THE TRAINING OF BLACKS

AT

LOCAL GOVERNMENT LEVEL

IN NATAL

BY

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It is a hypothesis of this dissertation that the establishment of fully operational, autonomous Black local authorities will contribute to the peace and stability of South Africa and would ultimately have far reaching effects.

This hypothesis is based on the postulation that the original establishment of proclaimed Black residential areas was cardinal to the policy of apartheid. This residential separation and other aspects of community life, *e.g.* employment and mobility, were maintained by legislation and institutions devoted to the application and administration of the legislation were created.

This policy extended over a period of nearly four decades during which the internal and external resistance to an apartheid policy increased with dramatic socio-economic effect.

In 1985 Dr Piet Koornhof, South African Ambassador to the United States of America, announced at a press conference in Washington, D.C. that "apartheid was dead."

During the period prior to this statement, 1982 to 1986, enactments viewed as the cornerstone of the separation policy were repealed or amended by new legislation such as; Abolition of Influx Control Act,1986 (Act 68 of 1986), Abolition of Development Bodies Act, 1986 (Act 75 of 1986), Black Communities Development Act,1984 (Act 4 of 1984).

Internally radical elements violently opposed to the government launched a campaign of destruction and intimidation largely confined to the Black residential areas. Generally this has been a Black on Black violence and led to the declaration of a state of emergency on 9 May 1986 which has continued to the present time.

An examination of these unfortunate circumstances has led the writer to believe that there must be support in the Black communities for the reform process. It is held that the organisations opposed to any participation in this process have recognised that it could succeed. The "soft under-belly" is the conditions prevailing in the Black towns and residential areas within the Republic.

Official announcements have been made acknowledging that the earlier policy had failed and that a developmental backlog existed which is to be eliminated.

The strategy of the subversive elements is to prevent, or delay, the improvements so as to exploit the dissatisfaction of the people most affected, the Black communities.

Despite the very violent tactics applied under this strategy many Black communities and their leaders participated in the system, serving on community councils *et al.* Within Natal there are eighteen formally established Black towns and in the three years prior to 1988 only three did not have properly functioning community councils.

On the announcement that local government elections would be held on 26 October 1988 throughout the country for all local government bodies, predictions were made that these would not succeed, certainly not in the Black areas. These predictions proved to be false and the situation in Natal was that 132 candidates were nominated against a total of 108 vacancies. This and subsequent events showed that there was a willingness to participate.

In the period between nominations and election day there was constant and close contact with all eighteen towns and the following impressions were gleaned.

1. The electorate generally was prepared to participate but did not fully understand the democratic system of nominations and elections. At many private and public meetings the view was aired that nomination was, in fact, the selection of leaders and that no further action was required. The people themselves maintained that the nomination of an unopposed candidate was the total endorsement of that candidate and he could take office immediately.

2. Candidates who had served as community councillors were prepared to accept nomination, and were supported by their communities, but did not understand the differences between community councils and local authorities.

3. Both the public and the candidates were sceptical about the real powers and duties of local authority bodies.

4. The attitude was often challenging in that the public and the candidates made it known that they would participate on the basis that after the elections the "government of the people by the people for the greatest good of the greatest number" would have to be demonstrated. One subsequently successful candidate stated that if this did not occur he would step aside for the "forces of revolution".

In the event, the elections in Natal took place without any incident. The highest percentage poll was over 68% and only one of the qualifying towns did not participate.

The stage is now set for the further development of Black local authorities. Successful local authority administration will further confound those who seek advantage from chaos and anarchy. Efficient and effective administration can only be achieved through the efforts of dedicated officials and members who have the skills to perform their function well.

It is not denied that local government *per se* is the most important level of government because it affects the daily lives of all. It is accepted that it is in the interest of all that all local government bodies be given every assistance to develop and improve. Historically instability and violent resistance to local government has been experienced only in the Black communities. This violence and instability has been exploited and widely publicised overseas in an ongoing campaign to overthrow the government. Clearly the highest priority is the improvement of the Black local authorities and this improvement must involve the people themselves. The long term effects of the development, training and guidance of the Black people in a system of "government of the people by the people" will be peace and stability nationally.

This dissertation deals with the identification of the needs for training, the support for this training and an indication of what should be done in this regard for the Natal Black local authorities.

CHAPTER 1.

THE NECESSITY FOR THE CREATION OF A CADRE' OF TRAINED PUBLIC ADMINISTRATION PRACTITIONERS IN BLACK LOCAL AUTHORITIES

1.   Introduction.

Public Administration, as both a professional and an academic field, is well developed in this country. However, the practice of public administration is not uniformly at the same level throughout the governmental structure. The imbalance is due, in part, to an earlier policy whereunder some sectors of the population were not involved with their own administration, and, in part, because of the friction occasioned by the juxtaposition of First and Third World cultural values and norms.

The introduction of an official policy of reform extending administrative responsibility to all groups resident within South Africa has increased the significance of this friction. The most recent reform has been directed at the third tier of government, local government, the level at which these groups interact most. The promulgation of the Black Local Authorities Act, 1982 (Act 102 of 1982) made it possible for *inter alia* the former advisory boards, community councils and local committees, to attain various levels as autonomous local authorities.

Regional Services Councils have also been created at tertiary level in terms of the Regional Services Councils Act, 1985 (Act 109 of 1985).

The imbalance in the quality of administration exists at this, the third, level and because of the changes great demands are being made of public administration bodies directly involved with local government.

A third factor is that prior to the application of the policy of reform, nothwithstanding the rationalisation of the public service, an acute shortage of staff existed, the vacancies in 1982 totaling more than 15000. These vacancies did not exist at only the entry and junior ranks but also at middle management level where the most critical shortage existed and still exists.

Finally, the degree of public participation in local government, as evidenced during the local government elections held on 26 October 1988, indicates that the public may well demand good administration.

Currently the greatest need for the implementation, development and maintenance of sound public administration is in the newest entry group into autonomous local government, the emergent Black local authorities, an important branch of public administration.

The most important aspect to the filling of this need is the creation, in the shortest time possible, of a sufficient *cadre* of knowledgeable practitioners in the different aspects of public administration as applied to local authorities. An important step in this creation is the application of a comprehensive training programme.

Although these circumstances pertain in all the Provinces the comments offered herein are confined to Natal because of empirical considerations.

In order to substantiate the postulation that training is a critical element in the improvement of public administration as practiced in the Black local authorities of Natal an historical overview is presented.

1.1. Development of Black Local Authorities in Natal.

1.1.1. The Establishment of Bantu Administration Boards.

Prior to 1973 the Black residential areas throughout the country were under the control of the White local government closest to these areas. The philosophy that gave rise to the the creation of the Bantu Administration Boards was one of control, both of policy implementation and of financial management. The then "Non-European" or "Bantu Affairs Departments" of all the municipalities in a particular region were detached from the municipalities and combined into individual boards.

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The cornerstone of these boards, legislation and regulations in force at that time, related to influx control, registered employment and rented accommodation.

Application of this legislation directly affected the lives of every man, woman and child living in a proclaimed Black residential area or working in the White area. The controls required by the legislation could only be applied effectively by centralised administration of all functions and services.

Services were generally rudimentary and, because of the policy that Black townships were not to be a permanent feature within the Republic *per se*, all development of the built environment was frozen. The developmental thrust was directed at the homelands and emerging independent states.

The boards, although individually autonomous, rendered all the administration under prescription from central government.

The boards' members were all appointed by the then Minister of Co-operation and Development and, particularly the chairman, were *in loco parentis* for the Minister. This was to attain uniform application of the policy of the day which could not previously be ensured through several hundred independent White municipalities.

The policy at that time, which despite subsequent changes in legislation continued until 1982, was that all aspects of the administration was undertaken by White officials of the boards. These officials were drawn from the ranks of the municipalities

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that had previously been responsible for the administration of these areas. The residents were represented by the Bantu Advisory Boards in each residential area.

The administrators of the individual "townships" were regularly involved in the daily lives of the people and exercised patriarchal authority.

The residents' representative bodies, the Advisory Boards and their successors, were consultative bodies with little or no plenary powers.

In terms of the Black Affairs Administration Act, 1971 (Act 45 of 1971) originally three such boards where established in Natal. As part of a policy of rationalisation the number of boards in Natal was reduced to two and ultimately one.

The period of the existence of the boards was turbulent. In the first instance it was recognised that greater efficiency could be attained by merging boards and the numbers were reduced, during the years 1973 to 1985, from 22 to 14, and finally to 13, the three in Natal being incorporated into one.

1.1.2. The Establishment of Development Boards.

In addition to the rationalisation of the numbers, the constitutional development of the country was underway and gathered momentum.

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The rapid change and initial uncertainty is reflected in the changes to names and the re-evaluation of functions to be performed by the boards.

The last phase in these changes was the most meaningful one and was the one least implemented - the change to development boards.

In terms of the Black Communities Development Act, 1984 (Act 4 of 1984) the boards were no longer responsible for merely control of Blacks in "White" South Africa. The policy now recognised that the existing residential areas would continue to grow and that more Black towns need to be established.

The immediate and most noticeable effect was the "unfreezing" of land for residential purposes. Extensive up-grading and installation of essential services, the long neglected provision of an adequate infrastructure, and major schemes for the building of residences began in all the towns.

The Development Boards were to hand over the administration of these towns to employees of the towns themselves as soon as the necessary staff structures were created and other preparatory work was done. The inference was clearly that the Development Boards would ultimately be phased out.

1.1.3. The Abolition of Development Boards

This approach was unsuccessful largely due to the problems encountered in attempting to implement a new policy through institutions which had been created specifically to implement an earlier, totally different policy.

These problems led to the passing of the Abolition of Development Bodies Act, 1986 (Act 75 of 1986).

In the period immediately prior to the abolition of development bodies major changes had occurred.

Legislation in respect of influx control and labour registration, the legality and practicality of which had long been under siege, was scrapped; the concept of development of Black communities and not merely administration and control was promoted; the Black Local Authorities Act,1982 (Act 102 of 1982) was passed; privatisation of various governmental services was being implemented; home ownership by Blacks was actively encouraged and development was "unfrozen"; township administration would be done by the Black local authorities themselves.

The abolition of the boards therefore seemed logical and the difficulties of taking up the displaced staff on the establishments of the various Provincial Administrations and other government departments seemed to be the major problem.

1.1.4. The Implications of Autonomous Black Local Authorities.

At different times in the history of Black administration, under an evolving policy the municipalities, and later the boards, had real purpose and attempts were made to fulfill this purpose. What had remained constant was the client, the Blacks permanently resident within the Republic.

In the long established communities many of the needs of this client also remained constant. These needs included housing and essential services, recreation and, most importantly, administration and development as local authorities.

It is common cause that the developments were resisted by both rightist and leftist groups for different reasons. The rate of change has been too fast or too slow depending upon political conviction.

The Black communities had initially been denied many of the essentials taken for granted by the White communities. Now, given full access to all the aspects provided by legislation, passed in terms of policy changes, these communities are responsible for sound local government and development of their own communities.

It is incorrect to assume that the amendment and promulgation of enabling legislation is all that is required .

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This might , and can, work for the White communities. In Natal, for example, the Development and Services Board's administration of the Waterfall area is now drawing to a close. A municipal administration is emerging in response to the representations of the residents who understand and have experience of living in municipal areas as ratepayers. The White communities have a long association with the concept of local government as government of the people by the people. The principles of democratic representation and regular elections, the levying of rates , are all long established and accepted.

The priorities of the Black communities, and their perceptions, are different and are largely rooted in the slow start to the evolution of independent Black local authorities.

The differences are not only cultural, the interface between Third and First World values and norms, but also in the historical development of the administration of Black residential areas.

Neither the communities and their elected leaders nor the officials resident in the towns, can absorb the reform process without professional assistance. This incompetence is caused through combinations of lack of understanding of the system, lack of experience in self-determination, lack of funds and of knowledge of how to acquire and manage funds. Further, despite vociferous clamour for "equality", many communities still expect and demand the paternalistic assistance they have become dependent upon.

The needs of the Black communities are threefold, the first manifested itself, *inter alia*, during the pre-election activities of the October 1988 general municipal elections.

Notwithstanding the lack of success of the misjudged campaign for non-participation, results would have been better if the general public were convinced of the value and efficacy of local authorities. This can only be proven by demonstration thus the administration in each town must be of a high standard. This cannot be identical to what occurs for other race groups.

In the immediate short term the sociological involvement of high-ranking officials and elected councillors must continue. In the perception of the people, who are culturally socialistic rather than capitalistic, this is part of local government.

Secondly, the greater majority of the newly elected councillors share the perceptions of the communities. Even the experienced ones, those who follow the formal procedures at meetings and other requirements, still do not have sufficient skill and understanding to formulate resolutions that will materially affect future developments.

Thirdly, because of lack of opportunity and hands-on experience under the jurisdiction of the boards, many of the officials seconded to the service of the local authorities are not able to perform all the duties correctly.

A better perspective of these needs is obtained from an examination of the Black Local Authorities Act,1982 (Act 102 of 1982).

2. The Black Local Authorities Act,1982 (Act 102 of 1982).

The purpose of this Act is " to provide for the establishment of local authority committees, town councils, city councils, and town committees for Black persons in certain areas; for the appointment of a Director of Local Government: and for incidental matters.

In terms of Section 2 of this Act the Minister of Constitutional Development and Planning may, by notice in the Government Gazette, establish a local authority, which was done in Gazette number 1034 , dated 11 July 1986, for *inter alia* 14 of the 18 Black towns in Natal. The Act also makes provision for the election of members of a local authority (Section 7), and prescribes the qualifications for such members (section 8). The appointment of a Chief Executive Officer is dealt with in section 30. Attention is drawn to the fact that no conditions regarding the academic and empirical qualifications of the members are set.

The rights, power, functions, duties and obligations of local authorities are dealt with in sections 23, 24 and 25 and are detailed in the Schedule to the Act. Provision is also made for the engagement of employees (section 31) to whom powers may be delegated (section 33).

The effect of the proclamation in the Gazette dated 11 July 1986 is that performance and control of the administrative and other services formerly rendered by the abolished boards (in Natal the Natalia Development Board) are now vested in the towns detailed in the proclamation.

An analysis of these services is deemed necessary to demonstrate that this is an application of public administration.

3. Summary

In response to increasing international pressure over the past decade, coupled with an increasing internal awareness, the government has embarked on a reform process. This process is based on the premise that the "apartheid" policy has failed.

With regard to the Black population of the Republic, the constitutional reform specifically addresses local government. Autonomous Black local authorities have been created and the communities affected have given their limited support to this change, which support included participation in elections. The support is limited because the people need to be convinced that the newly created local authorities are, in fact, autonomous.

Sound administration of these local government bodies, meeting the needs of the communities, will settle this doubt. Sound local government will then eliminate the unrest experienced in the Black towns.

Sound administration can only be attained through the efforts of persons well' qualified in administration. Because of the strictures of the earlier policy, Blacks generally, both officials and elected members of the local authorities, need training to equip themselves for this important task.

The identification of the training required is best addressed by analysing the needs in terms of the services to be rendered by the autonomous Black local authorities.

CHAPTER TWO

THE GENERIC PROCESSES OF PUBLIC ADMINISTRATION APPLIED TO THE FUNCTIONS OF BLACK LOCAL AUTHORITIES

1. Introduction

The purpose of the Black Local Authorities Act,1982 (Act 102 of 1982) is a statement of the policy to be applied to local government for the Black population.[1] This is, in effect, the policy determination identified as part of the generic processes of public administration and is the formulation and publicising of the institutional goal.[2] The content of the Act goes on to define the procedure that must be followed in the attainment of this goal.

These procedures are now discussed in terms of a classification of the generic processes.[3]

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1. Vide supra., Chapter 1, para. 2, p.10. for the official description of the purpose of the Act.
2. Cloete, J.J.N.: Inleiding tot die publieke administrasie, sixth revised edition, Pretoria: J.L. van Schaik, 1986, pp.3-6
3. Cloete, J.J.N.: "The classification of public administration for the purpose of study and research." Die Staatsamptenaar, vol. LXII, no.2, February 1982, for identification of the "generic processes."

2. The Generic Processes of Public Administration.

The generic processes have been identified as being :

Finance	Organisation
Personnel	Control
Procedures	Policy

Studies of these processes has led to the definition of neutral aid processes and specialized functions such as planning, decision making, communication, co-ordination and leading.[4]

The requirements for sound public administration in local authorities are discussed in terms of the above.

2.1. Finance

Any policy can only be implemented if the necessary funds are made available. As in most public institutions the allocation of funding for individual local authorities is undertaken by means of annual budgeting. It is held that the estimates and budgets are the work programme for the application of the decided policy.[5]

In terms of sections 39 to 43 of the Black Local Authorities Act, 1982(Act 102 of 1982) the Chief Executive Officer is the accounting officer for a particular local authority.

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4. Cloete: Inleiding...,op. cit., p. 42 & p. 58.

5. Ibid., p. 107.

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As such the keeping of records of account and the compilation of financial statements are his responsibility. The accounting period, a year, is also prescribed and a registered auditor must be appointed annually.

When the Act came into operation, each local authority had to submit to the Minister of Constitutional Development and Planning annual estimates of revenue and expenditure, detailing expected revenue and proposed expenditure on projects and programmes.[6] The Minister may approve as submitted, or a higher or lower expenditure, or refuse to authorise any expenditure.

In 1987 with amendments to legislation to permit *inter alia* more localised financial control, the power to approve financial estimates was assigned to the four provincial administrators.[7] Moneys may only be applied in terms of the estimates except that the Minister (now the Administrator) may authorise additional payments on under estimates, or the application of savings on some voted to another purpose, or withdraw permission where no expenditure has yet been incurred.

In addition, the Director of Local Government, appointed in terms of the Act, may recover any losses from the accounting officer personally if the loss arose from the action of *a member or employee*.[8]

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6. Black Local Authorities Act, 1982, (Act 102 of 1982), section 44.
7. Provincial Government Act, 1986 (Act 69 of 1986) section 15 (1).
8. Act 102... op.cit.. section 46.

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Losses are investigated under the Public Accountants and Auditors Act, 1951 (Act 51 of 1951) at the request of the Director of Local Government.[9]

It is thus clear that two parties are recognised with regard to the finances of a local authority namely, the employees (the officials) and the members (the elected office bearers).

2.1.1. The Need for Training

With regard to appointed officials, man specifications can be prescribed and the recruitment and placement of suitably qualified persons can then take place. Man specification are a detailed description of the educational qualifications, training, experience and general skills that are required for the adequate performance of the duties attached to a specific post.[10] These specification are the ideal but candidates with potential to attain these requirements may be appointed to a lower graded post and, through formal, and on-job, training could in time meet the specifications. The abilities of candidates could be assessed with the assistance of the provincial administration or adjoining, more developed, municipality.[11]

9. Act 102..., op. cit., section 54.

10. Paterson, T.T. " Job evaluation," London: Business Books Limited, 1978, vol., 2, p. 27

11. Cloete, J.J.N.: "Assessment centres for identification of candidates suitable for appointment in top posts." SAIP: Tydskryf vir publieke administrasie, vol. 18, no. 4, December 1983.

This cannot be done in regard to elected members because the qualifications for nomination and election do not include specialist knowledge.[12] The theoretical knowledge, and the experience of members is limited. The executive language adopted by the Black local authorities in Natal is English and 4 per centof the members returned in the October 1988 elections are illiterate in both English and Zulu, their home language. Thirty per cent of the members returned have never served before. This is an indication of the need for training generally.[13]

In respect of the financial process, estimates are a financial plan

of the operational policy to be followed for the year.

Training in the financial functions should include the following categories:

Routine financial procedures for example, receipting and banking of daily income and petty cash transactions.

Monthly reconciliation of amounts expended and received.

The adjustment of variances.

The recording of the collection of monies owed such as rentals, licence fees and service charges.

12. Vide supra., Chapter 1, para. 1.1. p.11
13. Unpublished statistic released by Natal Provincial Administration after 100% survey of elected councillors conducted during November 1988.

Micro-financial planning relating to managing and manipulating monthly financial provisions to suit changing needs and demands; for example, management of maintenance programmes and personnel provisioning requirements.

Macro-financial planning relating to requirements in the medium and long terms, for example capital expenditure including major works and the provision of hard services.

Procurement of funds from external sources and the generation of internal funds.

Historically the duties of the Black employees of the former board, who are now in the employment of the local authorities, were confined to routine repetitive work. These employees cannot summarily be replaced by qualified persons (in any event qualified persons are not available in the market place) and comprehensive training and development programmes are required.

In order to accommodate both the officials and the elected members the programmes should deal with principles as well as detailed procedural training. This is necessary because the members require broad understanding whereas the officials must be totally *au fait* with procedures.[14]

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14. Unpublished minutes of various meetings of the Natal Regional Training Committee.

2.2. Organising.

The following quote could refer equally to organising in any type of institution.

"Organisering is inderdaad die rangskiking van individule as enkelinge en as groepe in 'n bepaalde patroon sodat hul optrede in 'n bepaalde rigting gestuur kan word."[15]

As local government is the third level of government the following is apt.

"...organisation of a Government is not an end in itself but a means for achievement of national objectives. Its purposes are twofold. The obvious purpose is to allocate the tasks of government so that they will be performed in a manner that is both efficient and economical, with a minimum of duplication and overlapping. Equally important, but less obvious, is the second purpose, which is to define areas of responsibility of administrative units so that they may be properly subject to institutional and political controls. A sound scheme of administrative organisation must not only prevent duplication, friction and waste of effort, but must also safeguard constitutional guarantees and encourage flexibility and responsiveness to new policies and programmes." [16]

15. Cloete, J.J.N.: Personeeladministrasie, second edition, Pretoria: J.L. van Schaik 1982, p.77.

16. United Nations; A handbook of public administration, New York: United Nations Publications, 1961, p.34.

Organising extends to the development and maintenance of sound communication and co-ordination within the institution and provides mechanisms for delegation through addressing interpersonal relationships and group dynamics in the working place.

The duties and obligations of a local authority include the power to employ persons or to appoint contractors to do its work.[17] Even if it where economically viable to engage contractors exclusively, privatisation taken to its ultimate, an integrated planning and control system will still be required. Such a system relies on communication and co-ordination for success. In the unlikely event of all work being performed on a contractual basis, organisation is required in each of the individual local authorities as a nexus for the application of the generic processes.

2.2.1. The Need for Training

With regard to the officials involvement with organising, expertise in the following steps in designing organisational structures is regarded as desirable.

> ### Define the purpose of the institution.
> This definition relies on identification of the client and his needs because the purpose of any institution must be to fulfill the client's needs. In a local authority the client is the body of residents and its needs relate to the improvement of the quality of life.

17. Act 102...,op.cit., sections 23-25

Identify the functions to be performed.

In order to attain the purpose the institution must perform certain functions which must be identified and listed in order of importance.

Identify supportive functions.

Distinction must be made between functions directly related to purpose attainment (providing hard services) and the those function making the attainment of the purpose possible (archiving of information).

Grouping functions

Homogeneous functions are grouped together in order that duplication and overlapping may be excluded.

Determine the relationship between functions

This will identify the chains of command and lines of formal communication in the institution, that is, the integrating mechanism.

Identify the personnel requirements

Detailed job descriptions and schedules of duties are drawn up.[18]

Since organising is the formalisation of the lines of communication and the chains of command it is necessary to examine the relationship between the member and the official.

18.   Adapted from Mintzberg, H.:The structuring of organisations, Englewood Cliffs: Prentice Hall Inc., 1979.

Decision making is dealt with later but some comment is necessary on decision making and organising.[19] The individual elected members are not the decision making unit in the local authority. Local government is the purest form of government of the people by the people and as such must always maintain the principle of greatest good for the greatest number. The decision making unit is the committee of all the elected members in good standing.

The interests of the people are protected by the legal requirements that all members must receive notice of meetings and a quorum, a simple majority, must be present.[20] It is therefore clear that the individual members are not empowered to give direct instruction to the individual officials. It would also be chaotic if the committee were to give instructions to each worker.

The communication of the community needs, the planning and provisioning to meet these needs, the implementation of the need fulfillment, and the control thereof, demands organisation. In the first instance the members must understand and accept their role in the organisation.

Imparting this knowledge is impeded by the restraints of literacy and language already identified.[21]

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19. Vide _infra._, chapter para. p.
20. Act 102..., _op. cit._, sections 14-15
21. Vide _supra._, chapter 2, para. 2.1.1., p. 16.

The requirements of the officials are not the same nor are the same restraints present because the officials will have been selected and appointed subject to appropriate man specifications.

In addition to the daily necessity to be totally familiar with the chain of command and communication network, knowledge of the organisational structure is advantageous to the official. Where proper manpower planning has been applied a personal career path is identifiable which is a motivational factor in the longer term.

2.3. Personnel.

Just as the budget is the work programme for the attainment of policy therefore policy without finance is impractical, so organising is pointless without personnel. The organisational structure is the skeleton of the institution and people are the fleshing of this skeleton. "Government faces the problem of recruiting and holding capable and skilled people in public service. The professional satisfaction and rewards a government career can offer, in comparison to other alternatives in society, are indicators of the kind of civil servants government have to work with."[22]

The most expensive resource used by any institution is its personnel. Efficiency and heightened productivity can only be attained through a motivated personnel corps, sufficient in number and of at least adequate quality.

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22. O'Donell, M E (Ed.) : Readings in Public Administration, Boston: Houghton Mifflin Co.,1966, p.161

Once attained this must be maintained and the steps to be taken are as follows:

2.3.1.Application of Organisation and Methods and Work Study.

These disciplines are directed at determining the most effective chains of command and channels of communication through the design of the most appropriate organisation. Work study techniques, such as method study and time and motion study, are then applied to determine the best method of performing tasks and standards of performance are set. Work measurement then follows to which the standards are applied and the optimum number of persons required is calculated.

Job evaluation, a technique designed to quantify the relative worth of all the jobs created, is used to formulate a salary structure. (Controversy exists as to whether job evaluation is part of O. and M. or of Personnel Administration. The writer's view is that job evaluation is not an end in itself but is an aid in the determination of equitable and competitive salaries. The latter is held to be a personnel function and job evaluation, a comparative study, equates with setting work standards and thus belongs with O. & M.)

2.3.2. Personnel Administration

Given an organisation with salary grading, the first step in attaining an appropriate work force is the recruitment of staff.

This entails setting man specifications in term of the duties attached to a particular post and advertising the vacancy in the medium most used by the type of person required.

Recruitment is followed by selection and placement where the factors applied should be the qualifications and experience of the applicant; characteristics of the individual in so far as they can be identified; and suitability, not only in terms of ability and potential but also in regard to the organisational climate prevailing.[23]

Hereafter a formal development and training programme should be applied to each individual worker to allow progress along a career path and to create depth of succession; advantages to the employee and employer, respectively.

Under sound personnel administration manpower planning must be an ongoing function. This entails forecasting the staffing requirements for five year periods and formulating strategies to meet these requirements. Developmental and training programmes, subsidised education schemes and performance appraisals can lead to future, higher level, staffing requirements being met from within the existing staff.[24] This is less expensive than recruitment beyond entry level and tends to limit staff turnover.

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23. Cloete: Inleiding...,op. cit., p.123
24. Cloete: Inleiding...,op. cit., pp.6-7.

2.3.3. The Need for Training.

A local authority at any of the defined levels is a juristic person and has the power to employ staff.[25] In terms of section 30 of Act 102 of 1982, the local authority "shall appoint a chief executive offer to control and execute its resolutions". Further, in terms of the schedule to the Act other officials may be empolyed.[26]

The creation and maintenance of a personnel corps is a complex operation demanding the performance of various functions daily. The elected members duties do not extend to this performance, neither in terms of of Act 102 of 1982 nor in terms of what authority may be delegated to them by the Minister. It has been shown that selection is an important personnel function and, as the local authority is empowered to appoint officials, it must be deemed that the members play an important part in the selection.[27]

As elected members with generally little or no experience nor knowledge of personnel administration as applied in a public institution, and with equal limitations regarding knowledge of the duties attached to posts on the establishment of the local authority, it would be beyound their competence to apply proper selection methods.

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25. Act 102..., op. cit., section 1.
26. Act 102..., op. cit., section 24.
27. Vide supra., chapter 2, para.2.3.2.,p.25.

Powers may be delegated to officials, that is employees, without diminishment of the powers of the local authority.[28] The authority to appoint employees could thus vest in the chief executive officer or other high ranking employee. This, in turn, indicates that such an official should be competent to select the best candidate. Generally, officials of the former board, now employed by the local authorities, have very limited experience in personnel administration.[29]

Both the members and selected officials need training in the following aspects of personnel administration.[30]

Assessment of short and longer term staffing needs.
The working of excessive overtime is an indication of either inefficiency or understaffing. On the converse obvious idleness indicates poor management and/or overstaff. The former is preferable.

Assessment of applications received.
When vacancies are advertised and a good response is received only the most suitable candidates should be interviewed. Short-listing techniques must be understood.

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28. Act 102..., op. cit., section 32.
29. Vide supra., chapter 1, para.1.1.4..,p.9.
30. Bramham, J.: Practical manpower planning, second edition, Berwick Upon Tweed: Martins Printers, 1978, pp.24-37.

Mentoring and motivation.

On first, joining an institute the new employee is often confused and unsure of the simplest aspects of the work, such as working hours and the name of the immediate supervisor. During this period the supervisor and others in authority must see to it that the new comer is assimilated into the working environment in the shortest possible time. Hereafter encouragement, development and training should be applied to each worker as the greatest productivity is rendered by motivated staff.

2.4. Control.

Control denotes the utilisation or application of control measures that are available within the administrative processes.

"Once any system, be it a mechanical device or a business organisation, is set into motion towards specific objectives, events occur which tend to pull the system "off Target". A successful control process is one which effects corrections to the system involved before the deviations become serious."[31]

Throughout Act 102 of 1982 reference is made to the authority vested in the Minister of Constitutional Development and Planning which authority is plenary to Parliament, through the office of the Minister.

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31. Kazimer, L.J.: Principles of management, New York: McGraw-Hill Book Company, 1969, p.298.

If the Minister is of the opinion that a local authority is not performing he may direct it to do so, and may take appropriate action himself.[32] In addition he may make regulations, *inter alia*, on procedures at meetings[33] and his is the sole authority for the approval[34] of expenditure as requested in the annual estimates.

Control measures for all local authorities have been created by legislation but the legislation is the embodiment of the national policy regarding these authorities. In other words the control measures are available in the administrative process of policy determination. However, powers and duties in regard to operations are either vested in the local authorities, either plenary or through specific delegation from the Minister, by virtue of the Act.

2.4.1. The Need for Training

An important consideration is that in addition to the responsibilities Act 102 places on the members, they are also accountable to the residents. Being the elected representatives of the community governed under a democratic principle of government of the people by the people it is their duty to guard the interests of the electorate.[35]

In order to do so effectively each local authority will need to monitor the performance of the particular authority and control any deviations which will militate against goal attainment.

32. Act 102..., op. cit., sections 28-29.
33. Ibid., section 56.
34. Vide supra., chapter 2, para.2.1., p.14.

Certain control measures are vested in the Minister and the Director of Local Government but, in many instances, if deviations are not corrected before these measures become necessary, the administration could be severely damaged.

The members will therefore need to be totally familiar with the measures which they may apply as well as those vested in higher authority, which is particularly applicable to policy.

With regard to daily operations the higher ranking officials must have the necessary supervisory skills. In dealing with their subordinates they must be aware of the following principles.

The worker as an individual.

Every person responds to an interested and concerned attitude, the worker is not just a number.

Create a communication situation with each subordinate.

The individual worker must be allowed to make his own inputs during instructions. The supervisor must be sure that the worker understands what is expected of him.

Encourage creative contributions.

If allowed, the worker can often assist with problem solving.

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35. Cloete; Inleiding..., op. cit., p.81.

Maintain good discipline.

The good supervisor can maintain control without resorting to unfair labour practice.

2.5.   Procedures.

A procedure concerns all tasks, in chronological sequence, that must be performed in order to complete a process.

Procedures may relate to policy and, in the case of local authorities, Act 102 of 1982 and regulations issued in terms of the Act, abound with procedural prescriptions.

It follows, therefore, that this generic term encompasses a wide range related to the methods by which immediate, short term and long term goals are attained.

Indeed, there are *inter alia* financial procedures, control procedures, personnel procedures, some of which will be in the domain of the members, others in that of the officials.

In regard to daily operations the members have the power to introduce procedures provided they are not in conflict with Act 102 of 1982, or any other legislation, nor contrary to established public administration principles and practice.

2.5.1. The Need for Training

The development of Black local authorities in recent years has been far slower than that of the White population.[36] Viewed historically it is clear that the basis of the South African government system at all levels has evolved over centuries in the western cultures. During the same period the tribal system evolved in Africa as a more affiliative system with a sociological base rather than an achievement orientation. Climatic conditions and agricultural practices also relied on a bountiful Nature making long term planning for provisioning an alien concept. Although South Africa has made huge strides in less than a century, generally being abreast and sometimes ahead of the industrialised western world, the greater majority of the population has not been included in this evolution.

The result is that the Black communities leaders have not enjoyed the exposure to local government procedures, or in deed, participated fully in a western style environment where purpose oriented and achievement directed procedures are a part of daily living.

2.6.   Policy.

Conventionally it would be logical to discuss the generic process of policy first.

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36. Vide supra., chapter 1, para.1.1., p.5.

This has not been done deliberately because in regard to Black local authority the policy determination is an integral part of the central government's reform policy.[37]

It could be expected that a group of persons appointed or elected to control any institution, including a statutory body, could on occasion make recommendations or take some action toward the formulation of a policy or policy change. This they would do where their knowledge and their experience gained in the service of the institution makes them aware that policy change is necessary.

Throughout the discussion of the generic process as applied to Black local authorities the point has been made that the members in Natal have little knowledge and experience in these areas. Although legislation was promulgated in 1982 local authorities were only established in Natal in July 1986.[38]

Elections were held on 26 October 1988 therefore any member holding office at the time of the publishing of the Gazette, who has been returned to office by the electorate, will have had very little experience at this time (December 1988.)

For this reason it is considered preferable, in terms of the training and development of Blacks involved with local government affairs, to concentrate on the other generic processes until a time when policy determination can be addressed competently and confidently.

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37. Vide supra., chapter 2, para.1. , p.14.
38. Government Gazette, 11 July 1986, number 10340, pp.10-13.

2.7. Decision Making

Although not classified under the broad categories usually listed in the generic process it is deemed necessary to examine decision making since the relationship between decision makers and the organisation has been identified.[39] Local authorities are part of the organising of government and controversy exists regarding the "power" of these bodies, *i.e.* their authority to take decisions regardless of how organised within the tiers of government.

It is common cause that any imaginable activity commences with a decision and ceases with a decision.[40]

In local authorities the decision making is *a priori* vested in the Minister of Constitutional Development and Planning. This function is delegated to a particular authority by the Minister when he establishes such an authority, which is then a juristic person, in terms of section 2 of Act 102 of 1982. The matters over which decision making is delegated are gazetted in the schedule to section 29 of the Act. In addition the Minister may delegate specific authority, *i.e.* power to make decisions, in regard to by-laws and regulations.[41]

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39. Vide supra., chapter 2, para. 2.2.1., p.20.
40. Cloete: Inleiding...,op. cit., p.143.
41. Act 102...,op. cit., section 55.

2.7.1.The Need for Training

A decision has been identified as "formal judgment"[42] and judgment as "discerning"[43] which implies that, in addition to authority, the decision maker has knowledge to distinguish good from bad.

In the democratic process whereby members of local authorities are elected it is perhaps implied that successful members are discerning in the ordinary conducting of their lives, particularly their public lives. However, a specialised discernment is required to distinguish standards of local government.

Whilst local government is for the good of the people and serves their needs there is a wide range in alternatives available; for example raw sewerage could be dealt with by pit, septic tank, vacuum tank or water borne. Detailed information and knowledge of local conditions, both topographical and financial, is required in order to exercise formal judgment on what is good or bad in the circumstances.

The members would certainly be able to engage specialist help in taking the correct decision but they would need to know, *ab initia* that the authority to take the decision is vested in their committee, that they may engage specialists, and what the public, to whom they are accountable, would prefer.

42. Sykes, J. W. (Ed.) : The concise Oxford dictionary of current English, Seventh edition. Oxford: Clarendon Press,1984, p.247
43. Ibid., p.272.

36

In addition, there are prescriptions contained in Act 102 of 1982, and in the regulations and standing orders promulgated in terms of the Act, regarding the formal decision making process, *i.e.* the passing of resolutions. This detail is public domain but this is not likely to be familiar to the average layman.

There are therefore two aspect to the training needs of the members. They must be informed on the area and extent of their authority to take decisions and also on the prescribed manner of taking decisions.

3. Summary

Public administration is a combination of activities which can be identified as particular processes. Cloete's study of public administration was pioneer work and his "generic" approach, as opposed to comprehensive, has led to the macro-concept " a totality of generic processes".[44]

An analysis of the Black Local Authorities Act,1982 (Act 102 of 1982) shows this generic approach is valid. The purpose and function of the institutions created in terms of the Act, the powers duties rights and obligations of both the employees,the officials, and of the elected members of Black local authorities, are all readily placed in the main categories identified in the generic approach to administration, namely, policy, finance, personnel, organising, control and procedures.

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44. Cloete: Inleiding..., op. cit., p. 88.

Historically the Blacks resident and working within the Republic of South Africa have had little or no exposure to the practice of these functions. Prior to the promulgation of the Black Local Authorities Act,1982 (Act 102 of 1982) these people where not required to assume responsibility for the execution of the activities required in the performance of these functions.

Culturally, the greater majority of these Blacks have been more influenced by their tribal background than the norms and values of White South Africa, despite an association that spans several hundred years.

The Blacks have generally contributed their labour to the capitalistic system basic to South Africa and have been excluded from managerial and higher level administrative posts. They are now called upon to take on all the responsibilities inherent in conducting their own local government.

Against the background of their lack of preparedness a great deal of training is urgently required if the Black local authorities are to succeed.

CHAPTER 3.

THE OFFICIAL RESPONSE TO THE NEED FOR LOCAL GOVERNMENT TRAINING.

1. Introduction.

In the South African three-tiered government system the central government is responsible for the proper development of all tiers, which responsibility is increased where an official policy of constitutional development and reform is followed.

One of the aspects of this responsibility is the need for training which has been recognised and has led to the proclamation of the Local Government Training Act,1985 (Act 41 of 1985). This Act will now be discussed in terms of its application to the Black local authorities in Natal.

2. The Local Government Training Act,1985 (Act 41 of 1985).

2.1. The Purpose of the Act.

The purpose of the Act is stated as being:

"To provide for the promotion of the training of personnel for local government bodies and for matters connected therewith."[1]

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1. Local Government Training Act,1985 (Act 41 of 1985).

Training in turn is defined as "...training with the object of better qualifying a person for work to be done for or in connection with a local government body, and includes the supplying of guidance to a member of a local government body:"[2] It is important to note that the training is not confined to employees but extends to members. Issue could be taken with the wording " supplying of guidance to a member " as this could imply that training will not, in fact, extend to members.

This could have been the intent of the legislator since elected members of the white local government bodies have never received specific training in the past. They have had to rely on the assistance of longer serving members and on the guidance of officials particularly the Town Clerk. They have also had access to a forum where local government developments are promoted such as the Natal Municipal Association. However, experience in Natal which will be detailed later,[3] has been that the full benefits available in terms of the Act have been applied to Black members.

2.2. The Scope of the Act.

Local government *per se* is a relatively simple concept in that it refers to the government persons permanently resident in a delimited area.

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2. <u>Local Government Training Act, 1985 (Act 41 of 1985)</u> s. 1 (vii).

In the complexity of the South African situation a definition[3] of local government will not suffice and the many institutions known as local government bodies must be specified to identify how the Act is applied.

Section 1(1) (v) of the Act identifies these as being a Coloured and Indian consultative, local affairs and management committee; a community council[5], a local authority[6]; a regional service council; and a body established under the Coloured Land Areas Law, 1977 (Law 1 of 1979). The Act, by definition, applies to the Black local authorities.

2.3. Operation of the Act.

The Act provides for the creation of a Training Board, a juristic person, whose membership includes *inter alia* persons with "special knowledge of training regarding local government affairs".[7]

This Board administers a Training Fund[8] and decides on the utilization of the moneys[9] accruing to this fund.

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3. Vide infra., chapter 4, para. 3, p.52
4. Provincial Government Act, 1961 (Act 32 of 1961), section 1(f)
5. Community Councils Act. 1977 (Act No.125 of 1977).
6. Black Local Authorities Act, 1982 (Act No.102 of 1982).
7. Act 41 of 1985..., op. cit., section 2 (2).
8. Ibid., section 7.
9. Ibid., section 8.

41

In terms of section 10 of Act 41 of 1985 levies, paid to the Fund, may be imposed which are payable in general, or by any category of local government body, as determined by the Minister of Constitutional Development and Planning. Grants-in aid, donations, loans or financial contributions are made from this Fund to "any person or institution, association or body, including a local government body, which provides or will provide training."[10]

Any institution desiring to make use of the Fund must submit details of the proposed training course, in a prescribed format, which will be subject to the approval of the Training Board. Payments will be made "only to defray the expenditure arising from the provision of training in terms of an approved training course."[11]

The effect is thus that any person, or institution, registering a training course with the Training Council, in terms of the Act, may present such a course to any local government body and will be paid from the Training Fund.

The government has taken the initiative to promote local authority training on a country wide basis by coordinating existing training resources or by creating resources where necessary.

The National Co-ordinating Training Committee has the responsibility for the successful implementation of the Local Government Training Act, 1985 (Act 41 of 1985).

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10. Ibid., section 8 (1) (a).

11. Ibid., section 8(3).

Having been established in of terms of the Promotion of Local Government Affairs Act, 1983 (Act 91 of 1983), it is the primary body deciding on strategy and advising the Training Board for Local Government Bodies on matters of policy. The main objective of this Board is to determine training policy for local government bodies and coordinating the training action.[12] From this Training Board a committee system has evolved.

2.4. Organisation of the Training Board.

<u>TRAINING BOARD</u>

EXECUTIVE AND OTHER

<u>COMMITTEES</u>

NATIONAL CO-ORDINATING

<u>TRAINING COMMITTEE</u>

<u>REGIONAL TRAINING COMMITTEES</u>

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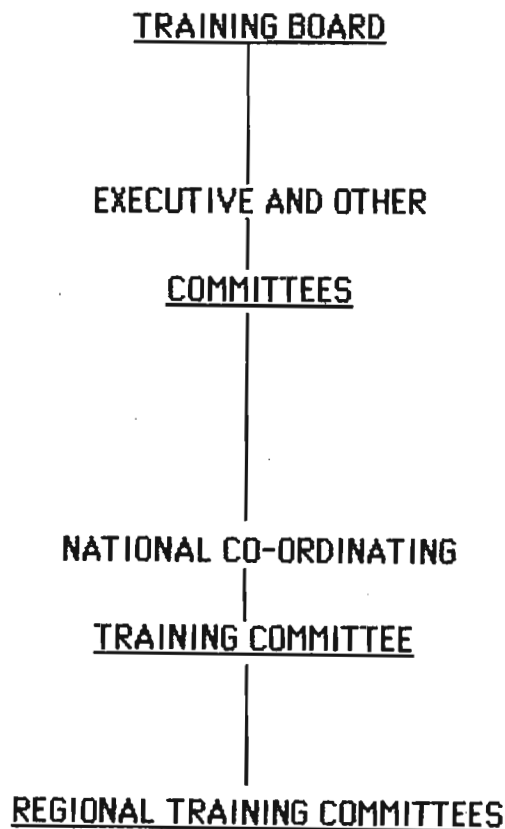
12. Extract from minutes of Natal Regional Training
Committee meeting of 23 November 1988.

2.5. Application of the Local Government Training Act, 1985 (Act 41 of 1985) in Natal

In accordance with the recommendations of the Committee of Enquiry into Personnel for Local Authorities, which were approved by the Co-ordinating Council for Local Authorities, a Regional Committee and three Sub-Regional Committees were established for Natal.

This was necessary in order to accommodate both the different types of local government institutions and the geographic distribution within the province which would improve the efficiency and effectiveness of training.

This system is organised as follows:

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                    NATAL
        REGIONAL TRAINING COMMITTEE
                      |
                      |
              EVALUATION COMMITTEE
                      |
                      |
               SUB-REGIONAL
             TRAINING COMMITTEES
                      |
        _____|_____
       |              |              |
    DURBAN         COASTAL      MIDLANDS AND
  METROPOLITAN               NORTHERN NATAL
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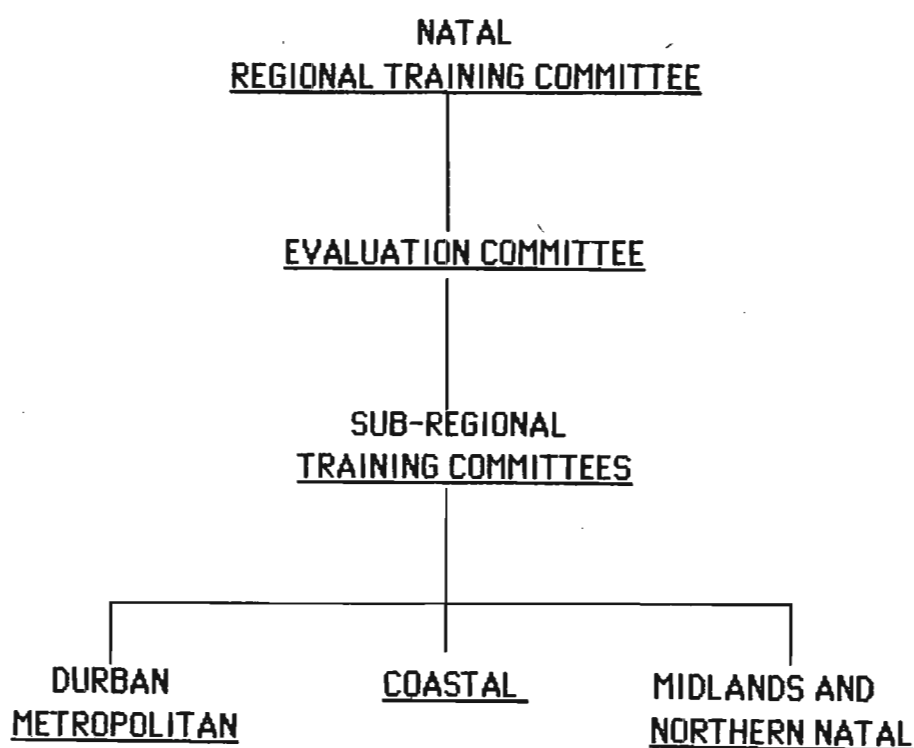
The Regional Committee is composed of members, or alternates, representing the following bodies:

the Natal Municipal Association

the Institute of Town Clerks and of Chief Administrative Officers of Local Authorities

the Institute of Municipal Treasurers and Accountants

the Association of Municipal Electrical Undertakings

the Municipal Employers Association

the South African Association of Municipal Employees

the Community Services Office of the Natal Provincial Administration.

the Natal Provincial Administration.

the Natal Association of Local Affairs Practitioners

the Institute of Municipal Engineers of South Africa

the Institute of Public Health Officers

the Durban Employees Association

It is unfortunate the Urban Councils Association of Natal, the association for the Black local authorities, is not represented.

Natal is divided into three sub-regions to ensure representation on a more localised basis by those bodies mentioned above. The local authorities are represented by the various institutions and associations listed.[13] Although the Chairman of the Regional Committee is drawn from the ranks of elected members, local authorities only enjoy direct representation on sub-regional committees, again providing Chairmen.The composition of the Regional Committee is presently being reviewed by the National Co-ordinating Training Committee

13. Idem.

Work Groups have been formed to ensure that the number of members of each Sub-regional Committee remain manageable. To facilitate the activities of the regional and sub-regional committees, officials of the Department of Constitutional Development and Planing and of the Community Services Office of the Natal Provincial Administration have been appointed as coordinators.

Durban, Pietermaritzburg, Richards Bay, Newcastle and Uvongo have been identified as training centres. Training will not be confined to these centres but will also be presented at other locations as dictated by circumstances.

2.5.1. Responsibilities of the Regional Training Committee.

This Committee is responsible for the co-ordination of the training activities at local government level within the province and monitors such activities to ensure compliance with the training policy. Evaluation of the extent to which training needs are met, as well as the management of inputs from all the interested parties, and the overall communication between these parties are also the Committee's responsibility.

2.5.2. Responsibilities of the Sub-Regional Training Committees.

The major responsibility of these Committees is the actual determination of the training needs and ensuring that all officials in need of training are, in fact, trained.

It should be noted that the needs of elected members and the electorate are not included in this defined responsibility.

Liaison amongst Work Groups and feedback to the Regional Committee are undertaken by the sub-committees.[14]

2.5.3. Responsibilities of the Work Groups

These responsibilities are similar to those of the Sub-Regional Committees to whom they must report, but include the identification of trainers. Black local authorities are encouraged to participate at this level.

2.6. Summary

That "a comprehensive system has now been created to make effective training in the local government sector a reality," is true in so far as local government generally is concerned. [15]

The Local Authority Training Act, 1985 (Act 41 of 1985) provides for the creation of the necessary infrastructure.

In terms of section 7 of this legislation, allocations from Parliament, interest from loans made from the fund, the repayment of loans and levies, are sources of funding.

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14. Idem.

15. Extract from unpublished training manual of the Natal Provincial Administration, 1986.

Local government institutions will have to pay an annual levy of currently R1.50 per employee. The application of the funds, as described in section 8, may be as allowances, donations or grants-in-aid to bodies or persons providing training. They may also be used for the compilation and collection of training courses, bursaries and study loans. Traveling and subsistence expenses of the representatives of the Training Board and of committee members, as well as that of trainees, are met from these funds. Payment for the acquisition of copyrights on existing courses is being investigated.

Both the legislation and the infrastructure created, draw no distinction on racial or other lines. Indeed, section 10 (3) (c) of Act 41 of 1985 states " ...shall not differentiate on the basis of sex, race or colour," which is considered in line with a policy of reform. In the current economic climate, with all the institutions of local government seeking new sources of revenue and competing for scarce funds, no preferential treatment is accorded any group or type of local government.

The infrastructure for training in Natal does not give recognition to the greater need of the Black local authorities which need arises from the application of earlier practice of which excluded autonomous Black local government. It is feared that in the face of competition for scarce training resources, and with representation excluding the Urban Councils Association of Natal, the plight of the Black local authorities might not be fully recognised and addressed.

It is felt that representation for the individual Black local authorities at the Work Group level is insufficient, particularly since it seems confined to the training of officials and excludes elected members.

CHAPTER 4

LOCAL GOVERNMENT TRAINING IN NATAL

1. Introduction

The training action has been hampered by an acute shortage of qualified trainers. Subsequent to the commencement of official training activities, several of the larger local government bodies are now understood to be recruiting and appointing training officers.

Despite this shortage, the Natal Regional Training Committee has, since its inception, initiated a number of training programmes, courses and ideas. It has elicited response from almost all local government bodies in some or other form, either by participation or submission of material for evaluation.

The Committee has also been successful in obtaining various needs analyses from different local government bodies which has enabled it to channel information to the National Co-ordinating Training Committee for the development of training courses on a national basis.

2. Review of Training Activities.

Since the inception of the Natal Regional Training Committee the major local government bodies, particularly Newcastle and the Durban City Corporation, have developed courses which have been registered.

Durban City Corporation has offered its training facilities for use by other local government bodies and can offer thirty-one courses which qualify for claims from the Training Fund.

The hands-on-skills training courses presented by the Natal Training Centre, S.A.Sugar Association Centre, Baynesfield Training Centre, the Building Industries Federation and Security and Consulting Training Centre have been approved and may be utilised by local government bodies for the purposes of claims from the Training Fund.

2.1. Range of Approved Courses Available

At this time the Training Fund is not in a position to subsidise any "in-house" training thus the local government bodies can only recoup expenses incurred in training by using approved and registered courses. As the courses were developed and approved in terms of need analyses,the thought has been expressed that it is now possible to cater for most of the training needs in the local government sector.

There has been a high demand for training in the industrial relations field and during the twelve months ended December 1988 courses dealing with disciplinary procedures were presented a total of twenty times at ten different centres.

The efficacy of "on-job" training has also been recognised.

Although *ad hoc* training will not be permitted, informal training by retired local government experts on a personal and informal basis is being introduced. Retired officials may be enlisted, subject to the approval of the relevant Sub-regional Committee, to serve as mentors to specific local government bodies for specific purposes.

3. Participation by Black Local Authorities

The Natal Regional Training Committee has not succeeded entirely in eliciting responses from the Black local authorities in Natal. This has bee due partly to practical considerations:

(i) The staff establishments of these local authorities are minimal and do not permit the utilisation of personnel in areas which do not relate directly to the day-to-day functioning.

(ii) The elected members are in full time employment and are not available to attend meetings of the various Sub-Regional Committees to voice opinions or benefit from the information offered at such sessions.

(iii) A number of the functions for which access training would be afforded through the Sub-Regional Committees, and ultimately the Training Board are not yet being performed by the Black local authorities themselves but are rendered by officials of the Natal Provincial Administration.

Another reason for the apparent lack of meaningful participation by the Black local Authorities in the training initiative in Natal is the inability of elected members, and officials alike, to identify their training needs.

It was soon realised that the needs of Blacks in local government could not be addressed merely by the presentation of formal training sessions and approved courses. It would be necessary to devise means of developing more continuous "on-job" instruction and exposure.

As a starting point, in order to asses the perceived training needs of these authorities officials of the Natal Provincial Administration were briefed by the Natal Regional Training Committee to conduct a survey in the eighteen Black local authorities in Natal.[1]

Because of the urgency of the need for this assessment telephonic enquires were made to the chief executive officers of the following Black local authorities.

Dumbe (Paulpietersburg)

Bhekuzulu (Vryheid)

Sibongile (Dundee)

Sithembile (Glencoe)

Inkanyezi (Colenso)

Bruntville (Mooiriver)

1. Extract from unpublished minutes of the Natal Regional Training Committee meeting held on 23 November 1988.

Enhalalakhale (Greytown)

Steadville (Ladysmith)

kwaMevana (Howick)

Sobantu (Pietermaritzburg)

Klaarwater (Pinetown)

Ningizimu (Durban)

Hambanati (Tongaat)

Shayamoya (Umzinto)

Bhongweni (Kokstad)

Itsokolele (Matatiele)

Msingisi (Cedarville)

The chief executive officers generally perceived the training needs of their individual local authorities to relate to the following.

> Protocol, where protocol may be defined as "an official formula: a body of diplomatic etiquette".[2] This was interpreted as a plea to receive information on what to do, when, how, where and for how long? It may be considered that there is a desire to conform, or adapt to, First World standards and norms but an inability to make that transition without training and guidance.

> Interpretation of legislation, rudimentary reading of
> legislation by laymen being another issue.

2. Macdonald: A.M. (ED.): Chambers twentieth century dictionary,: Edinburgh: T. and A. Constable Ltd. 1976, p.

Four Acts are repeatedly under scrutiny, namely; the Black Local Authorities Act, 1982 (Act 102 of 1982), the Local Government Training Act, 1985 (Act 41 of 1985), the Town Clerks Remuneration Act, 1984 (Act 115 of 1984), the Black Communities Development Act, 1984 (Act 4 of 1984).

The purpose of the Black Communities Development Act, 1984 (Act 4 of 1984), is "to provide for the purposeful development of Black communities outside the national states; to amend and consolidate certain laws which apply with reference to such communities; and to provide for matters connected therewith."

This is the enabling legislation for the improvement of the quality of life and general upliftment of the Black communities, and is therefore relevant.The acquisition and disposal of land[3] and the determination of service charges[4] and the obtaining of revenue and other funds[5] are important matters dealt with in this Act.

The Town Clerks Remuneration Act, 1984 (Act 115 of 1984) is applicable because, by definition, the chief executive officer of each Black local authority is subject to the conditions of the Act.

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3. The Black Communities Development Act, 1984 (Act 4 of 1984), section 41.

4. Ibid., section 44.

5. Ibid., section 47.

The purpose of the Act is defined as "to provide for the determination of the remuneration and certain other service benefits of the chief executive officers of local authorities: to regulate the maximum limits of the remuneration and certain other service benefits of other employees of local authorities; and to provide for incidental matters." This legislation is necessary because there is no other mechanism whereby the officials subject to the provisions of Act 115 of 1984 could negotiate for salary adjustments or other industrial relations matters.

Training for an understanding of definitions, objectives, word usage, practice and the association of the concept of the reasonable man and other common law principles is required.

Prior to this survey, the National Training Board authorised the Regional Training Committee to engage the services of a private consultant to present a training programme, designed to impart the skills and knowledge to conduct public meetings, to elected members. This programme was directed at two segments of the Black population, namely, the then sitting members who were given a perspective of their roles and responsibility to the voters, and the residents of each of the Black towns who qualified as voters. This programme was designed specifically to stimulate interest and participation in the local authority elections held in October 1988. [6]

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6. Adapted from an unpublished training manual compiled by Masthor Management cc, in July 1988.

4. Summary

The training initiative taken by the central government has been well supported and implemented by the Natal Provincial Administration.

The appropriate infrastructure has been created in terms of the Local Government Training Act, 1984 (Act 41 of 1984) and the larger, more advanced, local government bodies have participated actively. This has led to training courses, training material, venues and other resources being made available to the smaller local government bodies.

As this training is being directed at identified needs the prognosis must be that the overall performance of the local government bodies, participating as recipients of training, must improve.

This applies largely to the White and other local government bodies and not so much to the Black local authorities. It is clear that, notwithstanding the provisions of the Black Local Authorities Act,1982 (Act 102 of 1982),[7] which grants autonomy to Black local authorities as promulgated[8], those so promulgated in Natal cannot operate autonomously.

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7. Black Local Authorities Act,1982 (Act 102 of 1982), section 2.
8. Government Gazette No. 1034, dated 11 July 1986

As institutions they are inchoate, not having an own organisational structure and personnel establishment to achieve their purpose,[9] nor to perform all their functions. Until this shortcoming is eliminated, training will not be an effective instrument in the creation of sound administration in Black local authorities in Natal.

The effects of this lack of own staff are exacerbated by the further lack of proper work procedures for functions actually performed by the Black local authority staff. As officials of the Natal Provincial Administration perform the "more important" duties, the work being done locally is fragmented. This has made it very difficult for the chief executive officers to undertake a thorough needs analysis for training purposes.[10] Clearly, it would be preferable, in their view, to have all the functions and duties performed *in situ* by staff of the local authority. This would lead to a demand for far reaching "on-job" training, as well as formal training and instruction.

The implementation of the provisions of the Local Government Training Act, 1985 (Act 41 of 1985) is well advanced in Natal but the state of development of the Black local authorities militates against their obtaining maximum benefit therefrom.

9.. Vide supra.,chapter 2, para.,2.2, p.19.

10. Vide supra.,chapter 4, para.,3, p.53.

CHAPTER 5

THE NECESSITY FOR A PUBLIC INFORMATION SERVICE LINKED
TO TRAINING FOR BLACK LOCAL AUTHORITIES IN NATAL

1. Introduction

The central government and the provincial administrations have recognised the need for local government training. Legislation has been passed and the necessary infrastructure has been created to provide training to those involved with local government, including the appointed officials and elected members of the Black local authorities.[1] In Natal some training has taken place in terms of the Local Authority Training Act, 1985, (Act 41 of 1985).[2]

The major motivation for training in Black local authorities is to ensure that sound administration takes place, that local authority in action convinces the population that it is sound. It will take some time, however, before the effects of training are manifest. In the interim the perceptions of the populace are being influenced by those who do not want "government of the people by the people" to succeed under the present regime.

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1. Local Authority Training Act, 1985, (Act 41 of 1985)
2. Vide supra., chapter 4, para., 3, p.52.

It is contended therefore that, in regard to Black local authorities, "training" of the public should go hand-in-hand with the training of the officials and the elected members.

Training of the public would be in the form of an information service whereby the people are not only informed about progress in their own towns, but are also educated in the local government system and its application.

2. The Effect of a Public Information Service

The disruptive actions of a misinformed public and the value of the opinion of an informed public, in regard to the administration of Black residential areas and the reaction to the development of local self government, can be demonstrated.

2.1. The Effect of Certain Judgments on Rentals Payable in Development Areas (Townships) in Natal.

Subsequent to the publication of Government Notice R823 dated 22 April 1983, increasing rentals, two applications to the Supreme Court were made in the Port Natal Administration Board's area.

The judgments in the two cases can be summarised as follows:

2.1.2. D Shabalala and three others versus the Minister of Co-operation and Development and the Port Natal Administration Board.

This case consisted of two applications.

The first was that the rent increases should not have been implemented in the Durban area without further consultation by the Minister with the residents of the townships and hostels concerned, as he had allegedly undertaken to do at a meeting held subsequent to the publication of Government Notice R823.

The second was that the increase in accommodation fees at the be declared null and void as the determination thereof was not in compliance with all the provisions of section 20 (1) of the Black (Urban Areas) Consolidation Act, 1945 (Act 25 of 1945).

The first application was abandoned by counsel for applicants. The result of this withdrawal was that the Court made no finding in respect of family housing, that is, rented houses.

On second application the Court ruled in favour of the fourth applicant in respect of Umlazi/Glebe hostel. The effect of this judgment was that the rent increases in respect of Board hostels, those that were erected out of funds made available under the Housing Act,1957 (Act 10 of 1957) were void. The last determination of 1979 therefore applied.

2.1.3. Durban (Ningizimu) Community Council versus the Minister of Co-operation and Development and the Port Natal Administration Board.

In this case the applicants claimed that the rent increases were invalid as the rentals were determined by the Minister in consultation with the Port Natal Administration Board only instead of with the Community Council as well.

The application was opposed and the Durban and Coast Local Division of the Supreme Court ruled in favour of the Minister and the Board. The judgment was later confirmed on appeal by the Appellate Division.[3]

2.1.4. Implications of these Decided Cases

In support of the postulation that a public information service is a vital constituent of efficient and effective local government, the judgments in these cases are of little consequence. The point being made is that had proper communication taken place litigation could have been avoided. In fact, the legislation and regulations prescribe that all the parties should be consulted.

Consultation with officials or elected members of local authorities is not sufficient because of the lack of understanding of the public generally. In the first case quoted members of the public took action, not the elected members. Clearly their perception was that their interests were not being safeguarded by their representatives. Such perceptions, followed by litigation, regardless of the Judgments, undermines confidence and trust in the system of local government.

2.2. Pre-election Campaign

Prominent Black, White and Coloured individuals and institutions had actively promoted a boycott of local government elections.

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3. Extract from the Judgments delivered in the Supreme Court of South Africa, Durban and Coastal Division on 20 September 1984 and in the Appellate Division on 7 May 1985.

The campaign platform was that participation in the elections was support for an oppressive system.The functions of local authorities, their obligations and the powers and duties of the Black councillors were questioned.

The tactics used in this anti-election campaign included intimidation and other illegal methods of persuasion. It is not always remembered that the officials, and the elected members, live side-by-side with persons committed to a subversive policy. In the residential areas the people are constantly exposed to arguments and persuasive methods which include violence.

Each "victory" of these methods adversely affects the perception of the people. If the built environment remains sub-standard, if the services continue to be rudimentary and if housing is not available, the discontent can be fanned into rebellion.

One reason for the very limited success of the subversive elements was that the mood of the people had been misjudged. In Natal the general reaction was that there was a willingness to participate in the hope that positive change would continue.

The authorities in Natal capitalised on this attitude and launched a comprehensive programme in the very early stages of the election process.

In order to promote interest in the October 1988 general municipal elections a public information service was conducted.

The National Training Board authorised the Natal Regional Training Committee to engage the services of a private consultant who had designed a programme to impart skills to the Black elected members to enable them to operate more effectively.[3] The programme was directed at two segments of the Black population, namely:

(i) the then sitting councillors who were shown a perspective of their roles and of their responsibilities towards the voters, and

(ii) the voters were informed of their right to vote, the method of nominating candidates and the correct procedure to follow in casting a vote.

This service attempted to bring an understanding of the system to the public resident in the Black towns of Natal. Radio programmes and advertisements, seminars and public meetings, pamphlets and newspaper articles were all used as communication media to reach the people.

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3. Extract from the minutes of a meeting of the Natal Regional Training Committee held on 21 June 1988.

2.2.1. The Effect of The Campaign

During the 1988 pre-election period extending from July 1988 to September 1988 less than 30 per cent of the people were reached directly by this programme.[4] Those reached, judging by the questions they asked at public meetings and during radio broadcasts, showed that they were suspicious and uninformed. Ultimately, the average poll in Natal was approximately 30 per cent with some wards being as high as 68 per cent and others as low as 4 per cent.[5]

This could be an indication that only one third of the affected population had acquired a better understanding of the system. There is also a likelihood that the majority of this third were those who had taken the trouble to attend the meetings and had been positively influenced to participate.

One reason for this positive response is thought to be that the programme was far advanced before the counter-action was fully operational.

3. Summary

The facilities available under the application of the Local Government Training Act, 1985 (Act 41 of 1985) in the case of Black local authorities are being directed at training officials and elected members.

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4. Extract from an unpublished report by the consultant Masthor Management dated 1 November 1988.

5. Unpublished statistics of the Natal Provincial Administration.

While this is urgently required it also has an element of "preaching to the converted". It is considered catalectic to devote great effort to the improvement of the performance and knowledge of the appointed officials and elected members without giving the people the knowledge to judge and appreciate the advantages of sound local authority administration.

Chapter 6

CONCLUDING VIEW POINT

1. Introduction

The contention is that fully operational, autonomous Black local authorities will contribute to the peace and stability of South Africa.

The development of Black local authorities cannot, however, take place in isolation because of the totality of local government administration.

2. The Needs of Local Government

Generally the two criticisms directed at local government are that they are inefficient and that rates and service charges are too high.

On the converse the local authorities themselves are seriously concerned about income and seek alternative sources of revenue.[1]
In an attempt to improve the image and the service rendered by local government bodies the authorities have concentrated on improving the performance of the officials through training.[2]

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1. Browne Committee of Enquiry into the Finances of Local Authorities, 1984

2. Local Government Training Act, 1985 (Act 41 of 1985)

Amongst Black local authorities there has been limited success in this regard as well as in the giving of guidance to elected members.

Both of these points of view, that performance can be improved and that sources of revenue are not a demand on the residents, are valid. They are, however, accepted by the ratepayer because of a long familiarity and acceptance of the system of local government. In addition the general state of development, the services and infrastructure, are adequate in terms of the immediate needs of the residents.

This does not apply equally to the Black towns.[3] The establishment of autonomous Black local authorities only occurred in 1982[4] and such authorities were only proclaimed in Natal in 1986[5] The concept is foreign to the culture and experience of the Black communities and ready acceptance cannot be expected against the background of earlier administration.

There is *a priori* a need for the people to understand. Given this understanding a rational decision to participate can follow and participation leads to responsible citizenship.

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3.   Vide supra., chapter 1, para., 1.1. p.3.
4.   Act 41 of 1985..., op. cit., section 1.
5.   Government Gazette 1034 dated 11 July 1986.

3. Responding to the Identified Need.

The total body of legislation and regulations applicable to local government bodies seems based on the premise that the existence and continued development of such bodies are natural and accepted. This also applies to the Black local authorities but such a premise is not valid because of the perceptions and attitudes prevalent amongst the people. Officials, and to a lesser extent, elected members, are aware and have accepted by their participation, the reality of local self government.

The legislation and regulations that apply equally to all local government bodies, and those specific to Black local authorities, relate to the development and control of sound administration. No facility, and thus no source of funding, exists to address and change the perceptions of the people.

A change in legislation seems necessary to accommodate the education of the people by means of on-going public information services. Since this need is greatest, if not exclusive to the Black communities, such changes should *ab initio* be confined to be applicable only to the Black communities. This approach is adopted because of the existence of the Black Communities Development Act, 1984 (Act 4 of 1984).

This Act provides for "purposeful development" thus the rendering of an information service aimed at creating an understanding of the system, encouraging public participation and stimulating a responsible attitude toward "government of the people by the people" is within the ambit of this legislation.

Sight must not be lost of the urgent need to continue with the training and development of officials and the guidance of elected members for which adequate facilities and infrastructure has already been established nationally, and in Natal specifically. The shortfalls in "on-job" and "in-house" training, as well as the recruitment and placement of competent personnel must also enjoy high priority.

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