share spatial data with other agencies of government and in conjunction with section 18 of the SDI ensures state copyright of data and take steps to guard against the loss of spatial data.

d) Powers of the Minister of the Department of Rural Development and Land Reform

The SDI Act is constitutionally supported. Section 231 of the Constitution enables the Minister in charge of land affairs, in this case the Minister of the DRDLR, to enter into agreements. These agreements would be with persons, bodies and agencies who would be able to promote the management and utilisation of spatial data. Agreements of this nature are done in consultation with ministers, premiers and the SALGA chairperson. Ministerial powers extend to the appointment of committee members as provided for in the SDI Act.

e) **The Committee for Spatial Information**

At the practical level, the Committee for Spatial Information, its objects, functions and powers, are established by the SDI Act. The committee term is for three years. This committee is presently being reconstituted after its term expired. The Committee comprises national departments nominated at ministerial discretion; one person from each department of provincial government, two persons from local municipalities, one being rural and the other being urban in character, one officer from government Information Technology and a specialist in Geographic Information Sciences. At least one person must represent the interests of public entities which support the objects of the Public Finance Management Act (1 of 1999).

f) **Supporting Legal Frameworks**

The SDI Act, due to its spatial data and information focus, is read in conjunction with the Promotion of Access to Information (Act 2 of 2000), the Intergovernmental Relations Framework Act (13 of 2005), the Copyright Amendment Act (9 of 2002) and the Statistics Act (6 of 1999). While SDI legislation sets out the architecture for national dataset management, there are two primary policies guiding the implementation of the SDI Act. Further policies regulate the standardisation and quality of spatial data, namely the South African Spatial Data Infrastructure Guidelines issued by the Committee for Spatial Information and the Standard for Delivery of Spatial Data Products issued by the Gauteng Department of Agriculture and Rural Development (GDARD) in 2014.

POLICIES

The policies guiding the implementation of the SDI Act are principally to establish and maintain the standards of delivery of spatial data products. The first of these is the Data Custodianship Policy (CSI Policy No 1 of 2013). The second, the Pricing of Spatial Products and Services Policy (CSO Policy No 2 of 2013), covers the pricing and access related items. The third covers the quality of packaging data requests under the Gauteng of Agricultural Development and Rural Development (GDARD).

a) **Data Custodianship Policy (CSI Policy No 1 of 2013)**

The base data set custodians covered by the Data Custodianship Policy are defined by their ability to promote data sharing, cooperative relationships between base dataset custodians and the rights of custodians and the responsibilities of data users. The objective of the policy is to:

- improve access to available and relevant datasets,
- eliminate duplication in the collection of datasets,
- promote cooperative relations between data custodians; and
- avoid the legal liabilities of all parties by protecting privacy.

From a quality control perspective, the improvement of the quality, integrity and integration of base datasets is also part of the policy mandate.

b) **Pricing of Spatial Products and Services Policy (CSO Policy No 2 of 2013)**

The Policy on the Pricing of Spatial Information Products and Services covers the data custodians and the data they hold. In terms of the policy, the objectives are to:

- promote transparency in the public sector by removing the cost barriers to data access,
- ensure access to affordable data,
- ensure pricing consistency across the public sector,
- promote Batho Pele principles in the use of data; and finally,
- encourage job creation through downstream data utilisation and packaging opportunity creation.

The policies aim to institutionalise base dataset governance through improving intergovernmental relations in the area of custodianship, data collation, storage, sharing, access, quality control through standards adherence and integrity. This is further supplemented by the South African Spatial Data Infrastructure Guidelines issued by the Committee for Spatial Information and the Gauteng Department of Agriculture and Rural Development (GDARD) which deal with the nuts and bolts compliance issues of data

custodianship. These two items are grouped under data quality because they aim to ensure integration, standardisation and comparability of datasets.

c) Policies Guiding Data Quality: SDI and GDARD Guidelines

The South African Spatial Data Infrastructure Guidelines issued by the Committee for Spatial Information aims to enhance the implementation of the SDI act and ensure consistency in the application of the provisions of the Act. The current guideline specifies the compliance standards to which database custodians ought to adhere and standardises the requirements for monitoring, evaluation, reporting audits and accompanying processes of database custodianship.

GDARD goes one step further and regulates how the outputs of database queries are presented either as storage requirements or as outputs of database requests. The guideline covers spatial referencing and promotes dataset conformity with current South African standards. As a result, WGS84 Ellipsoid and Hartebeesthoek 1994, both global positioning coordinate systems, become reference points in spatial data packaging. In delivered data sets, coordinated systems, accessible software platforms, standardised spatial data formats, common file naming conventions and copyrights should conform to integrated standard usage norms.

In preserving and promoting data quality, spatial data must be properly digitised, shapefiles must be audited to eliminate duplicated polygons, the precision of the dataset must be uniform, and mapping units must be stated. In data attribution, consistent and meaningful labelling must be applied in conjunction with appropriate data types and scaling. Metadata files must accompany every digital file delivered. In terms of presentation, all files must follow a suggested directory structure and should be accessible from a DVD-ROM or CD-ROM in a location other than where they were created. Additional commonality criteria are set out that fill in the minutiae of scaling, titles, north arrows, legends, properties information, map unit settings, data and digital hardware packaging, file extensions, views and data frames.

CONCLUSION

In providing an overview of the legislation and policy framework relating to Spatial Development Data, it is clear that these provisions are not promoted at the local level of governance. The recent adoption of SPLUMA makes it imperative that local government is supported in its acquisition and use of spatial data to support its planning and development activities and mandates. SALGA has taken steps to address the questions posed on behalf of its members through its Local Governance Development Data Unit.

In conclusion, common questions that should be answered for local government include:

- Which indicators are standardised and applicable for general use (for example, ISO 37120 indicators standards)?
- Are the datasets from national government departments reliable or specific enough to guide local level planning?
- Are similar or identically framed indicators of different datasets measuring the same thing?
- Are we acting off the same datasets when we plan as local government, as a whole or as sector departments?
- What can local government do to contribute to building dataset custodianship?

RECOMMENDATIONS

In answering the above questions, the Local Governance Development Data Unit should attempt insofar as it is able to:

- Initiate dialogues with National Dataset Providers (Statistics SA, the DRDLR, National Data Custodians) around indicator standardisation,
- Support the process of database custodianship through the consistent application of the SDI and its related policies,
- Promote and support the unification of databases used in Local Government's planning processes to support the provisions of the SPLUMA Act.