



LESEDI LOCAL MUNICIPALITY

("The Municipality")

WARD COMMITTEE POLICY

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WARD COMMITTEE POLICY

1. INTRODUCTION

Community Participation is an essential part of effective and accountable governance at local level. The Constitution of Republic of South Africa, Act 108 of 1996 requires municipality to encourage participation of the community members and community organization in the matters of local government.

Accordingly, the municipality when adopting this policy will be based on the principles of good governance and community participation as contained in, inter alia, the Consitution, Chapter 4 of the Municipal Systems Act and the White Paper on Local Government which affirms the role of developmental local government that is committed in ensuring citizens participate meaningfully in finding sustainable ways to meet their social, economic and material needs.

The municipality shall therefore, provide appropriate systems and support for ward committees in accordance with Section 17(2) of the Systems Act, which stipulates that a municipality must establish appropriate mechanism, processes and procedures to enable the local community to participate in he affairs of the municipality.

2. THE PURPOSE

To give meaning to national and provincial legislative framework on Public Participation and to provide an institutional framework for such participation within the broader structure of the municipality.

To standardize the operation of Ward Committees and oversee all issues which guides the internal functions and funding of the municipality.

To make sure the municipality adheres to National Framework and Provincial Policy Guidelines of the Funding Model for Ward Committees.

3. DEFINITIONS

COUNCIL	COUNCIL OF LESEDI
Municipality	Municipality of Lesedi established in terms of Section 12 of the Municipal Structures Act
Speaker	The Speaker of Council elected in terms of Section 36 of Local Government Municipal Structure Act 117 of 1998
Ward Councillor	Municipal Councillor elected in terms of section 22(1) of the Local Government Municipal Structures Act
PR Councillor	A proportional representative municipal councillor elected in terms of section 22(a) of the Local Government Municipal Structures Act 117 of 1998 to represent a party on the council of the municipality
Municipal Manager	Head of administration and accounting officer of the municipality and appointed by council in terms of Section 82 of the Municipal Structures Act

Portfolio	Portfolio which represents the needs the community in relation to the function of the municipality
Systems Act	Municipal Systems Act, No 32 of 2000
Structures Act	Local Government Municipal Structures Act 117 of 1998, as amended
Ward Committee	Committee of a municipal ward, established in terms of Part 4 of the Municipal Structures Act
Community	Residents of a ward
CDW	Community Development Workers
Ward Co-ordinator	A ward committee member appointed by the Councilor to assist him/her in ensuring that minutes are taken and the smooth running of the Ward Committee.
Sector	Means an organised formation that takes an active interest in the affairs of the Ward.
IDP	Integrated Development Plan
NGO	Non Governmental Organisation

4. LEGISLATIVE FRAMEWORK

Ward Committees are regulated in terms of the following legislative framework;

- a) The Constitution of the Republic of South Africa Act 108 of 1996.
- b) The Municipal Structures Act 117 of 1998.
- c) The Municipal Systems Act, no 32 of 2000.
- d) The White Paper on Local Government.
- e) Regulations in terms of Section 75(2) of the Local Government: Municipal Structures Act, 1998 (Act no. 117 of 1998 as amended in 2008).
- f) The National Framework: Guidelines for Provinces and Municipalities in the implimentation of the Funding Model, (Notice 364 of 2009)?
- g) The National Framework and Provincial Policy Guidelines on Funding Model: Criteria for determining Out of Pocket Expenses for Ward Committee Members (Notice 973 of 8 October 2009).

5. ROLES AND RESPONSIBILITES OF WARD COMMITTEES

- 5.1 To create formal unbiased communication channels and co-operative partnership between the community and the municipality in the ward
- 5.2 To create hurmonious relationship between the community of a ward, the ward councillor, geographically spread community and the municipality.
- 5.3 To facilitate public participation in the process of development, review and implimentation management of the Intergrated Development Planning of the Municipality and municipal processess.
- 5.4 Act as an advisory body on council policies and matters affecting communities in the ward
- 5.5 To serve as officially recognised and specialised participatory structures in the municipality
- 5.6 To make sure the community participates fully in the decisions that affects them at local level

- 5.7 To mobilise partnership for the development of local projects
- 5.8 To ensure contact between the municipality and the community through the use of, and payment of services
- 5.9 To serve as a mobilising agent for community action
- 5.10 To receive and record complaints from the community within the ward and to provide feedback on council's responsis
- 5.11 To execute other functions as delegated by the municipality
- 5.12 Ward committee members shall paticipate in the stakeholder cluster forum

6. STATUS OF THE WARD COMMITTEE

A ward committee;

- 6.1 It is an advisory body
- 6.2 It is a representative structure
- 6.3 It is an independent apolitical committee of the community in a ward
- 6.4 Must be impartial and perform its function without fear, favour or prejudice

7. COMPOSITION OF WARD COMMITTEES

A ward committee comprises of:

- 7.1 The Ward Councillor who is the Chairperson of the Ward Committee in terms of Section 73(2) of the Local Government Municipal Structures Act 117 of 1998.
- 7.2 Ten (10) other persons who represent sectors and interests in the ward which may include structures and interest groups.
- 7.3 Women who must be equitably represented on the ward committee.
- 7.4 Out of the (10) ten Ward Committee members, the ward Councilor will nominate the Ward Committee Coordinator.
- 7.5 No person may be a member of more than 1(one) ward committee member at the same time.

8. ELIGIBILITY CRITERIA

To be eligible for election as a ward committee members a person must;

- 8.1 Be registered as a voter on the voters roll of the ward for which he or she is nominated.
- 8.2 Not be a member of the Council.
- 8.3 Not be an employee of the Municipality or Sedibeng District Municipality.
- 8.4 Not be in arrears to the municipality rates and service charges for a period longer that three months.
- 8.5 Not be unrehabilitated or insolvent.

- 8.6 Not been convicted of an offence and sentenced to imprisonment without the option of a fine for a period of less than 12 months.
- 8.7 Be an active member of the ward motivated to work on the ward committee and committed to creating better life for the community.

9. NOMINATION OF CANDIDATES

The community of Lesedi shall be entitled to nominate eligible persons to represent a sector on the ward committee and have diversity of interests in the ward.

10. CALLS FOR NOMINATION

- 10.1 Nomination will be called for a period of one month prior the actual election process
- 10.2 Ward Councillors shall call Public Meetings within their respective ward to explain the election process
- 10.3 The Office of the Speaker shall introduce the election process to the community through print media, radio, notice board and media briefing with all relevant stakeholders

11. NOMINATION PROCEDURE

Two weeks after media briefing, the office of the Speaker will post nomination forms at all municipal building.

- 11.1 Nominees shall be nominated on the official nomination forms.
- 11.2 The nomination form shall be;
 - undersigned by the candidate in acceptance of his or her nomination
 - undersigned by a nominator and secondor from the sector in a ward.
- 11.3 Nominations shall be submitted to the Office of the Speaker.
- 11.4 Should a nominee who is elected to serve on the ward committee vacate his/her position or no longer be eligible to serve on the ward committee the procedure as set out under filling of vacancies shall apply.

12. REJECTION OF NOMINATIONS

- 12.1 The Speaker or an official delegated by the Speaker to reject any nomination that does not comply can do so without fail.
- 12.2 A rejected nominee must be notified within (3) three working days after the submission of nominations by the office of the Speaker.
- 12.3 Any person who's nomination is rejected shall not be allowed to stand or be elected as a member of ward committee.

12.1 APPEALS

To be made within (7) working days after receipt of rejection and must be addressed to the office of the Speaker.

13. ELECTION OF WARD COMMITTEE

The election of ward committee members shall take place in the following manner

13.1. WARD COMMITTEE ELECTION MEETING

13.1.1 A Ward Councillor shall in cooperation with the Speakers office convene a ward committee election meeting for the ward.

13.1.2 Notices of the Ward Committee election meetings shall be given at least 7 days prior to the election.

13.1.3 Notice of Ward Committee election meetings shall be done as comprehensively as possible with due cognisance of the communication preferences of the ward to ensure optimal participation, and shall include the following mechanism:

- notices in press
- notice to residents
- notices on all municipal notice boards
- loudhailing where necessary

13.1.4 The office of the Speaker or official delegated to do so shall preside over the election process with the help of IEC official and community development worker, and ward councillor and PR councillor standing as observers.

13.1.5 No quorum is required at a ward committee election meeting, but the ward councillor must ensure that the meeting is well attended.

13.1.6 Only registered voters on the voters roll may vote at a ward committee election meeting.

13.1.7 Attendance registers must be compiled for ward committee election meeting.

14. ELECTION PROCEDURES

14.1 Elected member shall be responsible for a sector and diversity of interests in the ward.

14.2 A maximum of 10 sectors can be represented in a ward committee

14.3 Where there are more than one person with eligible nominees, community will vote by show of hand and a candidate with more votes shall be responsible for the sector.

14.4 In a case of equal number of votes, preference shall be given to a female nominee, unless both nominees are male or female in which case, the chairperson shall have a casting vote.

14.5 Voting shall ordinarily be done by show of hands

15. TERM OF WARD COMMITTEE

- 15.1 The term of office of Ward Committee Members shall be equal to the term of office of the Councillors or shall correspond with the term of office of the Council and shall be terminated on the day preceding the date of the following municipal election.
- 15.2 A ward committee member shall cease to be a member of the ward committee if that member:
- 15.1.1 resigns in writing
 - 15.1.2 moves to another ward
 - 15.1.3 dies
 - 15.1.4 is removed from the office by the Council
- 15.3 The Councillors shall remove a Ward Committee Member from office by a resolution of award committee meeting if such a member:
- 15.2.1 has been absent without leave of the ward committee for three or more consecutive meetings
 - 15.2.2 is proven to be involved in any form of corruption
 - 15.2.3 fails to adhere to meeting procedures or misconduct during meetings
 - 15.2.4 fails to submit priorities as mandated by portfolio members
 - 15.2.4 becomes involved in activities that undermines the Council or Ward Councillors authority
 - 15.2.5 contravenes the code of conduct for ward committee members
 - 15.2.6 replacement of ward committee members shall be informed by relevant sector to be represented.

16. FILLING OF VACANCY

When a vacancy occurs, nominations shall be called for the vacant position, the election will be followed as mentioned above.

17. POWERS OF WARD COMMITTEE

- 17.1 Ward Committees have the power to make recommendations to the ward Councillor and Council through the ward councillor on any matter affecting their ward.
- 17.2 The Council may delegate additional powers to ward committees in terms of Section 59 of the Local Government Municipal Systems Act.

18. THE ROLE OF THE MUNICIPALITY

18.1 Ward committee support

- 18.1.1 Provide induction for ward committees on roles and responsibilities subsequent to elections.
- 18.1.2 Provide on going training in various portfolios of management in order to assist ward committee members in performing their duties effectively.
- 18.1.3 Provide relevant information to Ward Committees on an ongoing basis in order to assist them in the implementation of their responsibilities such as relevant legislations, National Guidelines and Council Policies.
- 18.1.4 Provide resources within the municipality like venues for meetings, office space, stationery, publications, telecommunication systems and other various equipments when needed.
- 18.1.5 The municipality may set up public participation team internally that would facilitate easy liaison with the Ward Committee members outside the Council for easy flow of information, reduced turn around times, easy access to needed resources, easier access to public meeting from time to time and bear tracking and monitoring registered public concerns.

18.2. Ward Based Funding and Budgeting

- 18.2.1 Forms of ward committee support
- 18.2.2 Technical support
- 18.2.3 Municipal Staff dedicated to ward committee
- 18.2.4 Provision of stationery for monthly meeting, induction and training of ward committees
- 18.2.5 Community research surveys, translation and key documents and the provision of venues for ward committee meetings

18.3 Communication Plan

- 18.3.1 Know your ward committee campaigns
- 18.3.2 Provisions for identity cards for ward committees, and
- 18.3.3 Engaging community radio stations, broadcasting, publishing and dissemination of fliers

18.4 Out of Pocket Expenses will cover the following:

- 18.4.1 Travelling expenses incurred
- 18.4.2 Telephone/ cellular phone costs, and
- 18.4.3 Other forms of reimbursements due to ward committee members as a result of doing Council work

19. BUDGET

19.1. Administrative Arrangements, Funding and reimbursement.

- 19.1.1 The municipality must make administrative arrangements to enable ward committees to perform their functions and exercise their powers effectively. In doing so the municipality must use its resources and allocate funds in its budget to the office of the Speaker to further the objectives of the ward committees.
- 19.1.2 All administrative back-up to enable effective functioning of the ward committees must be allocated in the office of the Speaker.
- 19.1.3 The municipality must, through the office of the Speaker, reimburse or incentivise ward committee members for travelling and out of pocket costs incurred as a result of attendance of ward committee meetings. the reimbursement will be done in accordance with the approved resolution of the municipality.
- 19.1.4 Members and duties of the ward committee members must be regarded as voluntary service for the benefit of the community.

19.2 Out of Pocket Expense

- 19.2.1 Out of pocket expense for full attendance of authorised meetings, training session and workshops as well as travelling costs will be paid from Municipal Budget in accordance with a framework of tariffs to be determined by the municipal council from time to time.
- 19.2.2 Ward committee members shall be required to complete attendance registers and sign it after conclusion of the meeting in order to claim for out of pocket expense.
- 19.2.3 Out of pocket expense shall be paid to the member of the ward committee.
- 19.2.4 The municipality/Council may allocate funds and resources to enable ward committee to perform their functions subject to availability of funds to exercise their powers and undertake development in their wards within the framework of the law.

20. MEETINGS OF WARD COMMITTEE

- 20.1 The Ward Councillor chairs all the meetings of the Ward Committee and must nominate a replacement to chair a meeting in his or her absence.
- 20.2 A maximum of 12 meetings will be held per annum or calendar year with at least one meeting per month.
- 20.3 Meetings may, subject to the approval of the Speaker and availability of funds be held more frequently should the circumstances necessitate it.

- 20.4 The Ward Councillor must accept responsibility for the compilation of a programme of meetings and annual operational plans for ward committees at the beginning of each calendar year which must be submitted to the office of the Speaker.
- 20.5 The Ward Councillor together with Ward Committee Coordinator shall be responsible for ensuring that full and proper records are kept for all Ward Committee Meetings
- 20.6 The Administrator from the office of the Speaker shall provide support for all formally constituted Ward Committee meetings.
- 20.7 The Ward Coordinator shall be responsible for capturing the minutes of the Ward Committee meeting.

21. SUB COMMITTEES

- 21.1 A Ward Committee may establish sub committee that may be necessary for the performance of its functions which may include other organisations
- 21.2 The Ward Committee must appoint the members of the sub committee, the chairperson and determine the functions of the sub committee
- 21.3 Ward Committees and sub committees may meet collectively as a Ward Forum when so required by the Ward Councillor and the Speaker

22. WORK PROGRAMME

The Ward Committee must submit a programme with specific outputs of work for each calendar year to the office of the Council Speaker. The Ward Committee must perform the functions as set out to achieve the outputs indicated on the programme by own initiative, or at the request of the Ward Councillor, Speaker or other designated political functionary.