

# Local Government Collaboration Framework

Input to Operation Vulindlela panel on Local Government Reform

Prof. Andrew Boraine, 25 June 2024



**Process to  
Promote a  
Collaborative  
Response at  
National Level to  
the Local  
Government Crisis**

- Towards the end of 2023, the Presidency convened a consultative process with the Department of Cooperative Governance and Traditional Affairs (CoGTA) and National Treasury to assess the local government crisis in general, and specifically the poor outcomes of national support and intervention processes.
- Initially, the two Departments were not on the same page. Full-day action labs with senior officials from both Departments, independently facilitated, were held on 13 December 2023, and on 25 January 2024.
- **Outcome:** The Departments agreed to work together to co-implement a local government intervention and recovery process, and related local government support processes, based on a signed **Local Government Collaboration Framework (LGCF)**.



## What Problem Are We Solving For?

- The Departments agree that **collaboration failure** between the Departments is one of the **causes of poor performance** of local government intervention and recovery processes at national level.
- This non-collaboration is manifested in several ways, including **differing views** on the nature of the problem and how it should be resolved, **different legal interpretations** of S139 of the Constitution, **disagreements** over which Department initiates and leads local government interventions, **non-collaborative attitudes and behaviours**, **lack of mutual accountability**, and **lack of trust**.



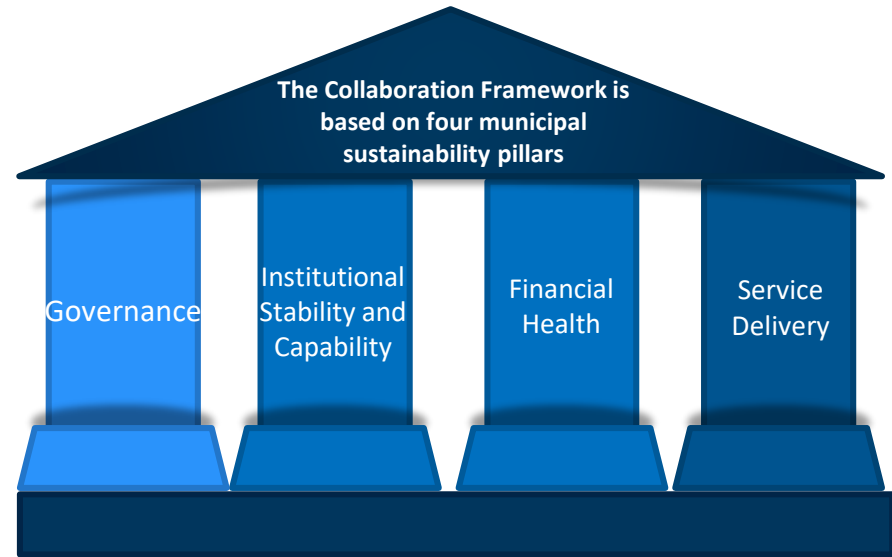
## Emergence of a Collaborative Approach

- Both Departments agreed on the **indivisibility** of local government intervention and recovery processes, i.e., that **institutional arrangements, governance, service delivery, and financial arrangements**, cannot be separated.
- It follows therefore that regardless of what the law says about who must lead a particular process, **neither** of the **Departments** can have **exclusive control and ownership of the intervention process**. (Start with the system, not the mandate).
- Furthermore, the Departments agreed that local government support, intervention and recovery processes are part of a **single continuum**, and that it is always better to **invest in prevention** of the problem in the first place.



# Local Government Collaboration Framework

- CoGTA and NT agree to work together based on a **Local Government Collaboration Framework (LGCF)**.
- The LGCF was **co-drafted** by senior representatives from the Departments, **through a facilitated process**.
- The **Presidency** will have **political oversight** over the implementation of the LGCF .
- The LGCF sets out a **joint approach** by the Departments **towards local government intervention and recovery**.
- The LGCF establishes a process to **clarify roles, responsibilities, performance and accountability measures** for the Departments, and their partners.



# Beyond 'coordination'. For the purposes of the Agreement, collaboration is defined as: 5



## Giving effect to the Agreement

- The Departments have agreed to form a **joint task team** consisting of senior officials to coordinate the implementation of local government support and intervention.
- The task team will be **chaired jointly by the two Departments**.
- The task team will be responsible for drawing up a **joint local government intervention and recovery strategy and implementation plan** within three months, as well as identifying short-term to medium term service delivery interventions in select municipalities.
- The task team will account directly to the Directors General of the Departments, who will be jointly accountable for the performance of the Agreement.
- The **Presidency will monitor the implementation** of the Agreement.



The Departments agree that the **success of this process** is **dependent on consultation** with, and support from:

1. **Relevant national sector departments**, e.g., Department of Water and Sanitation, Human Settlements; and Transport;
2. **SALGA**; and,
3. **Provinces**, in particular the provincial treasury and provincial cooperative governance/ local government departments.

The Departments have agreed to **adopt a phased approach** to mobilising support for the LGCF.

In the first instance, the Departments will focus on **building relationships of trust**, through a **common agenda for joint action** between themselves, to send a strong signal to other parts of the local government system.

Thereafter, through a process of engagement and consultation, this Agreement will be extended in sequence to include the (i) national sector departments, (ii) SALGA, and (iii) Provinces.





The joint task team will **secure sub-agreements** between the Departments on:

- **Common legal interpretations** of the provisions of S139 of the Constitution
- Mechanisms to determine **which Department takes the lead** on a particular intervention, and the **support that may be required**
- **Joint ‘early warning system’** to monitor the need for local government interventions
- How the Departments will **monitor** and **report** on the impact and performance of local government interventions

In parallel, the joint task team will be responsible for initiating a process of sequential consultations with the relevant national and provincial sector departments, and SALGA, within three months of the Agreement being signed.

As part of this process, the joint task team may recommend additional roles for the task team in future, including the power of oversight, as well as mechanisms for participation by other partners and stakeholders.



## The role of the Joint Task Team

## Addressing the Structural Crisis in Local Government

- The Departments agree that a collaborative **local government support and intervention plan** represents a **short-term approach** to address one of the **symptoms of the crisis**.
- A **consultative local government reform process** needs to be initiated in parallel to address the underlying **structural, systemic and financial crises of local government**, to be implemented by 2026.



## Broadening the partnering approach to address other issues

- It is recognised that the Agreement does not diagnose all the challenges facing the system of local government in South Africa, nor does it attempt to find solutions to all the challenges. The process focuses on **one specific aspect of the problem**, namely, the failure of two Departments responsible for ensuring the success of local government interventions and recovery at national level, to collaborate.
- However, it can be extrapolated that if the two Departments are able to successfully develop a common agenda for joint action, based on mutual accountability, and shared risk and reward, around interventions in one part of the local government system, then **this approach can be broadened in future** to address the other challenges in the local government system.

