CONTENTS

1 Introduction .................................................................................................................. 4

2 Monitoring performance in local government ...................................................... 6
   2.1 An integrated monitoring system ........................................................................ 6
   2.2 Research and benchmarking .............................................................................. 7

3 SALGA’s broad-based support to municipalities ................................................. 7
   3.1 Peer learning ........................................................................................................ 8
       3.1.1 Study visits ............................................................................................... 9
       3.1.2 Peer coaching ............................................................................................ 9
       3.1.3 Peer-to-peer exchanges .............................................................................. 10
       3.1.4 Communities of practice or learning networks ....................................... 10
       3.1.5 Peer reviews ............................................................................................. 12
   3.2 Knowledge portal ................................................................................................. 13
   3.3 Political leadership development ....................................................................... 13
       3.3.1 Leadership Development Programme ..................................................... 13
       3.3.2 Councillor mentoring programme .............................................................. 13
       3.3.3 Specific development for councillors ......................................................... 15
   3.4 Represent municipalities in support initiatives by national and provincial government ...................................................... 15

4 Support to municipalities under intervention ................................................... 16
   4.1 Checklist of rights and responsibilities for municipalities ............................. 17
   4.2 Represent the interest of the affected municipality ......................................... 17
   4.3 Monitoring the integrity of the intervention ..................................................... 18

5 Conclusion .................................................................................................................. 18

References ..................................................................................................................... 19
1 INTRODUCTION

This document constitutes the Municipal Support and Intervention Model which sets out the role of SALGA within the Framework for Support and Interventions in Local Government. The document was developed by SALGA to guide how monitoring, support and intervention could ideally work in the local government sector. The Framework for Support and Interventions forms the basis for this Model. The two documents should be read together.

The South African Local Government Association (SALGA) is the recognised voice of local government in terms of the Organised Local Government Act 52 of 1997 in accordance with section 163 of the Constitution. Apart from being an employer body for local government, SALGA is an autonomous association of municipalities performing an important role within the IGR system and represent local government in national and provincial legislative processes. As such, it is the body that national and provincial government consult when contemplating legislation that impacts on local government.

First, SALGA represents local government in the National Council of Provinces (NCOP), which is tasked with ensuring that provincial and local government interests are taken into account in the national sphere of government. The NCOP plays a critical review role in promoting intergovernmental relations as provided for in terms of sections 100 and 139 of the Constitution respectively. In the case of section 100 intervention, the NCOP alone approves an intervention by a national executive in a province. However in the case of a section 139 intervention, the NCOP is one of the parties that must receive a written notice of an intervention from the provincial executive. This written notice of an intervention in a municipality must be received within 14 days after the commencement of the intervention and it should also be submitted to the Minister responsible for local government as well as the relevant provincial legislature.

Second, SALGA is represented in the Financial and Fiscal Commission (FFC) which makes recommendations to Parliament, provincial legislatures, organised local government and other organs of state on financial and fiscal matters, such as the fiscal framework, the division of revenue and the equitable share. In
these structures and legislative processes, SALGA represents the interests of local government. To perform its role effectively, SALGA has a key role to play in building the capacity of municipalities as well as advocating the interests of municipalities in national and provincial processes that impact on local government. In addition, section 3 of the Local Government Municipal Systems Act 32 of 2000 summarises the role of organised local government as being to:-

• develop common approaches for local government as a distinct sphere of government;
• enhance co-operation, mutual assistance and sharing of resources among municipalities;
• find solutions for problems relating to local government generally; and
• facilitate compliance with the principles of co-operative government and intergovernmental relations.

One of SALGA’s strategic goals is Effective, Responsive and Accountable Local Governance for communities. Part of this is to ensure coherent local government support by all spheres of government and other stakeholders including public entities and private companies. Linked to this objective is the goal of providing multi-disciplinary support to municipalities to ensure that municipalities are sustainable, self-sufficient and able to deliver effective and accountable governance. SALGA’s support role to municipalities requires it to engage with national and provincial government in their regulations of municipalities. It is in this vein that SALGA is developing this model to enable it to advocate for how the process of monitoring, support and intervention can happen to ensure that municipalities are able to play a developmental role in the country. The Municipal Support and Intervention Model therefore aims to assist SALGA in its role as the representative body of local government to do the following:

• Achieve internal coherence on its role with respect to support and intervention;
• Serve as a lobbying and advocacy tool on how support and interventions should work in the local government sector;
• Manage relationships with external stakeholders in terms of roles and responsibilities with respect to monitoring, support and intervention in the local government sector; and
SALGA MUNICIPAL SUPPORT AND INTERVENTION MODEL

- Support its members to perform in their areas but not to take over monitoring and support responsibilities of other spheres of government.

In this regard, SALGA’s role is to sensitise its members on the impact of their legislative and constitutional roles and responsibilities as well as support them on the performance thereof. Importantly, SALGA’s support role differs from that of the regulatory authorities. Its role is therefore facilitative rather than regulatory. The role of SALGA in instilling compliance, good performance as well as innovation and good practice in municipalities cannot be underestimated. The key role for SALGA in monitoring, support and intervention will therefore revolve around research, benchmarking and development of a knowledge portal that will enable it to provide support to municipalities.

The diagram below proposes a support model for SALGA’s support to municipalities.

![Figure 1: SALGA’s proposed support model](image)

*Figure 1: SALGA’s proposed support model*
This model enables SALGA to streamline its current support to municipalities and to reintroduce peer learning to its support mechanisms. Furthermore, it proposes that its support initiatives should not duplicate those of national and provincial government but focus ensuring that municipalities take it upon themselves to want to improve to avoid regulatory interventions. These programme areas are discussed in detail in this document.

2  MONITORING PERFORMANCE IN LOCAL GOVERNMENT

Monitoring of local government happens at different levels. There is self-monitoring by municipalities through the required systems and processes for planning and performance management. Second, the Constitution and other legislation, especially the Municipal Systems Act and the Municipal Finance Management Act empower provincial and national government to monitor the performance of municipalities. It is at both levels that SALGA can play a meaningful role in supporting municipalities. The Municipal Support and Intervention Framework details the various legislative imperatives that require municipalities to monitor themselves as well as the stipulate the role of provincial and national government in monitoring the performance of municipalities. Through these requirements, all three spheres of government already developed a body of knowledge on municipal performance. The role of SALGA in monitoring can be seen in three areas, namely, developing or accessing an integrated monitoring system; benchmarking and conducting research.

2.1 An integrated monitoring system

The base for a support model for SALGA is therefore an information system about municipal performance that will inform its agenda in supporting municipalities to perform well and innovate. SALGA has already developed a portal for information, i.e. the Local Government Barometer which if populated with the correct and appropriate data, will provide intelligence on municipal performance. As much as possible, there needs to be a link between SALGA’s system and those of the other important stakeholders in the sector such as
the National Treasury, CoGTA and the Auditor-General. The following diagram illustrates an integrated local government monitoring system.

**Figure 2: Local Government Monitoring Framework**

The integrated monitoring system should provide information on poor performance to enable both SALGA and the regulatory authorities to respond appropriately with support before it becomes a real problem.

### 2.2 Research and benchmarking

Based on the integrated information system, SALGA should be in a position to benchmark municipal performance and design an informed research agenda into policy areas it would like to influence on behalf of municipalities as well as support municipalities on. SALGA’s research agenda should be strongly linked to the local government performance indicators. The White Paper on Local Government characterises ‘leading and learning’ as a key element of developmental local governance, stating that it is the duty of every municipality to ensure “…that knowledge and information are acquired and managed in a way that promotes continuous learning and which anyone can access easily.
and quickly.” Whatever is learned in practice of municipal governance should contribute to the body of knowledge that is developed through research.

Benchmarking should provide a platform for comparative learning to stimulate learning around good and poor practice as well as providing a framework for municipalities to be able to judge and seek to improve their own performance. Learning networks will be a crucial platform for promoting the development of common indicators amongst peer organisations/functions and encouraging municipalities to begin to compare and benchmark their performance with other municipalities nationally and internationally.

### 3 SALGA’S BROAD-BASED SUPPORT TO MUNICIPALITIES

The main reason of monitoring the performance of municipalities is to ensure that those that exhibit poor performance receive the requisite support. Through monitoring, specific problems and gaps can also be identified and addressed. The Municipal Support and Intervention Framework has identified an approach to support and suggests that there are different types of support that can be given to municipalities based on their level of performance. This stems from the constitutional requirement in section 154 for national and provincial government to support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions.

Based on this, SALGA’s role is not to provide hands-on support to municipalities as this is the task of provincial and national government. Besides, the resources available to SALGA pale in comparison to the resources available to national and provincial government to provide the necessary support to strengthen the capacity of municipalities. It is therefore important that SALGA is able to utilise its resources efficiently in supporting municipalities and not duplicate and even replace the role of national and provincial government.

One of the key roles for SALGA in supporting municipalities is therefore to ensure that municipalities access support and that when support is being provided it is
responsive to the needs of municipalities. Through its information systems and research processes, SALGA should be in a position to influence the support that is provided in the sector. In terms of support initiatives by other stakeholders within the local government sector, SALGA has a strong role to play in ensuring that the state of local government and its challenges are correctly diagnosed and understood. This role requires SALGA to have a firm understanding of the real challenges of each municipality and the research and benchmarking roles outlined earlier become important in ensuring that SALGA has the right information on the strengths and challenges in municipalities.

It will then be important that SALGA is in a position to share this knowledge and foster peer learning among municipalities facilitating the establishment of peer relationships and knowledge sharing among these. This should include peer monitoring, horizontal learning and benchmarking, within a solid research agenda.

### 3.1 Peer learning

Research remains a bedrock supporting for any peer learning activity and this it is important that SALGA build a strong research agenda and use peer learning to transfer knowledge generated. Peer learning activities themselves also generate knowledge albeit tacit knowledge which is just as important to drive excellence and innovation. Research and peer learning therefore feed off each other.

SALGA is an organisation political peers and is therefore the best vehicle to facilitate peer learning among municipalities. Where it has been used, peer learning has been found to be an efficient way to transmit knowledge across a wide range of groups as well as an effective means to build capacity. Undoubtedly, this has also applied to municipalities when learning networks facilitated by SALGA and others were in operation. The body of knowledge it generates is a powerful tool for the development of evidence-based policy.¹

Peer learning provides senior local government politicians and officials the opportunity to review their practice in a supportive peer environment, share

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¹ O’Neil, M. in the foreword in Power of peer learning by Jean-H. Guilmette (en. wikipedia.org/wiki/Peer learning)
best practice and deepen understanding and insight. Learning is an iterative process which produces insights into complex problems and the way we interact with them. Peer learning therefore contributes to effective management and leadership and assists role-players to identify and address their learning and development needs. There are a number of ways that SALGA can foster peer learning in the sector. Among others, these include:

- Study visits
- Coaching and mentoring
- Peer-to-peer exchanges
- Communities of practice
- Peer reviews

It is important to note that all these methods of peer learning can happen as part of support programme of SALGA. While some or all of these are already being undertaken, there needs to be a coherent and deliberate approach to engaging these methods rather than doing them for some things and not for others. The strategy to do them should be based on the intelligence yielded by the integrated monitoring system that shows areas of both good and poor performance.

These peer learning programmes are powerful in that they are able to collect and analyse much more than the regulatory performance information and facilitate responses to common challenges. Reporting behaviour in peer learning systems is significantly more open, exposing real performance vulnerabilities and thus being able to direct support where it matters.

### 3.1.1 Study visits

Study visits are the most common method of peer-to-peer learning. In SALGA’s case, they offer groups of politicians and officials alike from one or more the opportunity to visit another municipality and see first-hand how the hosting municipality has successfully implemented a specific solution. With is knowledge of who is performing well on a specific area of work, SALGA can facilitate study visits by municipalities needing to learn on that issue to those that are excelling

2  http://www.cascadecities.eu
and even innovating on a particular matter. A study visit is a dynamic and interactive process that facilitates the exchange of experience and knowledge between municipalities. During the study visit, the visiting municipalities are able to see how projects or a solution is implemented practically and learn from the host municipality through short presentations, site visits and peer-to-peer discussions.

3.1.2 Peer coaching

Coaching is an activity that is growing in popularity as a way to drive productivity of individuals by assisting them to focus on their tasks. This is mainly popular in the private sector though the concept of peer coaching could also work in the public sector considering that there are communities of practice that have formed already. These include forums such as the various forums for mayors, speakers, municipal managers, and CFOs that have been established already. Peer coaching is where a group of people meet regularly to provide coaching to each other; each session is confidential and totally voluntary. The group coaching might be undertaken using Skype (or other free IP phone service) allowing a group of 4-5 people to have a phone conference once a month for an hour. Each person brings a problem that the other members of the group would coach them through. Usually the group can only address two problems in each session and listen to updates from the previous session. Everyone in the group takes turn.

3.1.3 Peer-to-peer exchanges

Another powerful tool to transferring tacit knowledge in peer learning are secondments and exchanges. These allow councillors and officials to work with their peers in another context and they can also serve as a means of providing on-site coaching. Secondments and exchanges should be conducted in accordance with the principle of mutual benefit in that the seconded councillor or manager both contributes to the work of the host municipality as well as

3 Schmidt, D (2008), Concept framework on approaches to peer learning prepared for SALGA’s Knowledge Sharing Programme and the District Learning Network.
learns through the process\textsuperscript{4}. The only challenge is that municipalities wishing to conduct these could be at different rhythms of the work. However, through other peer learning activities that SALGA should facilitate a secondment or exchange that fits for a mutual benefit can be arranged between the visiting and the host municipalities.

### 3.1.4 Communities of practice or learning networks

A community of practice is a network of individuals with common problems or interests, usually with a specific area of knowledge. They explore new ways of working, develop solutions to problems, and share good practice and ideas. This can happen face-to-face or in an online environment.\textsuperscript{5} A number of agencies internationally have been promoting these in local government to share knowledge and build capacity. There is immense value in peer support as opposed to support from an authority. SALGA has already contributed significantly in this space over the first 15 years of a democratic local government system through programmes including:

- Horizontal learning programme (Hologram)
- District and Local learning networks
- Benchmarking programmes e.g. Water Services

Learning networks are some of the best mechanisms for municipalities to increase their ability to learn from themselves as well as improve their ability to learn from others. They facilitate a process where municipalities:

- Get to know what they know, maximising this intellectual capital to spearhead innovation and using the lessons from their own and others’ successes and failures to drive continuous improvement;
- Develop a better understanding of what other municipalities or municipal entities are doing through Build partnerships and networks for delivery; and
- Increase public access to knowledge and information in order to deepen democracy and create the conditions for a learning society.

\textsuperscript{4} Ibid.

\textsuperscript{5} Ibid.
Since the known learning networks emerged around 2003, communication technology and its use has advanced significantly. To name a few, the District Learning Network (DLN), the Local Learning Network, the City Water Managers Forum, and the District Water Managers Forum. At the time face-to-face engagements were a necessity and as a result, quite expensive to maintain. The use of online options is a bit more palatable now to reduce the frequency of physical meetings. To help communities of practice in local government create and share their knowledge, for example, IDeA has developed an online environment that provides a range of collaborative tools including:

- blogs – personal online diaries
- discussion forums
- document libraries
- event diaries
- people finders
- wikis – a resource that allows users to create and modify pages online

International examples of such networks include the Warwick University Local Authorities Research Consortium and the New Local Government Network (NGLN) Innovation Forum in the UK; as well as the Organisations for the 21st Century network facilitated by the MIT/Sloan Organisation Learning Centre in the US.

The CLGF good practice case study below is an example of supporting learning networks around good practice.

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6 Ibid.
7 Ibid.
Case Study 1: Commonwealth Local Government Forum Good Practice Scheme

The Commonwealth Local Government Forum (CLGF) was established in 1995 in response to a need for a collective voice for local government in Commonwealth structures to press forward the decentralisation and democratisation reforms of the time. It promotes the exchange of information through the Commonwealth Local Government Good Practice Scheme, the annual Commonwealth Local Government Handbook, a major conference held every two years, and numerous symposia. At the same time as the Cotonou Partnership Agreement has recognised local governments as state actors, Commonwealth governments have given enhanced recognition to CLGF as a state actor representing its elected members. It is now officially classified as an ‘associated Commonwealth organisation’.

The CLGF Good Practice Scheme supports focused and practical projects on a North-South or South-South basis, that are aimed at achieving clearly defined objectives in terms of improving service delivery and strengthening local governance. Funding supports the exchange of personnel and councillors, so as to enable them to work alongside and shadow their counterparts, as well as local consultative exercises such as workshops, and the piloting of new initiatives. No capital funding is available and projects must demonstrate that their results are sustainable. Key to the approach is the requirement that projects must be drawn up jointly (a planning meeting is a core component of the funding) and staff time on both sides of the partnership is given in kind.

Lessons

The CLGF’s engagement in municipal international cooperation has highlighted certain lessons, derived from direct experience and formal external reviews.

• Municipal International Cooperation (MIC) projects tend to have a slow lead time. There are many reasons for this. If the partners are
new to each other, they need time to build a relationship based on mutual understanding and trust. In addition, peer-level discussions over a period of time about what concepts mean and how they might be interpreted help to ensure that genuinely workable and locally appropriate development solutions can be devised.

- There is a need for long-term sources of finance to facilitate effective MIC that respects the time frames involved.

- For many partners - and often the very important local ‘champions’ – their involvement in MIC activities is an ‘add-on’ to their day-to-day work. In order for MIC to be genuinely successful, it is important that there is a real buy-in at the highest political and administrative levels.

- Participants, whether from a local authority or from other stakeholder groups, should receive as much briefing/training as possible in preparation for working in a developmental context. We have found that it often works well to send or receive a team of people, both to promote institutional learning by ensuring that a broad cross-section of people are involved, and to enable them to share ideas about how learning can be relevant and maximised after the visit.

- Traditionally, this has involved producing reports that are rarely read after the end of the reporting process, and the knowledge being retained by individuals who have been directly involved in a project.

- This implies that to guarantee a strategic impact, we need to find ways to ensure that any lessons learnt benefit not just the individual partnership, but also those who have not been directly involved.

In the current framework of the Good Practice Scheme, the CLGF is working very closely with national associations to help them disseminate the lessons learnt and increase the chances of project outcomes having a direct impact on policy development.

Source Capacity.org Issue 21 April 2004 (used in the “Concept framework on approaches to peer learning” prepared for SALGA’s Knowledge Sharing Programme and District Learning Network)
### 3.1.5 Peer reviews

Peer reviews are part of peer learning tools that are widely used by communities of practice that wish to improve and strengthen their performance by learning from each other. They provide a mechanism for a friendly assessment by peers to highlight good practice and advice. It is a voluntary exercise and therefore SALGA is best placed to facilitate peer reviews for its member municipalities wishing to improve their performance. Peer learning provides safer space for municipalities to be open about their challenges as well as their achievements without fear of reprisals. This is therefore not a role for a regulatory authority but perfect for SALGA as an organisation of peers.

SALGA has conducted peer reviews before through its then Knowledge Sharing Programme (KSP). In a peer review, the assessment is done against a benchmark of an ideal city on a common set of key performance areas. Peer reviews contribute to the collection of good practice in city governance. The model used before was borrowed from local government Improvement and Development Agency (IDeA) in the United Kingdom (UK). In this model:

- The general high level performance of a municipality is evaluated against a benchmark of an ideal municipality on the basis the principles of a 360 degree evaluation; and
- The focus is on “local government helping itself” and the review panel is primarily comprised of senior councillors and officials from other municipalities in the country where the review is occurring supported by a review facilitator plus members from national government.

As support to municipalities, peer reviews can assist improve the performance of participating municipalities before attracting regulatory interventions from national and provincial government. While monitoring is strongly played by the regulator, SALGA’s role is to facilitate a process where municipalities develop a culture of learning from each other without fear of sanctions or punishment. As part of its learning processes, a peer review mechanism can assist in enabling municipalities to self-monitor performance as ‘critical friends’.

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Ibid.
3.2 Knowledge portal

A knowledge portal becomes an important innovation for SALGA to enhance peer or horizontal learning. The portal should comprise of research SALGA conducts into key areas of performance of municipalities as well as action research that emanates from the learning networks and peer reviews conducted. Lessons learned will be an important part of documenting and profiling good practice in the sector.

3.3 Political leadership development

SALGA is an organisation representing municipalities in policy processes and it is led by political heads of municipalities.

3.3.1 Leadership Development Programme

It is therefore important that is also has a political leadership development programme at its core. The local government Improvement and Development Agency (IDeA) in the United Kingdom (UK) established a Leadership Academy for councillors in leadership to develop their skills to respond to “multiple challenges and opportunities; from reducing budgets and re-shaping services to diverse community challenges and complex political alliances. Developing the skills for effective local leadership is vital to ensure councillors can rise to these challenges and make the most of the opportunities to benefit their communities.”

Such a leadership development programme would ensure that councillors are prepared for their task of holding important portfolios both in their municipalities and in the various intergovernmental policy development structures representing local government.

3.3.2 Councillor mentoring programme

South Africa has had three terms of democratic local government and about to enter a fourth. Thus, it has experienced councillors that have either completed or will soon complete their terms after the upcoming elections. It is important

9 http://www.local.gov.uk
that this experience of these councillors is not lost to either the private sector or becomes ignored. Such experience can be used as part of a mentoring programme for new councillors that are entering their leadership journey as well as some that have been there but need a mentor of how to be effective in their responsibilities as councillors. SALGA’s core responsibility is to develop the skills of its members to be able to carry out their duties. It can look to other countries on how they have done this and the Local Government Association (LGA), formerly IDeA in the UK provides a good example. The LGA has established a councillor role mentoring programme as described in the box below.

**Case study 2: Councillor Role Mentoring Programme for LGA in the UK**

Councillor role mentoring works with a small group of councillors from one local authority or councillors with similar roles from a number of councils. These could include committee or cabinet members with portfolio, corporate or service responsibilities or members of overview and scrutiny committees.

It uses an accredited peer Councillor mentor with an action-learning approach. The action-learning group will have between eight and 10 members and can involve single and or cross-party groups.

**Improving the leadership role**

- Councillor role mentoring is designed to strengthen the leadership demonstrated by councillors at executive and non-executive level by:
  - providing support, clarity and advice about the complex and diverse issues that arise within individual and specialist roles
  - improving performance, effectiveness and 'survival' skills, by focusing on the resolution of real issues in an atmosphere of experiential learning and review
  - increasing role effectiveness to enable organisational and service improvement for local communities
• contributing to the wider objectives and priorities of the council
• increasing the group’s ability to solve their own future issues in an effective and self-sufficient manner.

Building personal capacity and learning

The action-learning approach requires participating councillors to be open minded and enthusiastic. They must be willing to challenge and assess individual and group effectiveness in their specific skill areas. These could include regulation and monitoring, scrutiny and challenge, communication, community leadership and managing performance. They will also need to act to address personal and group development needs. Role mentoring includes:

• an opportunity for councillors to share visions, experiences and best practice through a refreshing approach with an emphasis on learning and personal development;
• protocols governing the mentoring relationship, including confidentiality a tailor-made learning agreement for the mentoring period to suit councillor needs, which may include one-to-one meetings, observation and learning from good practice;
• placement of a peer mentor with appropriate skills, knowledge and experience a series of meetings during the relationship, telephone and e-mentoring contact throughout and for up to three months afterwards;
• review and evaluation at agreed times during and after delivery;
• sufficient time for reflection on actions taken, exercise of new personal styles, and strategies;
• access to the LG Improvement and Development Knowledge website and supporting documentation;
• a self-sustaining model for future problem solving activity in the authority.
3.3.3 Specific development for councillors

SALGA represents local government in specific intergovernmental structures such as the Budget Forum, the FFC, the NCOP, and so on. It is important that the skills of these councillors are harnessed to ensure that they are effective in their role representing local government. These councillors need specific skills in addition to the leadership skills mentioned above.

3.4 Represent municipalities in support initiatives by national and provincial government

The White Paper on Local Government states that SALGA’s key role is “the effective representation of local government in the legislative processes of all spheres of government, and in intergovernmental executive processes.” These include the following:

- The provision of specialised services to supplement and strengthen the capacity of municipalities;
- Research and information dissemination;
- Facilitating shared learning between municipalities;
- Human resource development;
- Councillor training.

SALGA’s support programmes should not duplicate those of national and provincial government carried out as part of their obligation to support and regulate municipalities. While it is important for SALGA to keep a watchful eye to the extent that this happens, it should be clear that the organisation is not responsible for filling the gap where national and provincial government fail in their support obligations. SALGA should position itself as a dependable yet robust partner in terms of ensuring that support to the sector is not only integrated, but is also responsive to the real challenges of a municipality. It can only be in a position to do so, if it strengthens its research and monitoring capability in terms of challenges of the sector.
Through a detailed research programme focusing on the capacity needs of municipalities, SALGA should be in a position to input into the support programmes of national and provincial government. Its own support programme therefore should rather focus on representing municipalities in legislative and executive processes, advice and advocacy, promote and facilitate peer learning and knowledge sharing among municipalities. Its approach to support should take into consideration both context and performance.

In terms of support initiatives by other stakeholders within the local government sector, SALGA has a strong role to play in ensuring that the state of local government and its challenges are correctly diagnosed and understood. In order for SALGA to play this role, it needs to have a firm understanding of the real challenges of each municipality, and host a repository of knowledge and information on the state of local government in the country. It is important that this repository remains current at all times as it will influence the decisions SALGA makes when lobbying the other spheres of government on behalf of municipalities.

In addition, as the voice of local government, SALGA is in the perfect position to provide direction to ensure that support addresses real, actionable problems. Based on its understanding of the local government context, SALGA is in a position to lobby for sufficient resources to provide adequate and appropriate support to municipalities, i.e. to move the focus away from interventions towards support that will enhance the development of municipalities. SALGA has a role to lobby, advocate, protect and represent the interests of local government. As the voice of local government, SALGA should focus on ensuring that it has the information and intelligence at hand so that it can play a facilitative and oversight role to lobby for the right support.

SALGA's main role in local government support is to input to national and provincial departments and monitor the integrity and effectiveness of their support programmes. When done effectively, this can minimise interventions by ensuring that all municipalities have access to adequate training, capacity building, and support systems to enable them to perform their functions and manage their administrations effectively.
4 SUPPORT TO MUNICIPALITIES UNDER INTERVENTION

SALGA aims to ensure that no municipality is put under intervention. The preceding section details the support SALGA can provide to its member municipalities to improve their performance. However, should a municipality be identified for an intervention due to consistent poor performance and failure to respond to support initiatives, it is important that SALGA supports such a municipality in a specific manner. It is important to note that SALGA does not have a legislative or direct role to play in intervention but has an important role to play in terms of oversight of the process. While SALGA cannot intervene in municipalities in the same manner that national and provincial government are enabled to, it can be interventionist in terms of how it works. This means that when other spheres are intervening into municipalities, SALGA can be lobbying for proper process and ensuring that the objectives of section 139 of the Constitution section 156 of the Municipal Finance Management Act are met. Instead, SALGA’s role is to support its member municipalities when problems are identified at the municipality, including the following:

- Assisting municipalities under an intervention understand the processes that are likely to unfold, monitor the appropriateness of the intervention as well as monitor the integrity and effectiveness of the intervention;
- Ensure that an intervention into a municipality is responsive and addresses real not perceived challenges of a municipality;
- Insist that a s154 report is done prior to an intervention is invoked;
- Ascertain what the province has done in terms of identifying the problem and lobbying support;
- Support its members to understand their roles and responsibilities within an intervention process;
- Provide regular reports and updates to the National Council of Provinces regarding the status of the intervention.
4.1 Checklist of rights and responsibilities for municipalities

One way in which SALGA would be able to support municipalities is through the development of tools, checklists or guides that enable municipalities to better understand the intervention process, their rights and responsibilities in the intervention process as well as the roles and responsibilities of other role-players in the intervention process. The attached checklist, for instance, could serve as a reminder to municipalities around the process of intervention as well as the various way in which SALGA can support municipalities. Certainly, a role for SALGA would be supporting its members to understand the processes that need to be followed before an intervention can take place as well as the roles and responsibilities of all the key role players.

4.2 Represent the interest of the affected municipality

As organised local government, SALGA has a role firstly to ensure that the intervention is understood by the municipality as its member. In addition, SALGA has a role to play in ensuring that the support measures and expectations that are being offered to the municipality during the intervention are realistic and achievable by the municipality. It must ask relevant questions and engage with the process to ensure that the intervention is beneficial to the municipality, i.e. is this aimed at improving the state of the municipality.

In the case of an intervention in terms of section 139(5) of the Constitution where a municipality is unable to deliver services/meet its obligations due to a crisis in its financial affairs, the provincial executive must impose a financial recovery plan which is aimed at securing the municipality’s ability to meet its obligations to provide basic services. Section 141 of the MFMA expressly provides that at least 14 days before the financial recovery plan is finalised it should be submitted to organised local government in the province for comment and that such comments should be taken into account in finalising the financial recovery plan.
SALGA’s role in this regard is to engage with the financial recovery plan together with the municipality to determine whether the financial recovery plan that is being developed is in line with the municipality’s ability, is able to be implemented and can be sustained and to provide comment/feedback to the person preparing the financial recovery plan. Any comments/concerns should be noted in writing and also forwarded to the MEC for Local Government in the province for noting. SALGA is required to actively play its role in terms of engaging with the information that is being reported on and providing reports and comments where needed to ensure that any intervention into a municipality is responsive and addresses real not perceived challenges of a municipality.

4.3 Monitoring the integrity of the intervention

Section 139 (2)(b)(ii) of the Constitution provides that an intervention in terms of s 139(1) must end if the National Council of Provinces (NCOP) of the municipality disapproves the intervention within 180 days after the intervention began or by the end of that period has not approved the intervention. The most important role SALGA can play in intervention is therefore through the NCOP even though it does not have voting rights in this structure. Based on its strong research and benchmarking capability proposed above, SALGA should be in a position to motivate for or against a notice for an intervention in a municipality in the NCOP. SALGA representatives in the NCOP should have a strong understanding of circumstances of a municipality identified for intervention. They should be informed by SALGA’s own research, conducted ahead of time into interventions generally and into the state of specific municipalities facing intervention. SALGA should monitor potential interventions in order to ensure that it can provide its representatives in the NCOP with the relevant and most current information on the affected municipalities. If the monitoring and support systems referred to earlier in this document and the Municipal Support and Intervention Framework are effective, a notice of an intervention received by the NCOP should not be a surprise to SALGA. SALGA itself should have engaged support to such a municipality and failed.

SALGA also has a role to play in monitoring and evaluating the integrity of the process of interventions. It needs to ensure that interventions are conducted with integrity and in line with the approved process as well as monitor the effectiveness of interventions to ensure that an intervention does not leave a
municipality in a worse off position than before. This will may SALGA to be part of the reporting processes to be able to see that improvements are achieved by the intervention.

As a legitimate voice of local government, SALGA should continue to provide leadership and strategic guidance to its membership during interventions through robust advocacy, representation, and supporting and strengthening municipal capacity. In addition, SALGA needs to exercise oversight in ensuring that the intervention will address the challenges at the municipality and that the turnaround times and expectations of the intervention and of the municipality are realistic and achievable. Through its lobbying and representation role, SALGA should engage in national legislative processes to ensure the institutional integrity of local government on the one hand and the efficacy of interventions aimed at restoring service delivery on the other.

5 CONCLUSION

The role of SALGA in monitoring, support and interventions is largely to define a solid research agenda that would enable it to support municipalities through peer or horizontal learning to enhance performance. Importantly, the role of SALGA is also to ensure that where interventions are undertaken, they are done with integrity and in a manner that builds a municipality rather than break it further. These have to be time-bound and leave municipalities in a better position than they were before the intervention.
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