



SOUTH AFRICAN LOCAL  
GOVERNMENT ASSOCIATION

**SALGA**

*Inspiring service delivery*

**SALGA Governance  
Support for the  
Transition**

**National Municipal Managers' Forum**

9 June 2016

# Background

- SALGA NEC in November 2015 approved the Framework for the Transition to guide municipalities through the transition during the 2016 Local Government Elections
- The Framework includes the governance support SALGA will be providing to municipalities prior to, during and after the election
- The timeline indicates the most critical activities relating to the elections
- The timeline reflect actions within the municipality and does not reflect the IEC timeline which was developed by the IEC

# Timeline

| Preparation for the election – up to 2 August 2016 | Election day 3 August 2016                   | Declaration of results no later than 10 August 2016 (7 days)   | 1st council meeting for metro and local – 14 days after declaration of results | 1 <sup>st</sup> council meeting for district- 14 days after district reps appointed | Councillor Induction – After 1 <sup>st</sup> meeting of districts |
|--|--|--|--|---|---|
| Governance preparations by municipalities          | Individual municipal support provided to IEC | Declaration of results by IEC and councillors declared elected | MM or designated official to chair meeting                                     | MM or designated official to chair meeting  | General CIP   |
| IEC timeline for nomination and voters' roll       |  | Social plan for incoming councillors                           | IEC to assist in election of office bearers                                    | IEC to assist in election of office bearers   | Sector specific induction   |
| MEOs appointed                                     |  |  | Office bearers and district reps elected                                       | Office bearers elected  | Ward Committee elections  |

# Governance support

- A number of documents and guidelines have been developed to support municipalities with governance aspects prior, during and after the elections and in particular the aspects identified in the timeline developed.
- Documents are aimed at providing assistance to outgoing executive councillors, the administration as well as the incoming executive councillors.
- A set of documents was provided to all municipalities at the SALGA NMA held in May 2016
- SALGA is also providing dedicated assistance to municipalities affected by boundary redeterminations

# Governance support

## Governance support prior to the election:

- Appointment and terms of reference for Municipal Election Officers
  - MEOs are appointed by the IEC, yet often being Municipal Managers
  - Set out the relevant legislative provisions
  - Other staff members may also be appointed as elections officers
  - Document provide guidance to municipalities on aspects to be considered in this regard
- Continued meetings of governance structures during the election period and the extent of delegation of powers to heads of administration during the transition
  - Provide guidance on the continued governance in the municipality not to impair service delivery and to ensure the approval of the budget and IDP (latter to have been done by now)

# Governance support

## Governance support prior to the election:

- Funding of municipal activities related to elections
  - Highlights the fact that local government specific legislation does not allow municipalities to fund party political activities
- Guideline for a report on strategic issues to bring to the attention of the newly elected political office bearers
  - Provides guidance on the preparation of hand over reports by outgoing executives
  - Provide guidance to the Executive Mayor / Mayor
  - Provide guidance to the Speaker

# Governance support

## Governance support prior to the election:

- The role of the Municipal Manager during the transition (p133)
  - Highlights the role of the Municipal Manager prior to, during and after the election
  - Role of the municipal manager is critical during the transition to ensure continuation of the administration
  - Identifies aspects that municipal managers should apply their minds to during the election period
    - Election preparations
    - Councillor support
    - Preparatory work for 1<sup>st</sup> council meeting
    - Ensuring hand over report
    - Restructured municipality
    - Terms of Reference and Delegations
    - Mayoral Lekgotla
    - Ward Committee Elections

# Governance support

## Governance support prior to the election:

- Rules and Orders
  - A generic set of rules and orders for council and committee meeting have been developed
  - Aimed at strengthening the hand of the Speaker with regard to maintaining order in the meeting
  - Introduces a Sargent-in-arms to support the Speaker in a manner that does not require a legislative amendment
  - Municipalities are encouraged to adopt the rules in the current term of office



# Governance support

## **Governance support prior to the election**

- Constitutional Court matter on address requirement for voters' roll is being monitored and members will be informed of developments
- SALGA participates in the Inter-Ministerial Committee on Elections

## **Boundary redetermination specific actions:**

- Assistance provided to municipalities affected
- SALGA part of the Change Management Committees
- Continued support will be provided up to and beyond the election on specific matters, such as the sect 12 notice
- SALGA drafted and circulated a draft section 12 notice to assist municipalities to prepare their input in this regard

# Governance Support

## Activities during the election:

- Guidelines for the first council meeting, including a draft agenda and oath for councillors
  - Guideline has been developed to guide the administration in arranging the first council meeting after the election
  - Draft agendas have been developed, differentiating between an executive mayoral systems and a collective executive system in order to address the different scenarios
  - Although an oath of office not legally required, a draft oath for councillors has been developed

# Governance support

## Activities during the election:

- Guideline Document on the Roles and Responsibilities of Political Structures, Political Office Bearers and the Municipal Manager
  - In addition to the existing SALGA document on roles and responsibilities, a slightly simplified document highlighting the role of the executive councillors has been developed
  - The aim is to serve as a basic and first point of reference to guide newly elected executive councillors, especially those that are new to the sector
  - This will be strengthened by the Councillor Induction Programme and the sector specific induction to follow

# Governance support

## Activities after the election:

- Guideline for the appointment of municipal managers
  - The contracts of all municipal managers will come to an end no later than 2 August 2017
  - Councillors have in the past expressed the view that they need to be guided in the process of appointing municipal managers
  - A guideline had been developed setting out the process and requirements in board terms to sensitise councillors to the requirements for the process
  - Specific reference is made to the applicable legislation and regulations to be complied with

# Governance support

## Activities after the election

- The relationship between district and local municipalities and reporting mechanisms
  - The document provide guidance in broad terms to local and district municipalities on the interaction required and reporting mechanisms for councillors representing local municipalities in district councils to be put in place



**I THANK YOU**