



# ENDUMENI MUNICIPALITY

## NORMS AND STANDARDS FOR OVERSIGHT

Given the importance of oversight, it is necessary to set normative rules and standards for municipal oversight. The purpose of such norms and standards is to guide the municipal oversight process.

The **Norms and Standards for Municipal Oversight** reflect 10 key norms (see list of norms and standards below) together with their appropriate standards which must be adopted and implemented by all KwaZulu-Natal municipalities as a policy guide to inform the oversight process.

Norms		Standards	
N1	<b>Systematic Approach</b> - There should be a systematic and formal approach to oversight	1.1	Oversight should be systematically planned and implemented – with a strategic plan and annual oversight agenda
		1.2	Provision must be made on a municipality's calendar of events for all planned oversight events and activities
		1.3	The oversight function must cover both financial and non-financial aspects in a systematic way
		1.4	The cost of reviewing the Annual Report and compiling the oversight report should be considered and balanced against the need for transparency, good governance, accountability and capacity of the municipality to follow an effective process within the time allowed
		1.5	A Municipal Council should appoint an oversight committee that must at least meet quarterly.
		1.6	Oversight should involve working towards a thorough understanding of content of the Annual Report, budget and the kind of questions to ask

Norms		Standards	
		1.7	All possible resources should be brought to bear in order to gain this understanding of the Annual Report - researchers, other committees, civilian watch bodies etc
		1.8	Sufficient time must be allowed for members of the oversight committee to study documentation placed before the Committee
		1.9	Municipal departments must submit a combined monthly performance and oversight report to their respective Portfolio Committee based on relevant guidelines issued
		1.10	The Executive Committee must, in line with the legal requirements, report on a regular basis to Council on all its decisions taken
		1.11	The oversight committee is, inter alia responsible, on behalf of the full Council, for the compilation of the Oversight Report
		1.12	The oversight committee must keep detailed records of all its deliberations
		1.13	The effectiveness of the oversight function must be assessed on a regular basis
N2	<b>Purpose and Intentionality</b> - There must be a clearly defined context, purpose and intended result	2.1	The exercise of oversight must focus on whether a municipality has achieved the objectives for local government as set out in Section 152 of the Constitution read with other relevant local government legislation.
		2.2	Portfolio Committees of Council must exercise oversight over the service delivery performance against the stated IDP and SDBIP goals and objectives of all municipal departments falling within their portfolio.
		2.3	The Oversight Committee should conduct oversight over the performance of the Executive Committee and municipal administration against the stated goals and objectives of the municipality as set out in its IDP using the Annual Report
		2.4	Oversight should result in findings on the extent to which the stated goals and objectives have been achieved
		2.5	In undertaking its work the oversight committee must have a longer term focus
N3	<b>Guiding Policy</b> - There should be a guiding policy explaining the concept, role and use of oversight within an institutional framework and with roles and responsibilities clearly defined. The policy should take account of these norms and standards	3.1	There should be clear guidelines based on current policies, regulations and departmental guidelines on how to conduct oversight [ <i>for example (1) the DLGTA roles and responsibilities and delegations framework and (2) the "Toward a Framework for Councillor Oversight"</i> ]
		3.2	There should be a clear definition of roles and responsibilities for all council committees and bodies involved in the exercising of oversight

N4	<b>Impartiality and Code of Ethics</b> – In exercising oversight over the activities of the Executive Committee and municipal administration, Councillors must act in an impartial, non-partisan and objective manner	4.1	The exercise of oversight must be governed by a code of ethics of which impartiality, non-partisanship and objectivity are important objectives and that serves as a basis for ensuring accountability, improving service delivery and ensuring institutional learning
N5	<b>Independence</b> – the committee should develop a cohesive identity as an independent committee where there is adherence to the principle of the separation of powers	5.1	The Speaker, Mayor, Members of the Executive Committee and municipal officials are not allowed to serve on the oversight committee
		5.2	So as not to compromise its independence, integrity and authority the oversight committee must report directly to Council via the Speaker
		5.3	The oversight committee must exercise oversight over the issues referred to it by the municipal council for review independent from the Executive Committee
		5.4	The oversight function must be exercised independent of the executive committee and municipal administration
N6	<b>Quality orientation</b> – in both the documentation considered and the reports and findings made	6.1	Good quality and reliable information with clear objectives and standards against which performance can be assessed must be produced and presented in order to ensure effective oversight
		6.2	Documents serving before the oversight committee must be of such a nature that they are easily understandable and not of a highly technical nature
		6.3	Oversight reports should present in a balanced way findings, conclusions and recommendations made
		6.4	Findings and recommendations should be presented in a manner that is easily understood by target audiences
N7	<b>Build Competency and capacity</b> – to exercise oversight for both councillors, portfolio committee members and ward committees	7.1	Councillors must receive appropriate and adequate training to enable them to properly exercise their oversight responsibilities
		7.2	Portfolio Committees must have members with or access to an expert with the relevant expertise and experience in the required functional area for effective oversight
		7.3	Portfolio, Ward and Oversight Committee members must be capacitated to ensure that they understand the oversight process and have the relevant technical knowledge to enable them to properly analyse performance information in the Annual Report and other relevant sources

		7.4	Mechanisms must be established to enable ordinary Councillors and the general public to digest and discuss the Annual Report
		7.5	The Council must provide the oversight committee with the necessary support and infrastructure [inclusive of funding and research capacity if requested]
		7.6	District level oversight committees should have local municipality representation on its oversight committee
N8	<b>Transparency, consultation and participation</b> – effective oversight should be carried out in such a way that there is complete transparency in the process and findings made and all stakeholders are fully informed and empowered to participate in the oversight process	8.1	Community members must be informed of their rights and obligations with regards to municipal oversight
		8.2	In exercising their oversight of the Council, community members must be informed of their obligation to have in mind the common good and not just what is in their own or local constituency's interest
		8.3	Mechanisms must be established and implemented to ensure that the poor and members of disadvantaged communities have equal opportunity to participate in the oversight process
		8.4	Mechanisms must be established to enable ordinary Councillors and the general public to digest and discuss the Annual Report
		8.5	Mechanisms must be established to enable different Portfolio Committees to share oversight information with each other
		8.6	The oversight committee must establish mechanisms to receive and review representations made by the general public on the Annual Report
		8.7	Meetings at which the Council considers the Annual Report must, in line with the legal requirements, be open for members of the public
		8.8	Meetings at which the oversight committee considers the Annual Report must, in line with the legal requirements, be open for members of the public
		8.9	Individual Councillors must review the Annual Report with their constituents and where applicable ward committee in preparation for the full Council meeting on the Annual Report
		8.10	The Municipal Manager and full management team must be available to respond to questions of

			Council when considering the Annual Report
		8.11	The Municipal Manager and full management team must be available to respond to questions of the oversight committee when considering the Annual Report
		8.12	The oversight committee must in addition seek the input of all Councillors and Portfolio Committees on the Annual Report
		8.13	The oversight committee has the right to call upon any member of the Executive Committee or municipal official to appear before it to answer questions
		8.14	Council must publish all oversight committee recommendations.
N9	<b>Follow up</b> – all findings and recommendations should be rigorously followed up to ensure appropriate action is being taken	9.1	Mechanisms must be established to ensure that all oversight issues are prioritised, pursued and tracked to their logical conclusion
N10	<b>Contribute to service delivery</b> – oversight should result in improved service delivery	10.1	In undertaking its work the oversight committee must endeavour to develop a forward looking approach rather than just overseeing what has already happened
		10.2	Recommendations must be firmly based on evidence and analysis of performance information and stakeholder input and should be relevant and realistic, with priorities for action made clear
		10.3	Recommendations must be used to facilitate an improvement in services rendered to the community
		10.4	Recommendations must be used to facilitate greater accountability in the utilisation of public monies

Implementing these norms and standards will contribute towards a positive image of local government and the appropriate mechanisms need to be put in place to ensure this happens.