

Your voice. Your community. Your power.

LOCAL GOVERNMENT PAMPHLET SERIES

Municipal Councillors



This pamphlet provides information on local government in South Africa. Municipalities are very important and provide the services that allow us to live dignified and healthy lives.

Municipal councillors are community members who are elected to represent the local community's interests in the municipal council. Councillors are **elected every five years in local government elections as part of a political party or as independent candidates**. They approve laws, plans and programmes, and monitor the performance of the municipality. Some councillors are also elected as the political leadership of the municipality, e.g. as the mayor or speaker.



Councillors are elected during the local government elections every 5 years. Be sure that you are registered in the voting district you live in to be on the voter's roll!

Types of councillors

There are two different types of councillors.

- **Ward councillors are people that residents directly elect to represent those who live in areas known as wards (neighbourhoods).** The candidate who receives the most votes in that ward becomes the councillor. Ward councillors are expected to support the interests of their ward, no matter which political party they belong to. Ward councillors do not have to be part of a political party and can be independent.
- **Proportional representation (PR) councillors** are elected differently from ward councillors. **Residents vote for a political party, which in turn receives a number of seats in the council proportional to their share of all votes counted.** This is called **proportional representation**. Political parties select the people who become councillors based on their own rules and priorities. Political parties put together lists of potential representatives, and the number of seats won by a party is allocated to those on the list, starting from the top. For this reason, PR councillors are more directly accountable to their parties' leaders, members, and supporters than to residents.



It is important to understand each party's goals and policies so that you can make an informed decision on whether a party's interests align with your community's needs.

Who can become a councillor?

Anyone who lives in a municipality where they are registered to vote can stand for election as a councillor. To be eligible, the candidate must:

- Be a South African citizen with a valid ID
- Accept the nomination and file the necessary forms with the IEC before the deadline for nominations
- Obtain the signatures of 50 people eligible to vote in the municipality using the form provided by the IEC
- Pay a deposit (as set by the IEC; the amount depends on the municipality's population size). The deposit is refunded after the election if the candidate receives 10% or more of the vote
- A person sentenced to more than 12 months in jail without the option of a fine cannot become a councillor of any municipality for a period of five years from the conviction.

What are a councillor's legal duties?

The Constitution and our laws expect councillors to:

- **Consult** with the local community on its needs, priorities, and how services should be delivered (including holding meetings with ward committees and communities to give feedback)
- **Represent** community concerns in council discussions and decision-making
- **Inform** the community about the council's decisions and work
- **Oversee (monitor)** the performance of the municipality and ensure the municipality's money is used in the best interests of the local community

This means that councillors must be accessible and responsive, and involve the community in the council's planning and decision-making processes, using their vote and voice in the council to advance the interests of their constituency.



What powers does a councillor have?

Councillors' most important power is their presence, voice, and voting rights in the council. This gives them the power to influence the municipality's policies and use of finances, as well as the bylaws that govern it. All councillors can:

- Introduce a draft by-law to the council.
- Vote for or against executive or legislative proposals, including the budget, IDP and bylaws.
- Formally add issues to the council agenda to ensure that the council discusses issues that are important to the community.
- Propose that the committees they sit in hold public hearings or conduct community visits.
- Hold the municipality's executive and administration to account by asking questions, tabling motions, or refusing to endorse annual reports.
- Ensure that council policies and the municipal programme consider their communities' views.

Importantly, councillors have freedom of speech and cannot be prosecuted for anything they say in council meetings. This is important because it means that they can reveal information that may expose corruption, even if that information was obtained illegally. It also means that they cannot be sued for defamation.

Councillors' Code of Conduct

Councillors are bound by a nationally established **Code of Conduct for Councillors** (found in the Municipal Structures Act), as well as rules set out by each municipality and its political parties. Each municipality must have its own rules and policies on the roles and responsibilities of councillors, political structures, and officials.



COUNCILLORS MUST:

- Do their job fairly, honestly, transparently, and in the best interests of the municipality (including the community).
- Report to their communities on the municipality's performance at least 4 times a year.
- Declare all of their financial interests in writing to the municipal manager within 60 days of their election. These include any form of investment, property, grants, pensions, and sponsorships (These are updated yearly).
- Declare the full details of any benefits that they or their families will get from contracts that have been signed or will be signed with the municipality (This must be done at the first council meeting, where possible).

To read about how to hold councillors accountable, check out section 4.1 of the *COMPACT Working Towards Collaborative Local Government* guide.



COUNCILLORS CANNOT:

- Participate in any meetings discussing a matter where there is a conflict of interest.
- Have any other paid work without the permission of the council (full-time councillors only).
- Be absent from 3 or more consecutive meetings of a council or a committee that they were required to attend (should be removed from office).
- Receive gifts or benefits from a company that provides a service to the municipality
- Participate or even observe meetings in which decisions about contracts are made.
- Benefit from contracts awarded by the state, whether through a company or as consultants.
- Accept any rewards, gifts, financial benefits, or favours for themselves or for any other person for revealing confidential council information, voting/not voting a particular way, or persuading the council to make certain decisions.
- Encourage municipal officials to break or not enforce the law. This is a criminal offense.
- Attempt to influence any municipal decision relating to financial management or procurement processes. This is a criminal offence.

How ward councillors and communities can work together

There are different ways that councillors (together with their ward committees) can work with residents and communities to improve their neighbourhoods:

PRIORITISING COMMUNICATION, TRANSPARENCY AND ACCOUNTABILITY



Communication with communities should be ongoing throughout the year, delivered in languages that people understand, and should encourage transparency and honesty. This can be done through:

- Public council meetings
- Community meetings and imbizos
- Social media and the municipal website
- Newsletters, flyers, and pamphlets
- Service delivery complaints mechanism

Council meetings should be open to the public. Push your municipality to make arrangements for people to attend in person or watch the proceedings another way.

SUPPORTING WARD COMMITTEES

Ward committees are made up of members of the community and the councillor. They are established to address local issues and provide recommendations to the municipal council. Councillors can promote ward committees by:

- Providing adequate support and resources
- Actioning ward committee reports through the speakers office, committees and council and addressing community issues
- Holding regular ward committee meetings to ensure access to information
- Assisting in monitoring projects

PROMOTING PUBLIC PARTICIPATION PROCESSES

The councillor plays a very important role in promoting and leading the participation activities in the municipality during the year, such as:

- **Integrated Development Plan (IDP) processes** to share the municipality's IDP and budget
- **Budget consultations** with community members on spending priorities and service delivery needs

Councillors should address any participation barriers and adopt inclusive approaches like translation services, mobile outreach, and community radio. Initiatives that improve digital literacy among residents should be supported.

IMPLEMENTING WARD AND COMMUNITY PROJECTS

Councillors can engage in projects and programmes with community-based and non-profit organisations, community leaders, school bodies, businesses, and religious organisations through:

- Joint projects and volunteer programmes to address immediate needs e.g. park cleanups, infrastructure improvements.
- Providing training for community leaders and members on municipal processes, governance, and advocacy skills.
- Involving young people in local governance through school programmes, youth councils, and internships.

DEVELOPING COLLABORATIVE FORUMS

- Establish forums that bring together various stakeholders to discuss and address local issues collaboratively.
- Councillors can organise focus groups on specific issues, such as housing, water, and sanitation, where councillors and residents can work together to find solutions.

ADVOCATING FOR POLICY CHANGE

Communities and councillors can collectively push for policy change through:

- Advocating for policy changes that benefit the community, this can include changes to bylaws, service delivery standards, or development plans.
- Submitting petitions and conducting awareness campaigns to highlight community issues and push for municipal action.

ENCOURAGING CIVIC EDUCATION

Civic education is the process of educating citizens about their rights, responsibilities, and roles in a democratic society. This can be done through workshops and seminars, and through the sharing of resource materials.

STRENGTHENING ACCOUNTABILITY FRAMEWORK

- Outlining clear procedures for reporting misconduct, including escalation steps and penalties. Establish accessible channels for whistleblowing and lodging community complaints.
- Introduce performance monitoring tools and creating standardised templates for quarterly performance reports. Defining measurable indicators (KPIs) for councillor effectiveness, such as attendance, community engagement, and responsiveness.
- Enhancing financial oversight by incorporating guidance on fundamental financial governance principles for councillors.



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compact
PARTICIPATE
PLAN
ACCOUNT



Co-funded by
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