



HIV/AIDS AND LOCAL GOVERNMENT LEARNING NETWORK

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**Mainstreaming HIV/AIDS through
community participation structures
and mobilization of ward committees**

This input paper was prepared by Daniel Bailey and Mbhe Mdlalose on behalf of the HIV/AIDS and Local Government Learning Network (Halogen) in August 2009. The paper provided the background for discussions at a Halogen learning event with the theme *Mainstreaming HIV/AIDS through community participation and the mobilisation of ward committees*. Other input papers, reports of the learning events, presentations and municipal briefs can be downloaded from www.halogen.org.za.

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Mainstreaming HIV/AIDS through community participation structures and mobilization of ward committees

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1. Introduction

South Africa as a democratic country has managed to formulate policies to enable a shift from technocratic to people centred planning. The Municipal Systems Act (2000) provides for the development of Integrated Development Plans (IDPs) to ensure efficient distribution of municipal resources especially in the formerly marginalised areas (South Africa, 2000). This new approach to planning is seen as a “shift from the domain of a profession to being a societal activity” (Harrison 2007, p85). IDPs intend to put emphasis on the participation of communities in planning to ensure that these plans reflect the needs of the people planned for. This is very important given the historical behaviour of the apartheid government which dictated where people stayed and what services they needed without considering the actual needs of the people (Harrison, 2007).

The Municipal Systems Act (2000) requires municipalities to create an environment for community participation to inform their planning. The Act also requires that municipalities develop mechanisms, processes and procedures for community participation. Section 5(1) of the Act sets out duties of communities and their right to contribute to the council decision-making process (South Africa, 2000). Communities’ contributions are put together in Integrated Development Plans and aligned with a budget for the implementation of projects identified and prioritised by relevant structures.

Given the above legislation, South African Local Government plans are expected to reflect community development issues and strategies to support their livelihoods. As statistics show, the

high prevalence of HIV/AIDS in this country is expected to be reflected in development plans of local government. The assumption is that community structures participating in planning and decision making processes would be able to reflect this and be captured in IDP and budgeting processes (DPLG, 2007).

The major role players in the IDPs include the broad public, IDP representative forum, IDP steering committee, IDP manager, municipal manager, ward councillors and the executive committee and council. To ensure that there is broader participation of the public, the general public should be well informed and with adequate notice. Public media should be used to advertise public meetings. The venues should be accessible for the public members. The meetings should be held at a convenient time for all public members to encourage attendance. Similar procedures should be followed for budget review meetings (Vuka Town and Regional Planners, 2003).

The IDPs are driven by municipalities. An IDP process plan is drawn up to ensure proper management of the planning process. This plan includes:

- The structures that will manage the planning process.
- How the public can participate and structures that will be created to ensure this participation.
- A time schedule for the planning process.
- Who is responsible for what.
- How will the process be monitored.

Whilst public participation is emphasized to ensure inclusivity of community needs in the IDP,





constant consultation is done at the level of the IDP Representative Forum. This Forum comprises of:

- Members of the executive committee of the council
- Councillors including district councillors
- Traditional leaders
- Ward committee representatives
- Heads of departments and senior officials from municipal and government departments
- Representatives from organized stakeholder groups
- People who fight for the rights of unorganized groups
- Resource people or advisors
- Community representatives

(ETU, 2009)

The intention of this paper is to look at the potential of community participation and ward committees' mobilization to support the process of mainstreaming HIV/AIDS in local government. As HIV/AIDS is one of the key challenges facing this nation, the assumption would be that the IDP would be an appropriate tool to reflect and respond to it. The stigmatization of HIV/AIDS has contributed to HIV/AIDS issues not being well captured in the IDP and thus is not reflected adequately in the budget. Mainstreaming HIV/AIDS in the IDP process is thus an important call to make in order to address gaps during planning and resource distribution. As indicate above effective IDPs should ensure broad public participation to eliminate the marginalization of poor and indigent groups. The discussion so far shows that that there is well structured legislation that supports the public to participate in their local government planning processes and to hold them accountable for lack of service delivery.

2. Problem statement

On the eve of South Africa's fourth democratic elections, the country experienced demonstrations from poor communities expressing their dissatisfaction and frustrations about poor and lacking service delivery in their communities. The majority of the protestors were complaining about their councillors who only visit them after five years when they want to be re-elected to their

positions. The elections have passed and there are still amazingly high levels of people taking to the streets demanding that their voices be heard. Prior to the 2009 elections, local municipalities were hosting Izimbizos encouraging the public to review IDPs and budgets. IDP and budget review meetings are supposed to be annual processes for the public to express their concerns and make constructive contributions. As indicated above, IDP Forums are supposed to have continuous dialogues with local municipal structures to ensure that services are delivered to the people. The assumption is that IDP Forums are able to filter in communities' needs and concerns in order to inform government processes and help them to respond to burning issues. HIV/AIDS, as one of the key development challenges, is expected to be reflected in the IDP projects but this is not the case. Community protests are a sign that IDP processes are not working effectively.

The Built Environment Support Group (BESG) made some observations of the IDP review meetings held in uMgungundlovu District, KwaZulu-Natal. Statutory requirements for citizen involvement, specifically in the formulation of IDPs and municipal budgeting, are given scant attention. Even statistics that are necessary to inform IDPs are suspect in their reliability and infrequently, if at all, updated. This was most evident in one of the IDP review and budget consultation meetings attended by BESG's staff. These were monitored closely as part of BESG's 2006/7 contract with the Ford Foundation to inform their engagements with civil society groups. Only 13 people attended an IDP review meeting held at the Msunduzi Municipal Library in March 2009 due to poor publicity. Furthermore, in a special edition of the municipality's "Umphithi News" in June 2009, a housing backlog of 17,000 units was referred to which is the same number of units as was quoted in the 2002 IDP and omitted large informal settlements such as Mkondeni Sacca¹ as well as the proliferation of backyard rentals in the established townships. In the recent IDP review held in Richmond Municipality, about 50% of the participants were children who obviously came for entertainment and refreshments. In this case a large proportion

of the target audience was not present for the IDP and budget review. The exclusion of many adults and working citizens is a common occurrence due to meetings being at inconvenient times. In another instance, also in Richmond but in this case for the presentation of the annual report (as advertised), the participants were told to leave the meeting once they had been given a chance to voice their inputs and were thereby excluded from the 'public' report back session.

The Urban Sector Network (2000, p83) produced a report indicating the problems with participatory structures. These were:

- Low education and literacy levels among participants
- Political character of structures
- Conflicting interests as leadership was not representative of community
- High level of unemployment meant that people hoped to earn money from participatory structures
- Lack of participation by professionals lowers quality of input
- Employment of local labour needs to be equitable and transparent
- Inadequate capacity building to realize meaningful participation that was hoped for
- Low development consciousness impacts negatively on good governance
- Lack of well defined institutional linkages

In the context of this paper, three important questions emerge:

1. Is the IDP utilised effectively as a tool for addressing HIV/AIDS related matters?
2. How do we utilise current institutional and community structures to mobilize the mainstreaming of HIV/AIDS in local government?
3. Who controls the process of public participation and for whose benefit?

3. Mainstreaming HIV/AIDS in Local Government

Mainstreaming HIV/AIDS must be understood as a process that infiltrates all sectors of society, all livelihoods and lifestyles as a multi-sectoral response to the epidemic (DPLG, 2007). In other words, HIV/AIDS must be considered outside the

limited confines of the health sector because it affects all sectors. It is the argument of this paper that allowing communities to take a more central role in the process of change inevitably results in mainstreaming HIV/AIDS.

The DPLG report maintains that national policies or strategic frameworks for HIV/AIDS should be used as the frame of reference using existing institutional structures. They also stipulate that advocacy, sensitization and capacity-building are needed in order to place people in a better position to undertake mainstreaming (ACORD, 2003). The DPLG report (2007) emphasises the participation of major role-players such as employers and unions as the platform for identifying how they are affected by HIV/AIDS, what they are doing about it and potential opportunities for partnerships. One should acknowledge that these are major economic contributors in municipalities, their partnership even in terms of resources and strategies could reduce HIV/AIDS stress felt by communities.

Local government collects rates or taxes from citizens and is responsible for managing these public funds in a transparent and accountable way in order to deliver sufficient services. Therefore the social status of citizens is of great interest to the local government because they are important contributors in local economy. Already, many local governments in Sub-Saharan Africa are battling with the limited financial resources available to implement their mandate. In the wake of the HIV/AIDS epidemic and the associated impoverishment of households, it will become progressively more difficult for local governments to raise the resources necessary to provide basic services, thereby increasing the impoverishment of the community as a whole.

It should not be forgotten that local government is also an important employer. As an employer, therefore, it has a number of responsibilities towards its staff, including providing them with a healthy and safe working environment and access to information and training to enable them to develop as individuals. Local government staff that develops AIDS will be significantly restricted in their ability to perform and deliver services.





Reviewing these areas of responsibilities, it is clear that local government has a significant role to play in managing the impacts of the HIV/AIDS. Local governments are themselves feeling the impacts of the epidemic, which are negatively affecting their ability to provide basic services and infrastructure at the local level (UMP, 2002). Local government as the sphere of government closer to the people has a task of creating space for discussion of topical issues at all levels of the community to inform decisions and distribution of resources.

4. The role of ward committees in community development processes

The South African Government designed a policy and legislative framework aimed at facilitating community development processes and public participation to improve service delivery. Some of these provisions are:

- Batho Pele, 1997
- Municipal Systems Act, 2000
- Municipal Structures Act, 1998
- Municipal Finance Management Act, 2003
- Integrated Development Plans

The provisions above are aimed at improving service delivery. However, if systems and processes are not monitored they can be manipulated to serve and benefit individuals or groups who are not the priority of the development vision of the local municipality. In a democratic society the public is supposed to have power to influence government processes and legislation.

This section will highlight the effectiveness of ward committees in the local government to improve public participation and service delivery in their communities. Ward committees by law are supposed to be elected by community members to act as a link between themselves and the ward councillor. Section 73(2) of the Municipal Structures Act (2000) provides that a ward committee consists of the municipal councillor representing the ward in the municipal council, who must also be the chairperson of the ward committee. The Municipal Structures Act (1998), in section 74(a), specifies that a ward committee may make recommendations on any matter affecting the ward to the ward councillor or

through that councillor to the council (South Africa, 1998). The institutionalisation of the ward committee makes it the most appropriate channel through which communities should lodge their complaints and it is obliged to forward such complaints to council in the most effective manner. Ward committees are cautioned not to push the agenda of any political parties but only those of the communities they represent.

Both ward councillors and ward committees act as agents between local government and their constituencies. They are required to meet with their wards every month to discuss development issues affecting their wards and bring back reports from the council. In theory, the communities are supposed to be informed about everything taking place in their local municipalities. All municipalities by law are required to submit plans to the provincial local government department and will be monitored on their performance by this department. The Municipal Systems Act allows the public to monitor their municipalities and hold them accountable for service delivery. These structures are supposed to be assisting local municipalities in strengthening their IDP processes. However, as indicated earlier in the paper, the effectiveness of IDP processes is compromised particularly in response to HIV/AIDS challenges.

There has been much research into the ability of ward committees to act as a conduit between the community and the municipal council. Unfortunately, ward committees have been largely unsuccessful in their mandate often not capable of holding government accountable and being a token process (Conteh *et al*, 2003). The research shows that less than half of South African adults had some knowledge of ward committees in their areas (GGLN, 2008). As described by Smith (2008), it is questionable whether the representivity of ward committees is inclusive and meaningful. Key sectors of the community have been left out of the participation process as a result of geography, superficial consultation and a lack of training of ward committees to engage with different sectors of the community.

The influence of ward committees is lacking. According to the GGLN State of Local Government report (2008), in Johannesburg most proposals submitted by ward committees to council were



ignored. Smith (2008) confirms that most ward committees are not functioning properly. In some communities the dissatisfaction is that the functioning of these committees seems to be affected by party politics. In some cases, ward committees are effectively extensions of ruling party branches and a means of patronage. The effectiveness of ward committees is dependent on the ward councillor and the relationships between these parties. The effectiveness of ward committees has an impact on the involvement of the community in development issues unless of course people decide to demand their space in unconventional ways as it is evidence with the protests in communities.

Pithouse (2009) for instance argues that the nature of development seems to exclude the poor and favours the wealthy. He says that there is agreement about development but there is no clear content of its meaning. When one looks at the community structures designed to improve public participation, one senses that some of its processes excludes certain elements of the society either intentionally or by mistake. The example of this is the establishment of ward councillors and the ward committees who are supposed to improve public participation of citizens in governance. Both structures are supposed to serve their communities in spite of people's political affiliations. Community based organisation (CBO) members participating in capacity building programmes conducted by BESE have indicated that some ward committees never hold meetings in their areas and thus knowledge of ward committees' functioning is limited. A CBO member raised a concern that in their area when requesting a meeting with the ward councillor, he first screens the person and if he suspects that you may be a threat, he postpones the meeting until you eventually give up trying to meet him. As a result, projects that were promised to their ward have been implemented in other wards instead because they do not belong to the same political party as the councillor.

There is much interest in emerging literature of the invited and invented spaces in public representation. Buccus *et al* have started to debate the value of the invited or institutionally created spaces linking communities to the

administrative and political institutions responsible for service delivery. It is generally assumed that these legislatively created 'invited spaces' institutionalize asymmetrical power relationships and devalue community participation to the point where such participation is merely ceremonial and formalised rather than qualitative and substantively functional (Buccus *et al*, 2008).

In order to strengthen democracy, it is generally assumed that more weighting must be given to invented spaces, spaces created from within civil society itself. For this reason, it is necessary to move beyond compulsory consultation and embrace substantive ad hoc community consultation (van Hoof *et al*, 2008). This will avoid cooptation and the misuse of public office and give communities and outlet whereby they express and articulate demands independently of formal and preset planning agenda.

5. Ward committees and participation in HIV/AIDS

5.1 THE MSUNDUZI HIV/AIDS WARD STRATEGY

The DPLG (2007) report indicates that in 2004 some local municipalities were beginning to identify HIV/AIDS as a development issue which required their response. Local municipalities were faced with the challenge of how to integrate HIV/AIDS into their core business. Msunduzi Municipality in Pietermaritzburg undertook a HIV/AIDS strategy which was a partnership initiative to respond to the challenge at local government level. The aim of this strategy was to reduce the impact of HIV/AIDS on households and community level. This local municipality in partnership with the Department of Health and civil society organisations used a ward-based strategy to build awareness and skills within communities to enable people to help prevent and address the impacts of HIV/AIDS. This municipality initiated this strategy to assist community groups to devise local projects addressing HIV/AIDS. Projects were initiated in eight wards and 16 more projects were to be established by mid-2004. The strategy identified some of the challenges listed below:

- The sustainability of the community projects was shaky because there relying heavily on the generosity of NGOs



- Reliance of the strategy on municipal support which could exhaust resources and stretch the capacity of the municipality
- Local governments' lack of mechanism to access funding for a HIV/AIDS strategy, because money is channelled from the national government to provincial government.
- Slow response and involvement of the private sector in supporting the strategy
- Targeting service delivery to targeted groups
- Strengthening partnerships to be able to deal with the demand of HIV/AIDS
- No direct representation of PLWA in the structures of partnership
- Building of local capacity at municipal level and community and ward level
- The challenge of providing support and encouragement to the different partners who have different interests
- Poor support to volunteers at ward level who some of them are overburden and poorly resourced
- Mobilising many important constituencies to participate in the partnership
- Buy in from other government departments and civil society
- Participation of political leader particularly ward councillors
- Building of monitoring and evaluation capacity to enable for effective management of the overall strategy.

(BESG, 2003)

The director of BESG's experience of the Msunduzi HIV/AIDS strategy, which he was involved with in its inception, is that it experienced leadership challenges which have stalled progress. He indicates that the cause was a change in the leadership within the Department of Health which brought in somebody who did not handle the relationships with non-governmental organisations well. This had a negative impact on the relationships amongst the partners. The deputy mayor, who was a political champion, came in to rescue the process but after a family tragedy she was unable to keep the fire burning. There was an attempt to resuscitate the steering committee but it was impos-

sible by the continued absence of three nominated councillors, as council insisted on the steering committee being a sub-portfolio committee.

The municipality was approached by the KwaZulu-Natal Premier's Office to establish a Local Aids Council (LAC). The steering committee was collapsed and was expanded into LAC. The LAC was to be driven by the staff at the office of the Premier. This move removed the strategy from the local municipality to provincial level. The civil society representation was limited to two sector representatives, one for children and one for non-government organizations. These were supposed to somehow obtain a mandate from their respective sectors when participating in meetings. Limiting civil society's representation was a gross oversight considering the resources, experience and impact the networks like CINDI (Children in Distress) have on communities. The CINDI network has over 100 member organizations working on HIV/AIDS related matters (Brisbane, 2009).

5.2 BENCHMARKING MUNICIPAL RESPONSES TO HIV/AIDS PROJECTS BY THE CENTRE FOR MUNICIPAL RESEARCH AND ADVICE (CMRA)

Some of the roles of district municipalities outlined in the Framework for an Integrated Local Government Response to HIV/AIDS (DPLG, 2007) are to ensure that HIV/AIDS is effectively mainstreamed in the district IDP and to support local municipalities' HIV/AIDS community-level engagement. Local municipalities' roles are to ensure that participation mechanisms are sufficiently accessible and proactive to enable the community voice of HIV/AIDS to participate in municipal affairs. It is also to co-ordinate community-level processes in respect of HIV/AIDS matters including facilitating the local voice of HIV/AIDS in local governance and service delivery.

The Centre for Municipal Research and Advice conducted a study to benchmark local municipalities' responses to HIV/AIDS. Table 1 indicates that 40% of municipalities have people living with HIV&AIDS represented in their IDP representative forum. Women, youth and people with disabilities are better represented.



TABLE 1: INTEREST GROUPS REPRESENTED IN IDP

Interest groups represented in IDP (question 166-169)					
		PLWHA represented in the IDP representative forum	Women group represented in the IDP rep forum	Youth represented in the IDP rep forum	People with disabilities represented in the IDP rep forum
Municipality	1	no	yes	yes	no
	2	no	yes	yes	yes
	3	yes	yes	yes	yes
	4	no	yes	yes	yes
	5	no	yes	yes	yes
	6	no	yes	yes	yes
	7	yes	yes	yes	no
	8	yes	yes	yes	yes
	9	no	yes	yes	yes
	10	yes	yes	yes	yes

(Versteeg, 2009)

Table 2 shows that only 20% of ward committee members have an HIV portfolio in their communities.

TABLE 2: WARD COMMITTEES WITH AN HIV PORTFOLIO

Ward committees (question 170)		
		Ward committees in the municipality has an HIV/AIDS portfolio
Municipality	1	no
	2	no
	3	no
	4	no
	5	no
	6	no
	7	no
	8	yes
	9	no
	10	yes

(Versteeg, 2009)



6. Conclusion

This paper has highlighted the problems of institutionalised and government sanctioned public participation structures and processes like ward committees and IDPs. As yet, the potential of these structures and processes have not been realised. It is imperative that these structures and processes are improved and made more representative and accountable. However, it is also necessary to ensure that organic grassroots groups and organisations are accommodated within general public participation processes effectively operating in parallel, but not in opposition, to ward committees. It is critical to understand community level mobilisation and its impact on HIV/AIDS and community organisation in order to be able to examine the emerging invented possibilities for inclusive and substantive public participation. Government support (and enabling) of community led mobilisation is required in order to address developmental challenges in South Africa as ownership of definitions of development and strategies for alleviating developmental challenges have to be shared by society if common change is to take shape. The IDP process is a developmental strategy that is not being utilised effectively to alleviate poverty and HIV/AIDS. The challenge of HIV/AIDS has to be mainstreamed at the local government level. Therefore, if IDP processes are going to work they have to become more holistically inclusive of society effectively allowing communities to take a more central role in the process, ensuring substantive and deliberative community participation and ownership of the results.

7. References

- ACORD. 2003. *Mainstreaming HIV/AIDS using a community-led rights-based approach. A case study of ACORD Tanzania*. A Hasap Publication.
- BESG. 2003. *The Msunduzi HIV/AIDS Strategy. A partnership response at local government level*. Msunduzi Municipality.
- Buccus, I., Hemson, D., Hicks, J., and Piper, L. 2008. Community development and engagement with local governance in South Africa. *Community Development Journal* Advance Access published May 22, 2008.
- Brisbane, C. 2009. *Personal communication*.
- Conteh, S., Dettman, M., Dugard, K., Langford, M. and Tissington, T. 2008. *Water Services Fault Lines. An Assessment of South Africa's Water and Sanitation Provision across 15 Municipalities*. COHRE, CALS and NCHR.
- DPLG. 2007. *Framework for an integrated local government response to HIV and AIDS*. DPLG/GTZ.
- ETU. 2009. *Integrated development planning for local government*. Education and Training Unit. www.etu.org.za/toolbox/docs/localgov/webidp.html (Accessed 28 July 2009)
- GGLN. 2008. *Local Democracy in Action. A civil society perspective on local governance in South Africa*. www.ggln.co.za (Accessed 25 July 2009)
- Harrison, P. 2007. *The planning profession and society*. In: Harrison, P., Todes, A. and Watson, V. *Planning and Transformations*. RTPi Library Series. http://books.google.co.za/books?id=jcoX4CfBZnIC&pg=PA85&lpg=PA85&dq=phillip+harrison,+shift+from+the+domain+of+a+profession+to+being+a+societal+activity&source=bl&ots=OC2uBgX3fW&sig=mhLmkTEgR3f9isoTRShMq6Zm04E&hl=en&ei=SMtuSun-Joa5jAfYnbfBQ&sa=X&oi=book_result&ct=result&resnum=1 (Accessed 28 July 2009)
- Pithouse, R. 2009. *We Need a Conversation about Development*. www.sacsis.org.za/site/article/302.1 (Accessed 15 June 2009)
- Smith, T. 2008. *The role of ward committees in enhancing participatory local governance and development in South Africa. Evidence from six ward committee case studies*. Community Law Centre.
- South Africa. 1998. *Municipal Structures Act (No. 117 of 1998)*. Cape Town and Pretoria: Government Printer.
- South Africa. 2000. *Municipal Systems Act (No. 32 of 2000)*. Cape Town and Pretoria: Government Printer.
- UMP. 2002. *Making the Linkages: HIV/AIDS, Urban Local Government and The Urban Management Programme in Sub Saharan Africa*. Urban Management Programme Regional Office for Africa. <http://ww2.unhabitat.org/programmes/HIV/documents/UMP-ROA%20niche%20paper.pdf> (Accessed 28 July 2009)
- Urban Sector Network. 2000. *Case Study on Community Participation in Local Government in South Africa*. USN and Charles Mott Foundation.
- Van Hoof, P., Memela, S., Mautjane, B. & Nzo, T. 2008. *The State of Local Governance in South Africa: What does the local governance barometer tell us?* Idasa: Pretoria.
- Versteeg, M. 2009. *Centre for Municipal Research and Advice "Benchmarking Municipal Responses to HIV and AIDS" project*. Unpublished.
- Vuka Town and Regional Planners. 2003. *Public Participation Report*. uPhongolo Municipality. http://devplan.kzntl.gov.za/idp_reviewed/IDPS/KZ262/PublicParticipReport.pdf (Accessed 15 June 2009)
- ¹ A community of 2,500 people living on private land whose leadership participated in BESG's Kuyasa community leadership skills programme in 2007.



