



**O.R. TAMBO  
DISTRICT MUNICIPALITY**

# **STANDARD WARD COMMITTEE STRATEGY AND GUIDELINES FOR THE DISTRICT**

**O.R. TAMBO DISTRICT MUNICIPALITY  
APPROVED**

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## **1. Introduction and Background**

Ward Committees are committees established in terms of Section 73 of Local Government: Municipal Structures Act, (Act No. 117 of 1998), and they are also referred to as Section 73 Committees. They consist of a Ward Councillor as the chairperson, and 10 other members elected by ward residents in a Ward General Meeting taking into cognisance the balance in terms of gender.

Ward Committees are a link between the municipal council and communities within a ward. They are there to inform the municipality about the aspirations, potentials and challenges or problems of the people in a ward. They are the eyes, mouth and ears of the ward citizenry and represent citizens in core municipal processes such as Integrated Development Planning, Municipal Budgeting as well as Municipal Performance Management System processes. In other words, ward committees are established in order to ensure that people really govern as envisaged in the Freedom Charter adopted by the ANC in 1956.

O.R. Tambo District Municipality comprises of 5 Local Municipalities which are as follows:

- King Sabata Dalindyebo Local Municipality;
- Ingquza Hill Local Municipality;
- Nyandeni Local Municipality;
- Mhlontlo Local Municipality; and
- Port St Johns Local Municipality;

The district municipality implements its projects and programmes in wards within local municipalities. Good working relations between the district municipality and its local municipalities are critical for the smooth delivery of services to the people of O.R. Tambo District.

Ward committees are established in all local municipalities within the O.R. Tambo District and it is crucial therefore that there is uniformity in the manner in which these committees across the district operate, hence this Strategy and Guidelines.

## 2. Definitions of Terms

**Community Development Workers** are participatory change agents who work in communities where they live, and to whom they have to answer for their activities. They are required to help people in communities improve their own lives and change their circumstances;

**Out-of-Pocket Expenses** in the context of this Strategy and Guidelines, means a payment made to Ward Committee Members except the Ward Councillor as a form of re-imbusement for costs they may have incurred in the process of performing their duties or functions;

**Person of an unsound mind** means a person who has been adjudicated mentally incompetent, mentally ill or not guilty of a criminal offence by reason of insanity; a person diagnosed by a licensed physician as being characterized by a mental disorder or infirmity that renders the person incapable of managing the person's self or the person's affairs unless the person furnishes a certificate from a licensed physician stating that the person is no longer disabled or under any medication for the treatment of a mental or psychiatric disorder; means a person diagnosed by a licensed physician as suffering from depression, manic depression or posttraumatic stress syndrome, unless the person furnishes a certificate from a licensed physician stating that the person is no longer disabled or under any medication for the treatment of a mental or psychiatric disorder;

**PR Councillor** in the context of this Strategy and Guidelines is a Councillor deployed to the Ward by the municipality to support the Ward Councillor, but not replace the Ward Councillor;

**Remuneration** means money paid for work done or a service;

**Stipend** means a fixed regular sum paid as a salary or as expenses to a clergyman, teacher or public official;

**Ward Committee** means a democratically elected body which represents a wide variety of community interests and meets regularly under the Chairperson who is the Ward Councillor;

**Ward Councillor** means a Councillor elected to represent the Ward;

## 3. Regulatory Framework

In terms of Section 73 (1) of Local Government: Municipal Structures Act, Act No. 117 of 1998, if a metro or local council decides to have ward committees; it must establish a ward committee for each ward in the municipality.

Section 73 (2) (a) and (b) of the Municipal Structures Act requires a ward committee to consist of a councillor representing that ward in the council, who must also be the chairperson of the committee; and not more than 10 other persons.

In terms of Section 73 (3) of the Municipal Structures Act, a metro or local council must make rules regulating\_

- a) the procedure to elect the not more than 10 other persons or members of the ward committee, taking into account the need\_
  - (i) for women to be equitably represented in a ward committee; and
  - (ii) for a diversity of interests in the ward to be represented;
- b) the circumstances under which these members must vacate office; and
- c) the frequency of meetings of ward committees.

#### **4. What the Strategy and Guidelines Seeks to Address**

4.1 The Strategy and Guidelines for Ward Committees within the O.R. Tambo District seeks to ensure uniformity in the manner in which ward committees within the 5 local municipalities conduct their business or operate;

#### **5. Aims and Objectives of the Strategy and Guidelines**

5.1 The aims and objectives of the Strategy and Guidelines for Ward Committees within the O.R. Tambo District are to:

- 5.1.1 provide a framework and guiding principles on how Ward Committees should operate;
- 5.1.2 enhance participatory democracy in local government through the establishment of Ward Committees;
- 5.1.3 encourage uniformity in the manner in which Ward Committees within the District operate;
- 5.1.4 ensure functionality of Ward Committees as a link between Municipal Councils and Communities;

5.1.5 promote coordinated participation of members of the public in the municipal affairs through Ward Committee Structures;

## **6. Rules/Procedure for the Establishment/Election of Ward Committees within the District**

### **6.1 Membership of Ward Committees**

6.1.1 A Ward Committee shall consist of:

- a) the Councillor representing the ward in the Municipal Council, who must also be the Chairperson of the committee; and
- b) not more than 10 other persons;

### **6.2 Membership Criteria**

6.2.1 A person shall qualify to be elected as a member of the Ward Committee if he/she:

- 6.2.1.1 is a registered voter appearing in the Voters Roll utilised in recent local government elections, residing in the ward;
- 6.2.1.2 is elected by his/her Sector to serve in the Committee;
- 6.2.1.3 is elected by the community residing within the Voting District (VD) identified for the election of a Ward Committee;
- 6.2.1.4 is not indebted to the municipality for a period longer than three (3) months, unless he/she can prove that arrangements for the settlement of the account have been made;
- 6.2.1.5 is not an employee of the municipality (including other municipal Programmes/Projects) or Public Service and Private Sector where the Ward Committee is elected;
- 6.2.1.6 has not been convicted after February 1997 for an offence for which he/she was sentenced to imprisonment without the option of a fine for a period of not less than 12 months;
- 6.2.1.7 is not a person of unsound mind who has been declared so by a competent court or professional doctor;
- 6.2.1.8 able to read and write (for purposes of developing reports and attending trainings/workshops);

## **6.3 Election of Ward Committee Members**

### **6.3.1 Election Procedure**

6.3.1.1 The election of Ward Committees will be based on 3 electoral models:

- a) **Sectoral Model:** informed by municipal stakeholder databases of the sectors within each ward;
- b) **Geographical Spread Model:** based on the voter district and geographic spread of the ward; or
- c) **Hybrid Model:** a combination of the sectoral and geographical models;

6.3.1.2 For Sectoral Election Model, a database of sectors within the Ward must be developed and the municipal Council must decide on sectors where Ward Committee members will be drawn;

6.3.1.3 For Geographic Spread Electoral Model, the municipal Council must cluster the Ward into 10 Voting Districts or Villages or Cluster of Villages in the event the Ward has more than 10 Villages;

6.3.1.4 For Hybrid Electoral Model, a municipal Council must determine the number of Ward Committee Members to represent sectors and geographic spread, and this must find expression on the rules or procedure manual for election of Ward Committees;

6.3.1.5 Voting shall be by show of hands or Secret Ballot;

6.3.1.6 Residents of the ward (eligible to vote) appearing in the voters roll, with a green bar coded ID/ID Card shall be allowed to participate;

6.3.1.7 The Office of the Speaker shall be responsible for the counting of votes;

6.3.1.8 A voter must produce an ID/ID Card before he/she can be allowed to participate in the election;

### **6.3.2 Nominations**

6.3.2.1 A 14 days' notice calling for nominations of Ward Committee candidates must be issued;

6.3.2.2 Notice/Advert must be specific on the due date for the submission of nominations;

6.3.2.3 Nominations must be submitted to the Office of the Speaker;

6.3.2.4 Nomination Forms shall be made available by the Office of the Speaker in public areas and municipal premises;

6.3.2.5 Subsequent to the closing of nominations, nominees must be published in public areas within a ward;

6.3.2.6 No nominees after the closing of nominations will be accepted;

6.3.2.7 No nominations from the floor will be accepted during the election day;

### 6.3.3 Voting Procedure

- 6.3.3.1 In the event where members of the sector/voting district have nominated more than one (1) candidate to represent them in a Ward Committee, voting by show of hands or Secret Ballot shall take place;
- 6.3.3.2 The Office of the Speaker shall be responsible for the counting of votes;
- 6.3.3.3 The candidate of a sector/voting district with a higher number of votes shall be registered as the representative of such a sector/voting district in a Ward Committee;

## 7. Term of Office

- 7.1 The term of office of the Ward Committee shall be equivalent to the term of office of Council. This therefore means that the term of a Ward Committee shall not overlap to the next term of office of the Council;

## 8. Remuneration

- 8.1 No remuneration shall be paid to Ward Committee Members except the Ward Councillor (Chairperson);

## 9. Out-of-Pocket Expenses

- 9.1 Municipalities shall reimburse Ward Committee members except the Ward Councillor of out of pocket expenses they may have incurred in the process of performing their duties within a ward and attending municipal events;
- 9.2 Out of pocket expenses shall be **R2500.00** per Ward Committee member per month;
- 9.3 The Out of pocket expenses per month may be calculated as follows:

Description	Estimated Costs per Person	Total Costs per Ward
Transport	R500.00	R5 000.00
Telephone	R1250.00	R12 500.00
Refreshments/Meals	R750.00	R7 500.00

## 10. Vacation of Office

- 10.1A Ward Committee member may vacate the office or may have his/her membership terminated if he/she:

- 10.1.1 submits a signed letter of resignation to the Chairperson (Ward Councillor);
- 10.1.2 fails to attend three (3) consecutive meetings of a Ward Committee without a written apology;
- 10.1.3 fails to attend five (5) consecutive meetings of a Ward Committee with written apologies, with the exception of a medical condition and a proof is submitted thereof;
- 10.1.4 becomes involved in activities that undermine the Council and has been proven beyond reasonable doubt by an Independent Disciplinary body set up by the Speaker of Council;
- 10.1.5 relocates from the ward representing in a Ward Committee;
- 10.1.6 stops to be a member of a sector/voting district representing in a Ward Committee;

## **11. Filling of Vacancies**

- 11.1 Ward Councillor shall request the Office of the Speaker in writing within 7 working days after the receipt of notification to assist in the filling of a vacancy within a Ward Committee;
- 11.2 The affected sector/voting district shall be notified about the vacancy;
- 11.3 A 14 days' notice shall be given/issued for the filling of the vacancy;
- 11.4 There shall be a call for nominations for the filling of a vacancy with a specific due date;
- 11.5 A 7 days' notice of the date, time and venue for the meeting where the vacancy will be closed shall be issued;
- 11.6 Nominees shall be published 7 days before the election date;
- 11.7 The Office of the Speaker must ensure that the attendance register for such a meeting is signed;

## **12. Frequency of Ward Committee Meetings**

- 12.1 Ward Committee Meetings shall sit at least once per month, and as when required;

### **13. Decisions and Quorum**

- 13.1 A majority (50% plus 1) of Ward Committee Members must be present before a decision may be taken on any matter;
- 13.2 A Ward Committee must attempt to take decisions on consensus;
- 13.3 Where consensus on any matter is not reached, the matter may be determined by supporting vote of at least the majority of committee members (50% plus 1 of the committee members present).

### **14. Functions of Ward Committees**

- 14.1 Ward Committees although not limited to shall:
  - 14.1.1 make recommendations to the Ward Councillor or through the Ward Councillor to municipal Council, Mayoral Committee or Executive Committee on any matter affecting the ward;
  - 14.1.2 increase the participation of citizens in local government;
  - 14.1.3 provide a link between the community and the municipal Council;
  - 14.1.4 be regarded as the statutory structure recognised by the municipal council as its consultative body and communication channel on matters affecting the ward;
  - 14.1.5 serve as mobilizing agents for community participation in:-
    - i) Municipal IDP processes;
    - ii) Municipal budgetary processes;
    - iii) limbizos;
    - iv) Outreach Programmes; etc.
  - 14.1.6 hold official roles within the committee e.g. Secretary etc;
  - 14.1.7 help the ward Councillor with grievances and complaints from the community;
  - 14.1.8 conduct door to door campaigns (at least twice in a financial year) to identify challenges facing community members in a ward;

## **15. Code of Conduct for Ward Committees**

15.1 Ward Committee members must sign a Code of Conduct, which should be administered by the Speaker of Council;

15.2 A member of the Ward Committee:

15.2.1 must perform the functions of the committee in good faith and without fear, favour or prejudice;

15.2.2 may not use the position or privileges of a member for private gain, or to improperly benefit another person;

15.2.3 may not act in any other way that compromises the credibility, impartiality, independence or integrity of the committee;

15.2.4 must adopt the principle of accountability to the community and all political parties represented in Council;

15.2.5 must be accessible for the community and ensure that all role players can relate to the process and the issues at hand and are able to make their input into the processes of the committee;

15.2.6 must adopt the principle of transparency to promote openness, sincerity and honesty among all the role-players in a participative process and promote trust and respect for the integrity of each role player;

15.2.7 must recognise diversity and understand the differences associated with race, gender, religion, ethnicity, language, age, economic status, and sexual orientation, among others;

15.2.8 must embrace all views and opinions in the process of community participation;

15.2.9 must make a written apology with a valid reason to the Chairperson of the committee if a meeting cannot be attended;

## **16. Capacity Development of Ward Committees**

16.1 Ward Committees with the assistance by the Office of the Speaker, shall prepare an annual capacity building and training needs assessment for members of the committee;

16.2 An annual capacity building and training programme shall be developed for each member of the Ward Committee;

- 16.3 An annual budget for the capacity building and training programme for Ward Committees shall be prepared according to the needs assessment;
- 16.4 Capacity building and training programmes offered to ward committees must be accredited;
- 16.5 Capacity building and training programmes to Ward Committee members must be delivered by Accredited Service Providers;
- 16.6 The Ward Committee capacity building and training programme may include the following:
- (i) Generic training needs, including:
    - a) Basic literacy;
    - b) Communication;
    - c) Interpersonal Skills;
    - d) Community upliftment;
    - e) Conflict Management and negotiation skills;
    - f) Democracy and community participation;
    - g) Identification, monitoring and prioritisation of needs; and
    - h) Leadership;
  - (ii) Training needs on municipal policy and processes, including:
    - a) Principles of good governance;
    - b) Establishment of Ward Committees, their terms of reference, nature and functions;
    - c) Municipal structures, relevant legislation and processes;
    - d) Intergovernmental community development;
    - e) Municipal Service Partnerships; and
    - f) Payment of services (Indigent policy, credit and debt control policy);
  - (iii) Specialised training needs, including:
    - a) Meeting procedures and secretariat services, including minute taking, report writing, and letter writing;
    - b) Administration including clerical/administrative skills and bookkeeping;
    - c) Budgeting;
    - d) Monitoring and evaluation;
    - e) Policy Development;
    - f) Project Management;
    - g) Performance Management;

## **17. Administrative Support to Ward Committees**

17.1 Administrative support which must be provided by municipalities to Ward Committees although not limited to must include:

17.1.1 Promotion of Ward Committees in communities, through:

- (i) informing communities of the roles and responsibilities of Ward Committees;
- (ii) provision of formal identification cards to Ward Committee Members in order for them to be recognised as legitimate Ward Committee Members amongst the community;

17.2 permanent availability of an administrative staff to attend all scheduled Ward Committee Meetings and to assist the Ward Councillor and members in fulfilling their clerical and administrative functions;

17.3 to identify, build or arrange central meeting places in the ward where communities have access to information and where Ward Committees can conduct meetings;

17.4 to provide the necessary logistical resources, including furniture, computers and stationery for Ward Committees to fulfil their functions;

17.5 to assist the Ward Committees in fulfilling their tasks, including the provision of additional capacity and advertising campaigns required for purposes of arranging larger public meetings, if necessary;

17.6 to assist with the translation of information and documents for the community;

17.7 to develop and provide capacity building and training programmes for Ward Committees on an on-going basis during their term of office; and

17.8 to facilitate Ward Committee elections;

## **18. Role of PR Councillor**

18.1 supports the Ward Councillor, but not replace the Ward Councillor;

18.2 should attend Ward Committee Meetings and Ward Meetings;

18.3 in consultation with the Ward Councillor, can assist in resolving disputes in a ward and in making referrals;

18.4 can help with the implementation of projects in the ward;

18.5 the PR Councillor referred to is the one deployed to the ward by the municipality;

## **19. Role of Community Development Worker (CDW)**

19.1 must complement and not compete with the Ward Councillor in a ward;

19.2 should attend Ward Committee and Community Meetings;

19.3 advise the Ward Committee on challenges facing community members in a ward and on possible actions that can be taken to address the challenges;

19.4 must submit monthly reports to the Ward Committee;

## **20. Accountability**

20.1 The Ward Councillor must:

20.1.1 ensure that full and proper records are kept of the minutes of Ward Committee Meetings;

20.1.2 ensure that the committees available resources are properly safeguarded and used in the most effective and efficient way;

20.1.3 ensure that all statutory measures applicable to the committee are complied with;

20.1.4 make sure that all recommendations made by the Ward Committee are formalised and submitted to the Office of the Speaker or the designated political functionary for presentation to the Council;

20.1.5 submit monthly and quarterly reports to the Office of the Speaker for the review of performance of the committee;

20.1.6 implement any corrective measures to ensure effective and efficient performance of the committee as suggested by the Speaker;

## **21. Dissolution of a Ward Committee**

21.1 A Council may dissolve a Ward Committee if it fails to fulfil its object;

21.2 A Ward Committee may be dissolved:

21.2.1 when it fails to meet in three (3) consecutive times;

21.2.2 when members decide to dissolve it;

21.2.3 when maladministration, fraud, corruption or any malpractice has occurred or is occurring in a committee;

21.3 There should be a due notice before a Council proceeds to dissolve a Ward Committee;

## **22. Resolution of Ward Committee Disputes**

22.1 The Speaker of Council (Local Municipality) shall establish an independent Committee/Task Team to investigate and resolve on Ward Committee disputes;

## **23. Assistance and Support by O.R. Tambo District Municipality**

23.1 O.R. Tambo District municipality in compliance with Section 88 (1) and (2)(a) of Local Government: Municipal Structures Act, Act No. 117 of 1998, will co-operate, assist and provide financial, technical and administrative support to Local Municipalities within its area of jurisdiction;

23.2 O.R. Tambo District Municipality shall provide financial, technical and administrative support to Local Municipalities to the extent that it has the capacity to provide those support services;

## **24. Conclusion**

Ward Committees shall serve as the statutory structure recognised by the municipal councils as a consultative body and communication channel on matters affecting the ward. They shall be a link between municipal councils and communities within a ward and their functionality is critical in enhancing participatory democracy.

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