

WARD COMMITTEE POLICY 2025/2026 FY



APPROVED BY:

MR M NAKO
MUNICIPAL MANAGER

DATE:

APPROVED BY:

OLLR JANDA
EXECUTIVE MAYOR

DATE:

TABLE OF CONTENTS

Purpose of Policy.....	Pg 2
Objective of Policy.....	...Pg 2
Scope.....	Pg 2-5
Policy Definition.....Pg 6
Legislative Framework.....	Pg 7
Policy or Procedure Target.....	Pg 7-8
Policy governance.....	Pg 9
Review	Pg 9

1. PURPOSE OF POLICY

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.

2. OBJECTIVE OF POLICY

Community/Public Participation is an essential part of effective and accountable governance at local Government level. The Constitution of Republic of South Africa of 1996 requires municipalit(ies) 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 Constitution, 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 Local Government Municipal Systems Act 32 of 2000 which stipulates that a municipality must establish appropriate mechanisms, processes and procedures to enable the local Community to participate in the affairs of the municipality.

3. POLICY DEFINITION

Municipality	Mbhashe Local Municipality is established in terms of section 12 of the Local Government Municipal Structures Act, 117 of 1988
Municipal Council	A legislative body elected in terms of section 22 of the Local Government Municipal Structures Act 117 of 1998.

Speaker	The Speaker of Council elected in terms of Section 36 of Local Government Municipal Structures Act 117 of 1998
Executive Mayor	The Executive Mayor of the Municipality elected in terms of section 48 of the Local Government Municipal Structures Act, 117 of 1998.
Ward Councillor	Ward Councillor is a Municipal Councillor elected in terms of section 22(1) of the Local Government Municipal Structures Act.
Proportional Representative Councillor	A PR Councillor is a 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 117 of 1998.
Portfolio Head	A designated portfolio which represents the needs of the community in relation to the function of the Municipality
Ward Committee	A committee of a Municipal ward, established in terms of part 4 of the Municipal Structures Act
Community	Residents of a ward that constitute a Municipality
Community Development Worker (CDW)	An official appointed by Department of Cooperative Governance and Traditional Affairs (COGTA)
Ward Committee Co-ordinator or Secretary	A ward committee member appointed by the Councillor to assist him/her in ensuring that minutes are taken and the smooth running of the Ward Committee
NGO	Non-governmental Organisation
IDP	Integrated Development Plan
PMS	Performance Management System
AG	Auditor General
WOP	Ward Operation Plan

4. LEGISLATIVE FRAMEWORK

The importance of public participation is captured in Section 195 (1)(e) of the Constitution, which states that people's needs must be responded to, and the public must be encouraged to participate in policymaking.

Sections 59, 72 and 118 of the Constitution further mandate both the national and provincial levels of government to facilitate public participation.

The Batho Pele Principles builds on the Constitutional requirement of public participation and emphasises the need for citizens to be consulted about the services they receive from the Public Service.

The Batho Pele Principle states that citizens should be consulted about the level and quality of public services they receive and, wherever possible, should be given a choice about the services that are offered.

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

- a) Constitution of the Republic of South Africa Act 108 of 1996.
- b) Municipal Structures Act 117 of 1998.
- c) Municipal Systems Act, no 32 of 2000.
- d) White Paper on Local Government.

5. TERM OF OFFICE OF THE WARD COMMITTEE

5.1.1. The term of office of Ward Committee Members shall be equal to the term 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.

5.1.2. A ward committee member shall cease to be a member of the ward committee if that member:

5.1.2 (A) Resigns in writing.

5.1.2 (B) Moves to another ward.

5.1.2(c) Dies

5.1.2 (D) is removed from the office by the Council.

5.1.3 The Councillors shall remove a Ward Committee Member from office by a resolution of a ward committee meeting if such a member:

5.1.3 (A) has been absent without leave of the ward committee for three or more consecutive meetings.

5.1.3 (B) is proven to be involved ward committee in any form of corruption.

5.1.3 (C) fails to adhere to meeting procedures or misconduct during meetings.

5.1.3 (D) fails to submit priorities as mandated by portfolio members.

5.1.3 (E) becomes involved in activities that undermines the Council or Ward Councillors' authority.

5.1.3 (F) contravenes the code of conduct for ward committee members.

5.2. POWERS OF WARD COMMITTEE

5.2.1. Ward Committees have the power to make recommendations to the ward Councillor and Council through the ward councillor on any matter affecting their ward.

5.2.2. The Council may delegate additional powers to ward committees in terms of Section 59 of the Local Government Municipal Systems Act 32 OF 2000

5.3. ROLES AND RESPONSIBILITIES OF WARD COMMITTEES

5.3.1. To create formal unbiased communication channels and cooperative partnership between the community and the municipality in the ward.

5.3.2. To create harmonious relationship between the communities of a ward, the ward councillor, geographically spread community and the municipality.

5.3.3. To facilitate public participation in the process of development, review and implementation management of the Integrated Development Planning of the municipality and municipal processes.

5.3.4. Act as an advisory body on council policies and matters affecting communities in the ward

5.3.5. To serve as officially recognised and specialised participatory structures in the municipality.

5.3.6. To make sure the community participates fully in the decisions that affects them at local level.

5.3.7. To mobilise partnership for the development of local projects.

5.3.8. To ensure contact between the municipality and the community through the use of, and payment of services.

5.3.9. To serve as a mobilising agent for community action.

5.3.10. To receive and record complaints from the community within the ward and to provide feedback on council's responses.

5.3.11. To execute other functions as delegated by the municipality

5.4. STATUS OF THE WARD COMMITTEE

A ward committee;

- 1) Is an advisory body
- 2) It is a representative structure
- 3) must be impartial and perform its function without fear, favour or Prejudice

5.5. COMPOSITION OF WARD COMMITTEES

5.5.1. A ward committee comprises of:

5.5.1(a) 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.

5.5.1 (b) Ten (10) other persons who represent sectors and interests in the ward which may include structures and interest groups.

5.5.1(c) Out of the (10) ten Ward Committee members, the ward Committee members will elect the Ward Committee Coordinator/ Secretary.

5.5.1.(d) One community Development Worker as an ex officio.

5.5.2. No person may be a member of more than 1 (one) ward committee member at the same time.

5.6 THE ROLE OF THE MUNICIPALITY

5.6.1 Ward committee support

- a) To provide induction of ward committees on roles and responsibilities subsequent to elections.
- b) To provide ongoing training in various portfolios of management in order to assist ward committee members in performing their duties effectively.
- c) To provide relevant information to Ward Committees on an ongoing bases in order to assist them in the implementation of their responsibilities such as relevant legislations, National Guidelines and Council Policies.
- d) To provide resources within the municipality like venues for meetings, office space, stationery, publications, telecommunication systems and other various equipment when needed like marketing tools.

- e) 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 turnaround times, easy access to needed resources, easier access to public meeting from time to time and bear tracking and monitoring registered public concerns.

5.6.2 WARD COMMITTEE MEETINGS

- a) 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.
- b) A minimum of twelve or more meetings will be held in each financial year or calendar year by each ward committee member with its constituencies.
- c) A maximum of 4 ward committee quarterly meetings shall be coordinated by the office of the Speaker to provide a platform to raise/voice their concerns and share their experiences with other ward committee members.
- d) Meetings may, subject to the approval of the Speaker and availability of funds be held more frequently should the circumstances necessitate it.
- e) A Ward Councillors shall coordinate four (4) ward community meetings annually to discuss and give a report back on service delivery matters
- f) The Ward Councillor and ward committee secretary 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.
- g) The Ward Councillor together with Ward Committee secretary shall be responsible for ensuring that full and proper records are kept for all Ward Committee Meetings.
- h) The Administrative Unit from the office of the Speaker shall provide support for all formally constituted Ward Committee meetings. The Ward secretary shall be responsible for capturing the minutes of the Ward Committee meeting.
- i) A ward committee member must submit his or her Ward Operational Plan for every financial year by the month of May every year.
- j) The WOP's should be submitted to the offices of the public participation officials.
- k) No ward committee member would submit any claim if he or she did not submit WOP.

5.6.3 COMPENSATION FOR ATTENDING MEETINGS

Administrative Arrangements, Funding and reimbursement.

5.6.3.1 The municipality must make administrative arrangements to enable ward Committees to perform their functions and exercise their powers effectively.

5.6.3.2 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.

5.6.3.3. All administrative back-up to enable effective functioning of the ward committees must be allocated in the office of the public participation.

5.6.3.4. The municipality must compensate each ward committee member a stipend at an amount of one thousand rand R1000.00 every month as per the gazette No. 32627 dated 8 October 2009.

5.6.3.5. Outside the amount stated above, a ward committee member may be compensated fifty percent of the current stipend for a meeting called by the municipality.

5.6.3.6 Any claim submitted after the 5th of any month may be processed to be paid on the 15th of the next month.

5.7. STANDARD OPERATING PROCEDURE (SOP) MANUAL FOR WARD COMMITTEE AGREEMENT/ TERM OF OFFICE

The municipality will develop a standard operating procedure for the processes to be adhere to, in order to properly address Chapter 5 of the policy, which talks to the term of office for ward committees. The procedure must give a detail to the process starting from the initial stage of attending to the resignation or removal process. The SOP should therefore be attached to this policy document as an annexure.

a. Purpose

To set a standard channel of processing Ward Committee matters relating to the resignation, death and removal of Ward Committee member.

b. What to do when a Ward Committee Resigns

- i. A ward committee member must notify the chairperson of the committee and write a resignation letter addressing it to the office of the Council Speaker and copy the Ward Councillor. The letter must be signed by the designee as an authentication to the content of the letter.
- ii. The resignation will be effective from the day of resignation
- iii. A copy must also be forwarded to the Public Participation Office for coordination of administrative processes.
- iv. The public participation must write to the Senior Manager a memorandum requesting to coordinate the processes of removing the Ward Committee from the municipal payroll system and other administrative processes. A copy of the resignation must be attached thereto as a confirmation.

- v. The notification of resignation must form part of the items to be discussed in the Public Participation and Petitions committee, so that it can be tabled in Council for noting.
- vi. In the case where a Ward Committee member dies; A ward Councillor must notify in writing to the office of the Speaker. The public participation to coordinate the processes indicated in figure (ii) and (iii) This nature will follow the same process of figure
- vii. In the case where a Ward Committee member is removed due to failure to adhere to 5.1.3. (a) to (f); A resolution from taken from the Ward Committee Meeting resolving/ recommending the removal of a such a member must be submitted to the Office of the Speaker with valid reasons. The matter must be discussed in the Public Participation and Petitions Committee and then to the Council for Approval.
- viii. The following process on the matter cited in figure (vii) is for the office of the Speaker to write to the Ward Committee member in question informing to him/her about the removal as per the Council's endorsement or liaise with the office of the Municipal Manager's office.
- ix. Notwithstanding every step stated above, the public participation office has a responsibility to coordinate the processes of electing the Ward Committee, working with the Office of the Speaker and Ward Councillor.
- x. An administrative and political arm may consult or seek advice from the Department of Cooperative Governance and Traditional Affairs (CoGTA) on other matters to seek clarity.

WARD COMMITTEE POLICY

Policy Governance

Policy Title	Ward Committee Policy	
Policy Version		
<u>Role & Process</u>	<u>Responsible Individual</u> <u>Name and/or Date</u>	<u>Responsibility Accepted</u> <u>Signature</u>
Senior Manager Operations		
Policy Custodian		
Policy Author		
Council Approval Date		
Council Approval Reference		

Public participation		
Policy Approved		
Policy Inception Date		
Review Start Date		
Review Completion Date		
Legislative References		
Policy Review "Triggers"		
Comments		

REVIEW

The Policy will be reviewed when there are developments and will be submitted to Council for approval.