



March 2020

ANALYSING THE STATE OF BASIC SERVICES ACCESS IN THE FREE STATE PROVINCE:

The road towards universal access

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1. INTRODUCTION.

1.1. Background to the study

South Africa is a state that faces many inequalities because of its colonial, oppressive and racially discriminative history. During the apartheid era, delivery of services was primarily provided for white people, while other racial groups, primarily black people, did not receive adequate services from the government. This meant that basic services (i.e. provision of sanitation, refuse removal, water and electricity) were provided along racial lines with white people receiving superior services at the expense of the vast majority of the people. This has resulted in multiple socio-economic challenges that need redress across the different spheres of government to achieve the desired and necessary transformation. Ensuring that redress occurs is very complex, and the real needs of citizens can sometimes be overlooked. Although the South African government has made significant gains with regards to creating a more equal society, divides and challenges are still rife. Challenges include unemployment, poverty, crime and inequality. In addition to this, South Africans generally identify service delivery as a top priority.

Local government in South Africa is no longer exclusively a function of national or provincial government; it is now regarded as a sphere rather than a tier of government. The post-1994 democratic developmental South African state opted for a strong local government system which has been constitutionalised, in terms of Chapter 7 of the Constitution of the Republic of South Africa Act 108 of 1996. Section 152 of the Constitution of South Africa, 1996 stipulates the objectives of the local sphere of government, among which is ensuring the provision of services to communities in a sustainable manner. Municipalities, therefore, render services to meet the basic needs of citizens. Such services include water supply, sewage collection, electricity supply, municipal health services, road and storm water drainage, street lighting and municipal parks and recreation. "Constitutionally, South Africa has one of the most advanced local government systems anywhere in the world" (Wallis, 1999). Yet service delivery remains a major challenges. Therefore, despite the existence of a highly progressive constitution, laws and electoral democracy, violent social movement discontent have been rising to the extent that some analysts have labelled South Africa as the "protest capital of the world" (Alexander, 2013). Alexander (2013) argues that service delivery protests continues unabated and that government attempts to improve service delivery have been insufficient to address the frustration and anger of poor people in South Africa.

After the inception of the new government of national unity in 1994, South Africa inherited huge service backlogs with respect to access to basic service such as water and sanitation, electricity and housing amongst other basic services. An estimated of 15 million people were without safe water and 20 million were without adequate sanitation. About 307 thousand households were without hygienic toilets in the Free State in 1996 and 82 thousand without water below RDP-level.

1.2. Problem statement

With the advent of a democratic dispensation in 1994, the government of South African faced a multitude of daunting developmental challenges inherited from the racially discriminatory apartheid regime. As a result, local government, which constitutes the third sphere of governance in South Africa, has been mandated by the Constitution to address Apartheid era-induced

inequalities and facilitate local socio-economic development amongst the previously disadvantaged black majority.

Though the South African government has made significant strides with regards to creating a more equal society, divides and challenges are still rife. According to the 2016 Statistics South Africa General Household Survey, electricity mains now reach 84% of the population. Water access is at 88%; 81% have access to improved sanitation; and only 4% are without a toilet facility. About two-thirds (65%) have their refuse removed once a week, compared to half or less before 1994 (Statistics South Africa, 2017).

South Africans generally identify service delivery as a top priority. “Service delivery” is a common phrase in South Africa used to describe the distribution of basic resources citizens depend on like water, electricity, sanitation infrastructure and housing. The slow pace and lack of quality service has fuelled protests all over the country, and have brought local government under the spotlight. These protests have been characterized by high levels of violence, xenophobic attacks and looting. A lack of service delivery, has led to violent confrontations between the police and communities angry at their lack of toilets, running water and housing.

1.3. Purpose of the study

The core services that local government provides (i.e. clean drinking water, sanitation, electricity, shelter, waste removal and roads) are basic human rights, essential components of the right to dignity enshrined in South Africa’s Constitution and Bill of Rights. The National Development Plan (NDP) makes it clear that meeting the transformation agenda requires functional municipalities and a capable machinery at a local level that can create safe and healthy, and economically sustainable areas where citizens and people can work, live and socialize.

The aim of this study is to review the state of basic service delivery in the Free State Province and challenges that municipalities in the province face in this regard. This will help in ways of improving service delivery, finding remedial solutions and meeting backlogs so that sustainable service delivery can be achieved.

This paper, thus, reviews the progress, achievements and challenges faced by the Free State in its attempt to facilitate access to basic services, particularly among the previously disadvantaged majority. It outlines the socio-economic profile and local governance legislative policy frameworks, and explains the institutional arrangements established to facilitate and anchor effective service delivery. The paper also considers the issue of basic social service delivery and analyses reasons for the widespread municipal service delivery protests.

1.4. Objectives of the study

The study will seek to achieve the following objectives:

- Outline the state of basic service delivery (water, sanitation, electricity and refuse removal) in the Free State – progress and achievements
- Identify the main blockages to service delivery
- Make recommendations to accelerate the delivery of basic services

1.5. Research questions

- What is the state of service delivery in the Free State?
- What are the major milestones that have been achieved over 22-years?
- What are the challenges to basic service provision?
- How can the delivery of basic services be accelerated?

2. LITERATURE REVIEW

Defining Service delivery in the context of South Africa

Service delivery refers to the provision of public activities, benefits or satisfaction. Chen, Dean, Frant and Kumar (2014) describe service delivery as “the distribution of basic resources citizens depend on like water, electricity, sanitation infrastructure, land, and housing”. Service delivery in the context of local government is defined as the provision of municipal goods, benefits, activities and satisfactions that are deemed public, to enhance the quality of life in local jurisdictions. Within this framework, particular reference is being made to the discharging of municipal services, which can either be tangible or intangible (Johannison, 2007; Venter 2010). The former refers to the provision of municipal services that are construed as being visible to local communities, such as, inter alia, public housing, roads, water and sanitation systems, and public transport, whilst the latter refers to services that are regarded as being essential, but not necessarily visible, such as public drainage and sewage systems and public safety standards (Ndudula 2013). A municipal service deemed basic is “necessary to ensure an acceptable and reasonable quality of life and, if not provided, would endanger public health, or safety or the environment” (Reddy & Naidu 2012).

South Africans generally identify service delivery as a top priority. Based on the 2015 round of the HSRC’s South African Social Attitudes Survey (SASAS), about 78% of respondents identified unemployment as a major priority, followed by 46% identifying crime and safety, and 25% mentioning both poverty and service delivery.

In rural areas and small towns, the provision of basic retail, social, health, education, and infrastructure services are a crucial foundation for day-to-day activities and maintaining the quality of life of local citizens as well as the local economic base (Halseth and Ryse, 2006; Pollanen, 2005). The South African Constitution requires that, municipalities prioritize the basic needs of local communities and ensure that they have access to at least a minimal level of municipal services. Municipalities should also promote the development of local communities (Venter, 2010). In order to improve the delivery of public services, especially on the part of local government, the government of the day has to address the challenges that hamper service delivery in a more coordinated and proactive manner, focusing on macro-goals in order to develop the country’s infrastructure and ensure that all citizens benefit (Ching and Chan, 2004 and Venter 2010).

Nleya (2011) writes that service delivery remains a central, real and symbolic part of the actualisation of a meaningful life in poor areas. This is because improved services are linked to increasing the dignity of the poor who were systematically denied legitimate space and decent living conditions under the apartheid government. For this to be made possible, Tewary (2011)

reasons that political will and leadership are needed to steer government structures responsible for service delivery, and these include stable municipal administration, in order to utilise public funds appropriately to achieve its intended goals

Municipalities are regarded as the custodian of public funds and consequently they have been tasked with utilising these resources to address the basic needs of local communities, notably infrastructure, electricity, water, refuse removal and the spatial development of localities. (Govender and Reddy, 2012). However, it is interesting to note that the Constitution itself does not go into much detail regarding all the services that a modern municipal government should provide. The Constitution merely states that all municipalities must strive, within their financial and administrative capacities, to achieve the objectives of:

- a democratic and accountable government
- the provision of services in a sustainable manner
- social and economic development
- safe and healthy environments
- community involvement in local government matters

Municipal evolution

The system of local government in South Africa is relatively new and thus it aims at addressing the developmental dilemmas created by former racially discriminatory Apartheid rule. South Africa is a unitary state, with some federal elements of self-governance in municipalities and provincial government. For example, municipalities and provinces have their own limited autonomy as per the Constitution of the Republic of South Africa of 1996. The Constitution serves as a supreme law of the country and any other legislation, policies or conduct that are not consistent with it become null and void.

The democratic government, elected in 1994, faced the task of transforming a society built on centuries of racial segregation and apartheid, resulting in wide disparities in levels of income and development based on race. The goal of the incoming democratic government was, then, to democratize state institutions, redress inequality and extend services to all irrespective of race. To this effect, it has done so by putting in place economic policies focusing on poverty alleviation and service delivery. To enable the state to realize these policies, a number of important reform initiatives were undertaken. Fiscal reform emphasized equity among spheres of government and transparent and multi-year budgeting. The establishment of a single public service for both the national government and the provinces under the Public Service Act was a major achievement, effecting the successful integration of pre-existing provincial and homeland administrations.

Historically, municipal boundaries in South Africa were structured in accordance with the racial demographics of the population of a particular jurisdiction. For instance, in terms of the Group Areas Act of 1959 (which is now repealed), a specific racial group was not allowed to reside in an area designated for people of a different race. However, since democratisation in South Africa a lot has changed. Since 1994 municipalities have been structured to be people-centred, accountable and democratic, with the goal of providing services to communities in a sustainable and non-discriminatory manner. Through evolution, the transformative agenda that is advocated by the Constitution of 1996, provides for three categories of municipalities. As directed by the

Constitution, the Local Government: Municipal Structures Act 117 of 1998 contains the criteria for determining when an area must have a category-A municipality (metropolitan municipalities) and when municipalities fall into category-B (local municipalities) or C (district municipalities). The Act also determines that category-A municipalities can only be established in metropolitan areas. Metropolitan areas are therefore a cluster of towns amalgamated into one large metropolitan government.

It is an historical fact that the African National Congress (ANC)-led government took over from the apartheid government in 1994. When the ANC came into power in 1994, it inherited a nearly bankrupt state. Therefore, the government was onerously overwhelmed by reviews of legislation to respond to community needs and this was a challenge in the first five-year term of democratic political leadership (1994-1999) under former President Nelson Mandela. This was followed by another transformation and implementation challenge in the second term, from 1999 to 2004, under the presidency of Thabo Mbeki. The latter period overlapped with the constitutional development of the local sphere of government which came into practical existence five years later, after the establishment of national and provincial governments.

While one could say that the sphere of local government was ushered in at the right time to assume its well-defined responsibilities, Kanyane (2010) postulates that, on the contrary, transformation and policy development of the national and provincial spheres of government overtook local government. Powell (2012) later claims that by the time the implementation began in 2000, the force of this transformative vision was already spent; it was overtaken by hard political and economic realities, overwhelmed by the scale of institutional changes involved and the distance between the ideal and delivering practical change. Kanyane (2010) writes that it certainly could be argued that the policy development process is very critical and that if local government could have jointly participated in this process from the beginning, during the ushering in of democracy in 1994, it would most likely have owned the reformation process and helped to spearhead and speed up policy development.

South Africa's local government has experienced numerous transformation stages since the first democratic local elections meant to promote efficient and effective service delivery. These transformative stages allowed it to become the sophisticated sphere it is to date. An array of legislative provisions was put in place during these reforms. These include the Local Government Act; Municipal Demarcation Act (Act No. 27 of 1998); the Municipal Structures Act (Act No. 117 of 1998); the Municipal Systems Act (2000); the Municipal Finance Management (2003) and the Municipal Property Rates Act (2004). These were promulgated to determine the boundaries of the new municipalities as well as providing for the structural, political and functional institutions for metropolitan, district and local municipalities, with the latter two tiers sharing jurisdiction over rural areas.

The current structure of the local government system is relatively new and it was preceded by the pre-interim phases of local governance in 1993 and 1995 respectively until it came into existence in the year 2000, after the local government elections. The municipal election of December 2000 brought the final transitional phase of local government to a close. The transition of municipalities into fully-fledged municipal status brought about a reduction from 843 transitional municipalities to a total of 284 municipalities (Sibanda 2012). The total number of municipalities was further

reduced to 283, in 2006, following the demarcation process in terms of the Municipal Demarcation Act, 1998 (Act No. 27 of 1998), and constitutes 6 metropolitan municipalities, 231 local municipalities, and 46 district municipalities (Davids, 2006 and Reddy, 2010). The cut was made again from 283 to 278 after the May 2011 local government elections (Sibanda 2012).

Reminiscing about the historical past, the local sphere of government has been continually challenged to deliver quality services. Since 1998, the local sphere of government has not had enough capacity; hence Reddy's (2010) claim that there has, of late, been concern as to whether local government is in fact able to discharge its developmental mandate. According to Reddy (2010), the government launched Project Consolidate in 2004 to assist municipalities that were experiencing difficulties in undertaking their basic functions. The project identified 136 municipalities in need of assistance; 50% of these municipalities were dysfunctional and were experiencing problems financially, in relation to service delivery or development tasks. The Local Government Expenditure Review (2011) warns that there is an urgent need to stabilise the senior management cadre of municipalities; in this sense, the appropriate technical skills need to be in place.

Local government is now positioned as the key site of delivery and development and stands central to the entire transformation project of post-apartheid South Africa. The distribution of municipalities by province is presented in table 1 below.

Table 1: Distribution of municipalities by category and province

Province	Metro	District Municipalities			Local Municipalities				
		A	C	C1	C2	B	B1	B2	B3
Western Cape	1	5	5	0	24	3	6	15	0
Eastern Cape	2	6	1	5	37	0	3	19	15
Northern Cape	0	5	5	0	27	1	1	23	2
Free State	1	4	4	0	19	1	3	15	0
KwaZulu-Natal	1	10	0	10	50	3	6	12	29
North West	0	4	2	2	19	4	1	9	5
Gauteng	3	2	2	0	7	2	4	1	0
Mpumalanga	0	3	3	0	18	4	2	7	5
Limpopo	0	5	1	4	25	1	1	7	16
Total	8	44	23	21	226	19	27	108	72

Source: Statistics South Africa, 2017

The Municipal Infrastructure Investment Framework (MIIF) classifies local municipalities into 4 subcategories, namely B1, B2, B3 and B4. The B1 category comprises secondary cities and local municipalities with the largest budgets; the B2 category refers to local municipalities with a large town as its core; the B3 category defines local municipalities with small towns, with relatively small populations and significant proportions of urban population but with no large town at its core. Finally, the B4 category is made up of local municipalities which are mainly rural with communal tenure and with, at most, one or two small towns in their area. In addition, the MIIF classifies district municipalities into 2 categories, namely C1 which refers to district municipalities that are not water services authorities, and C2 which defines district municipalities that are water services authorities (Municipal Demarcation Board, 2012).

In order to aid comprehension, the municipal classification codes that are outlined above are used interchangeably with short descriptive names. Category A is referred to as a metro, B1 as a secondary city, B2 as a large town, B3 as a small town, and B4 as a rural municipality.

Tsatsire, Taylor and Raga (2010) maintain that local government cannot fulfil its mandate without a partnership with provincial and national government. The establishment and maintenance of sound intergovernmental relations have, therefore, become vital in ensuring the success of local government. It is for this reason that the rendering of services has to take place within the spirit of cooperative government, as Exploring Challenges of Municipal Service Delivery in South Africa (1994 – 2013) 93 stated in Chapter 3 of the Constitution of the Republic of South Africa, 1996, and all three spheres of government must be seen as equal partners rather than hierarchies, which seem to compete and overlook the importance of each other

Municipal structures and intergovernmental relations

Local government in South Africa constitutes a third sphere of government, alongside provincial and national government. It is also often referred to as municipal government and the entire country is divided into variously sized municipalities. South Africa has three types of municipalities: metropolitan municipalities (Category A); local municipalities (Category B); and district municipalities (Category C). Municipalities are responsible for the provision of basic services such as electricity, water, sewage and sanitation, refuse removal, storm water systems, municipal roads and public transport, as well as the provision of firefighting and health services, upkeep of parks and recreational areas, libraries and other facilities, and the management of land use, street trading, food markets and local tourism (ETU, n.d.).

A metropolitan municipality (or metro) exists in any city with more than 500,000 voters, and there are currently eight metros in South Africa. Although these are divided into wards, the municipality retains responsibility for all local governance, including service delivery and development throughout the entire area (ETU, n.d.).

Excluding metros, local government is divided into local and district municipalities. There are 231 local municipalities which are broken down into wards and which are also clustered under the jurisdiction of district municipalities. A district municipality thus comprises roughly between four and six local municipalities and shares governance responsibilities with those local municipalities (ETU, n.d.).

The district municipality's functions and obligations are stipulated in the Municipal Structures Act and, similar to that of Metros, encompasses most aspects of service delivery. According to Mettler (2003), district and metropolitan municipalities are the "driving engines of delivery within a province". However, the division of tasks and the relationship between local and district municipalities is much more complex in practice.

Municipal governments (with varying degrees of exception for some metros) cannot function independently of their respective provincial governments. Chapter 7 of the Constitution gives provincial government very specific obligations and powers in respect of municipalities. The provisions dealing with the issue of provincial oversight (monitoring and support) are found in

sections 154(1) and 155(6) and (7). The power to supervise municipalities is found in section 139 (Mettler 2003). Provincial government activities in relation to local government therefore include monitoring, support, regulation and supervision. The provincial government must also coordinate and facilitate the alignment and implementation of provincial development plans and strategies within the municipalities, and as identified in the integrated development planning processes between the province and municipalities (Mettler, 2003). See sections 31, 32 of the Systems Act.

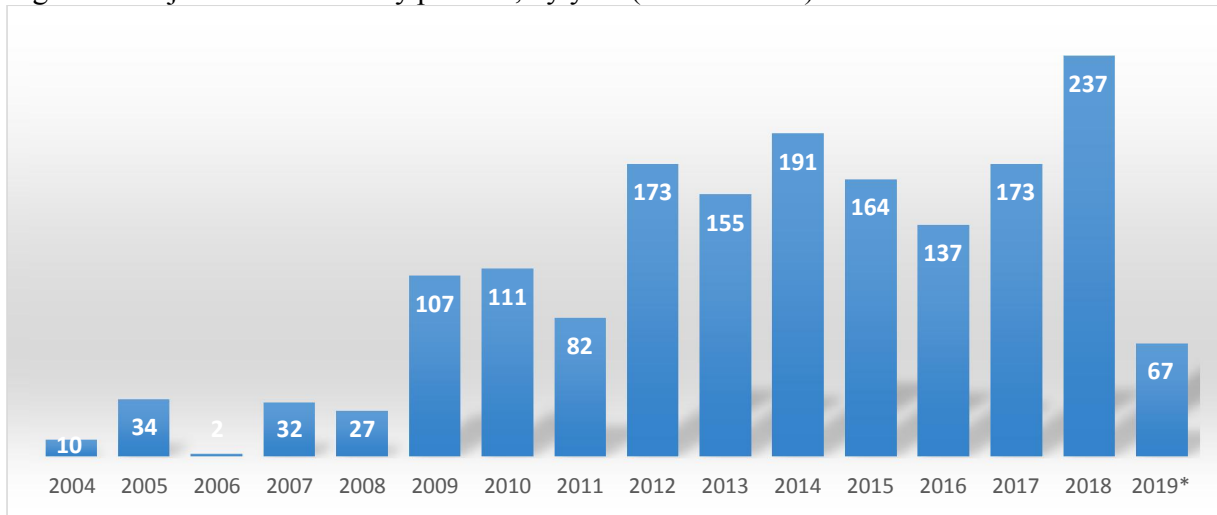
However, municipal authorities are often frustrated by the relationships between municipalities and other spheres of government. Recent research by COGTA found that municipalities are of the opinion that their capacity to perform effectively is often undermined by gaps in national and provincial government policies and processes. This suggests that the South African government's effort to establish a system of intergovernmental relations in order to coordinate activities and planning across the three spheres of government in fact fails in strengthening accountability towards achieving critical and targeted development outcomes (Landau, Segatti & Misago 2011: 10). According to Landau, Segatti & Misago (2011: 11) these findings support two challenges that COGTA has already identified: "Firstly, they highlight the problem of intergovernmental conflict and competition over powers and functions between provinces and their local governments; and secondly they confirm that national targets for service delivery that apply uniformly irrespective of the economic and institutional differences between municipalities simply set municipalities up to fail." In other words, policies and systems established in order to maintain and develop infrastructure effectively and efficiently and to improve service delivery often become one of the major challenges, especially at the local government level.

Service delivery protests

Although government should be acknowledged for major infrastructure development initiatives, reports on service delivery indicate that progress has been uneven across the country with different issues facing different areas, reflecting variable socio-economic conditions and municipal competence. The slow pace and lack of quality service has fuelled protests all over the country, and have brought local government under the spotlight.

Service delivery protests originated during the apartheid era in South Africa as they were used as strategies to express dissatisfaction with the lack of services, particularly for the majority black population, as well as target racially discriminatory policies of the Apartheid minority rule government. However, protests beyond the 1994 local government dispensation can be viewed as expression of needs and grassroots protests against the poor quality of service delivery and related issues. A 'service delivery protest' is 'stimulated by inadequate local services or tardy service delivery, the responsibility for which lies with the municipality' (Allan & Hesse n.d.). The protests have taken on several different forms, namely, police confrontations, municipal functionaries forced to resign, toyi-toying, mass meetings, submission of memoranda, and petitions, processions, stayaways, chasing unpopular residents out of townships, election boycotts, road blockades, construction of barriers and burning of tyres, and the destruction of property and looting (Alexander 2010:26; Booysen 2012b; Tshishonga 2015:136).

Figure 1: Major service delivery protests, by year (2004 –2019*)

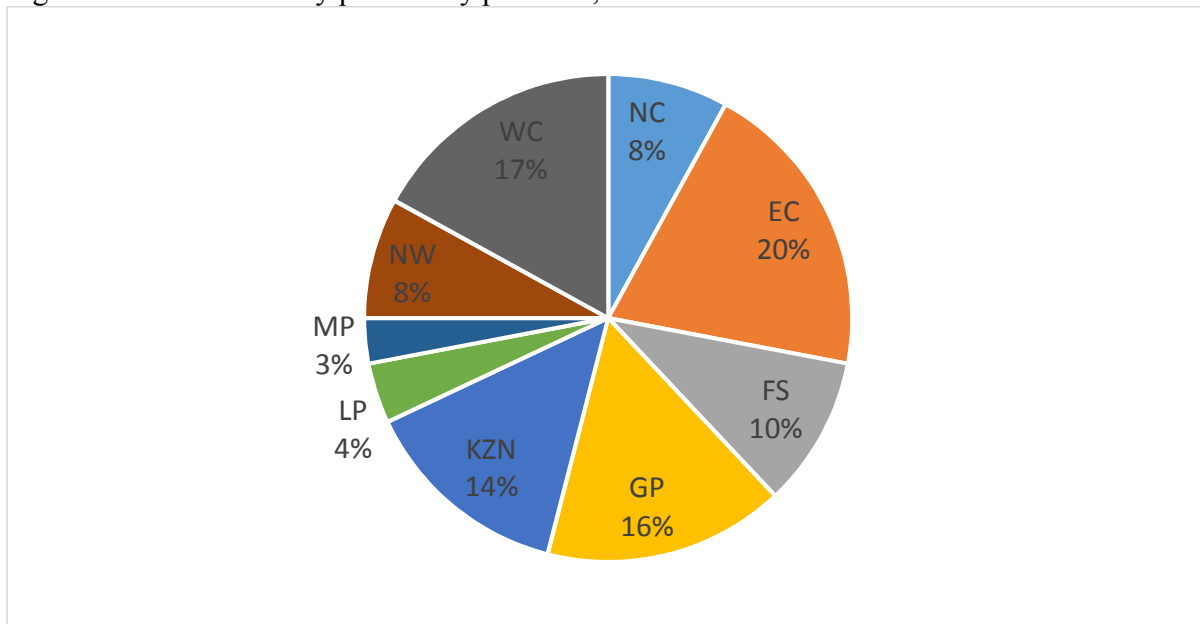


Source: Municipal IQ Municipal Hotspots Monitor, 2019

* January – March 2019

For the period 2004 and 2018, Gauteng has tended to be the major site for service delivery protests – on average accounting for 24% of protests over this period, and reaching 34% in 2017. However, 2018 was different, the Eastern Cape far outstripped Gauteng, and was followed by the Western Cape as the most protest-afflicted province for the year (see figure 2 below).

Figure 2: Service delivery protests by province, 2018



Source: Municipal IQ Municipal Hotspots Monitor, 2019

According to Municipal IQ, “2018’s results suggest that the Ntirhisano (War Room) strategy of Gauteng may be yielding results in coordinating inter-governmental service delivery solutions. It

is also possible that the coalition arrangements in the Province's three metros allow for greater debate and representation in council structures, alleviating the need for street protests".

Research from Municipal IQ's Hotspots Monitors shows clear evidence that most protests this year continue to occur in informal settlement in our largest metros (a continuation of a trend of previous years). Cities such as Johannesburg, Ekurhuleni and Cape Town have experienced a rash of service delivery protests this year in addition to a number of fairly specific cases in the provinces of the North West and Mpumalanga like the now notorious Balfour. But it must be remembered that these cities experience the highest population growth rates of all our localities; and in fact there is a strong statistical link between high levels of migration and service delivery protests.

Urbanisation, essentially the influx of poor migrants to cities, is prompted by the search for jobs, and therefore is most pronounced in areas of economic growth. But this results in an irony – although service delivery protests are commonly perceived as an indication of a failure of local government, Municipal IQ has found a strong link between municipal productivity (a measure of local government success) and service delivery protests – those in search of jobs move to successful cities where they perceive there to be economic opportunity. Unfortunately, most migrants find themselves unemployed, living in one of the many hundreds of informal settlements on the periphery of these large metros, effectively marginalised from both access to economic opportunity, as well as housing and services.

The sense of relative deprivation, and inequality within an urban context, is key to understanding why protests take place. People will wait for service delivery, but not if it seems that everyone else in their municipality is getting services before them. Add to this the marginalisation and exclusion felt by communities in informal settlements and the general desperation for services in these areas, and top it all up with a lack of information from the municipality. In this environment a fast spreading rumour of mismanagement or corruption or nepotism is all the spark needed to set off a violence fuelled protest.

3. RESEARCH METHODOLOGY

3.1. Research Design

This study employed a qualitative approach. The approach followed was first, a literature review, which served as the theoretical basis of the research. Secondly, the study employed secondary data to analyse the status of service delivery in the Free State over the past 25 years. A trend analysis was utilised to achieve this. Thirdly, in order to identify challenges faced by municipalities in delivering their mandate, the study made use of existing reports from various sources.

3.2. Data Sources

The study made use of government's official documents and contemporary literature reviewed, including the summative record of historical facts and narrative data, as evidence of the qualitative research design employed.

Diversity of sources, including:

- Official statistics
- National Surveys (Household surveys, community satisfaction surveys; Quarterly Surveys)
- IHS Markit's database
- Research Reports
- Administrative data systems
- Legislative processes
- Published departmental information
- Case studies

4. LEGISLATIVE AND REGULATORY ENVIRONMENT IN SOUTH AFRICA

It is necessary, particularly for the analysis and recommendation sections which follow later, to detail the essential purpose of local government and the way in which it was anticipated to work when the system was first designed. This section of the paper, therefore, outlines the legislative and regulatory framework governing the local government environment in South Africa.

The Municipal Systems Act (Act No. 32 of 2000) defines basic services as those services “necessary to ensure an acceptable and reasonable quality of life and, if not provided, would endanger public health or safety of the environment”. Free basic service is defined as the minimum amount of basic levels of services, provided on a day-to-day basis, sufficient to cover or cater for the basic needs of the poor households. Local government is responsible for the provision of water, electricity and sanitation services to households.

Section 73 of the Municipal Systems Act states that local municipalities should have a policy to provide free basic water and free basic electricity to people who cannot afford to pay for these services. The courts have held that section 73(1) (c) of the Municipal Systems Act requires a municipality to provide “the minimum level of basic services”, which includes the provision of sanitation and toilet services. Municipalities must act reasonably, using the integrated development plan (IDP) and budget, to extend basic water, sanitation and electricity services to their inhabitants; this means that local government has an obligation to progressively make sure the poor, and especially the indigent, have improved access to adequate water, electricity and sanitation – much of this was covered in the ABS Project policy brief on Free Basis Services.

In South Africa, the delivery of basic services falls within the mandate of Local (Municipal) government as set out in the Constitution, the White Paper on Local Government (1998), and the Municipal Systems Act (MSA) (Act No. 32 of 2000). The MSA defines basic municipal services as any service “that is necessary to ensure an acceptable and reasonable quality of life and, if not provided, would endanger public health or safety or the environment” (2000:14). According to the former Department of Provincial and Local Government (DPLG 2007:2) (now COGTA), “the provision of basic household infrastructure is the central contribution made by local government to social and economic development”. Although municipalities have relative autonomy in exercising their distinctive functions, they remain subject to “nationally and provincially set regulatory frameworks” (Layman, 2003). Plans, programmes and activities of local government are therefore regulated and supervised from above (Layman, 2003).

A plethora of policies regulate the provision of basic services in South Africa. Many are products of national legislation; some apply to the general functions of local government; some are concerned with development in general; and others are tailored to specific service sectors. It is beyond the scope of this study and report to discuss all of these in detail and therefore only the most relevant policies will be mentioned.

National policies that describe the developmental and economic programmes of government and that are relevant to the service delivery environment include, among others, the Reconstruction and Development Programme (RDP, 1994), the Constitution (1996), the Growth, Employment and Redistribution plan (GEAR, 1996), and the Comprehensive Rural Development Programme (CRDP, 2009).

Together, these policies and plans establish a broad framework outlining the goals for social development and macro-economic growth wherein more specific policies on local government and particular service sectors are embedded. The CRDP especially calls for sustainable rural development, which it defines as improved economic and social infrastructure in rural areas, including but not limited to electricity and communications networks, access to communal sanitation and ablution systems, water harvesting and shedding systems, access to clinics, and cooperative governance (CRDP, 2009).

Legislation that provides municipalities with the structure for managing their administration include, among others, the Constitution, the White Paper on Local Government, the Municipal Demarcation Act, the Municipal Structures Act, the Municipal Systems Act, the Disaster Management Act, the Municipal Finance Management Act (MFMA) and the Municipal Property Rates Act (COGTA, 2009). In particular, Subsection 152(1) of the Constitution defines local government objectives as follows: 1) to provide democratic and accountable government for local communities; 2) to ensure the provision of services to communities in a sustainable manner; 3) to promote social and economic development; 4) to promote a safe and healthy environment; and 5) to encourage the involvement of communities and community organisations in the matters of local government.

The developmental role prescribed to local government (in the 1997 White Paper of Local Government and in the 2000 Municipal Systems Act) aims to integrate the efforts to ensure democratic and accountable government, socio-economic growth and development, sustainable service provision, and the improvement of people's lives.

The Municipal Systems Act (2000) also provides a comprehensive outline for the internal structures and operations of local government. One of the key requirements stipulated in the Act is the preparation, by each municipality, of a five-year Integrated Development Plan (IDP). The IDP is intended as "a tool to plan future development in a way that integrates the efforts of all spheres of government as well as other non-state stakeholders" (Landau, Segatti & Misago 2011: 7). It is a mechanism "to facilitate planning... [and] to achieve alignment" across government spheres (COGTA, 2009). The development of an IDP is also supposed to be a collaborative process between the municipality and the community within its jurisdiction.

Sector-specific policies are also determined at the national level. In terms of water and sanitation, the Constitution recognizes access to water as a basic human right. For water and sanitation, these include the White Paper on Water Supply and Sanitation Policy (WSSP 1994), the Water Services Act (WSA, 1997), the National Water Act (NWA, 1998), the White Paper on Basic Household Sanitation (2001), and the Free Basic Water (FBW) and Free Basic Sanitation policies. Relevant bodies involved in the management of water and sanitation services include but are not limited to the National Department of Water Affairs and Forestry (DWA), Water Boards and Water Service Authorities (WSAs) mandated to implement the Free Basic Water policy. The Free Basic Water policy requires that 6000 litres of clean water be provided per household per month. The Water Services Act (WSA) states that “a water service provider may not deny a person access to basic water services for non-payment, where that person proves, to the satisfaction of the relevant water services authority that he or she is unable to pay for the basic services” (Tswelopele Local Municipality FBW Policy, nd: 1).

National policies dealing with energy include, among others, the National Electrification Programme (NEP 1994-1999), the Electricity Amendment Acts (46 of 1994 and 60 of 1995), the White Paper on Energy (1998), the Free Basic Electricity (FBE) policy, and the Integrated Energy Plan (2003).

Service delivery standards and backlogs

The national policy framework stipulates the different ‘levels of access’ against which backlogs and improvements in basic services are measured locally. The 1994 DWA Water Supply and Sanitation Policy White Paper (1994: 15) defines a basic level of water services as access to water within 200m of one’s dwelling, and a basic level of sanitation services as access to, at minimum, a well-constructed VIP toilet per household. Otherwise called “RDP standards” to denote the influence of the 1994 Reconstruction and Development Programme, these measures have informed post-1994 development, as well as monitoring and reporting on service delivery in South Africa ever since. Similar standards have been set for other services (such as electricity and telecommunications, among others) identified as priority targets for national development in the 1994 RDP.

In a 2009 report on basic services, COGTA (2009) distinguishes between access to services in terms of a “basic level of service” and a “higher level of service”. Both the basic and higher level of service is outlined for the sectors of water, electricity, sanitation and refuse removal.

For water, a basic level of service includes piped water inside one’s yard and piped water within 200 meters of one’s yard, whilst a higher level of service refers to piped water inside one’s dwelling (COGTA, 2009). A backlog in water services may therefore be defined as a “below basic level”, and includes “piped water further than 200m, springs, rainwater tanks, dam/pool/stagnant water and water vendors”.

A high level of sanitation services is defined as access to a flush toilet connected to the sewerage system, whilst the basic level includes “flush toilet with septic tank and pit latrine with ventilation”. When access is limited to chemical toilets, a pit latrine without ventilation, a bucket latrine or no sanitation facility whatsoever, it is said to constitute a backlog.

Refuse removal, a component of sanitation services, has also been defined in terms of basic and higher levels of service. The basic level of service refers to access to a communal skip, whereas a higher level of service refers to “removal by local authorities/private company at least once a week”. A below basic level thus includes anyone who has rubbish disposal less than once a week, access to a communal refuse dump, one’s own refuse dump, or no removal whatsoever.

For electricity, a direct connection to a grid network constitutes a higher level of service, and a 10 Amp connection constitutes the basic level of service. Any household using gas, paraffin, wood or coal instead of electricity is said to experience a backlog.

Given this framework, the National Government has purported to achieve universal access to (at least) a basic level of water, sanitation, electricity and refuse removal services by 2014.

5. SOCIO-ECONOMIC OVERVIEW OF THE FREE STATE

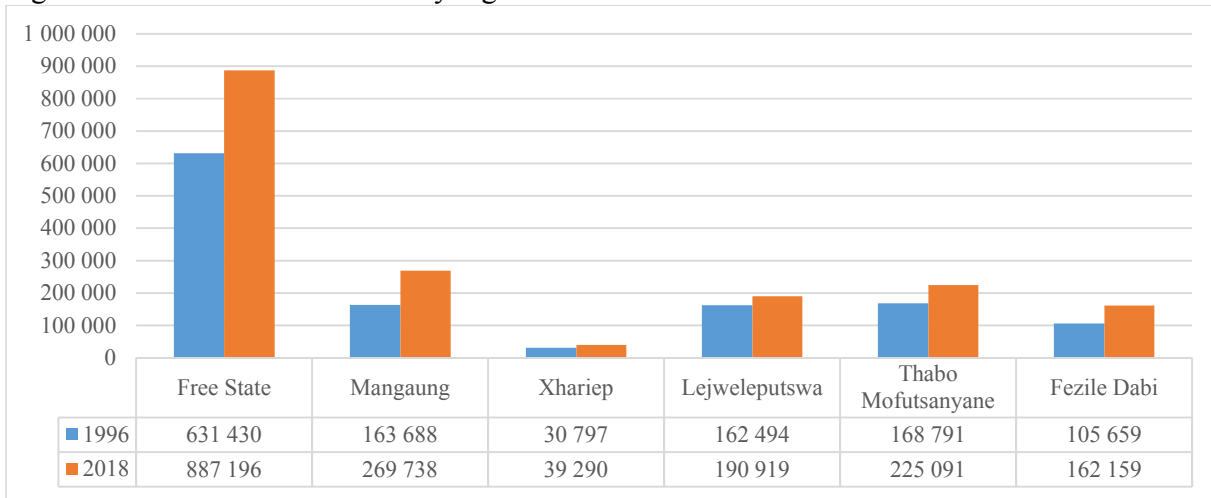
Predicting changes in population is a complex matter and is influenced by several factors, including:

- education
- the prevalence of HIV and AIDS
- migration from rural to urban areas, as urban
- women tend to have fewer children
- immigration.

It also needs to be noted that household size is unlikely to be stable over time. In fact, there are clear indications that household size are likely to decline with time, partly driven by the fact that families have fewer children and partly by the fact that as housing become more widely available, households divide more readily to access new housing.

Figure 3 below shows the number of households in the Free State and its districts for the years 1996 and 2018. For the Free State as a whole, the number of households increased from 631 430 in 1996 to 887 196 in 2018; an increase of 255 766. About 30.4% of the Free State households reside in Mangaung, followed by Thabo Mofutsanyane (25.4%), Lejweleputswa (21.4%), Fezile Dabi (18.3%) and Xhariep (4.4%). During the review period, the biggest increase in households was in Mangaung (64.8%) and Fezile Dabi (53.5%). Lejweleputswa recorded the smallest increase at 17.5%. An increase in the number of households result in an increase in the demand for municipal services.

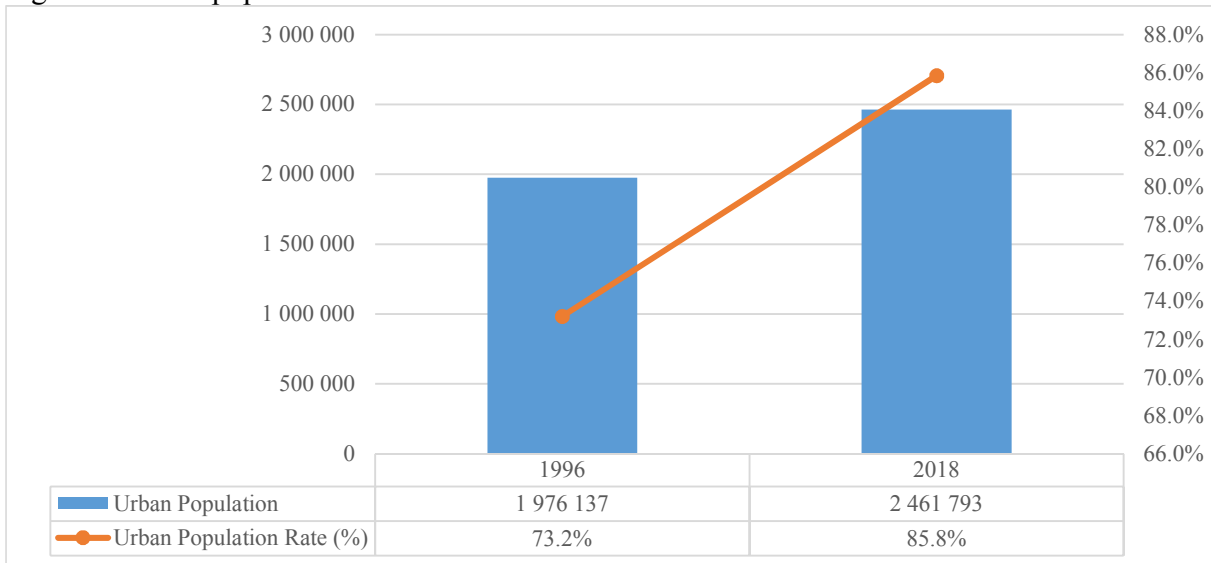
Figure 3: Number of households by region



Source: IHS Markit, Regional Explorer, Version 18544

As illustrated in figure 4 below, the Free State has become more urbanized in the past 22 years under review. There were approximately 1.9 million urban population in 1996, which subsequently increased to 2.4 million by 2018. This therefore means that the urban population rate increased from 73.2% in 1996 to 85.8% in 2018. Urbanization normally leads to increased demand for provision of basic services by local government.

Figure 4: Urban population number and rate



Source: IHS Markit, Regional Explorer, Version 1854

The Human Development Index (HDI) is a composite relative index used to compare human development across population groups or regions. HDI is the combination of three basic dimensions of human development

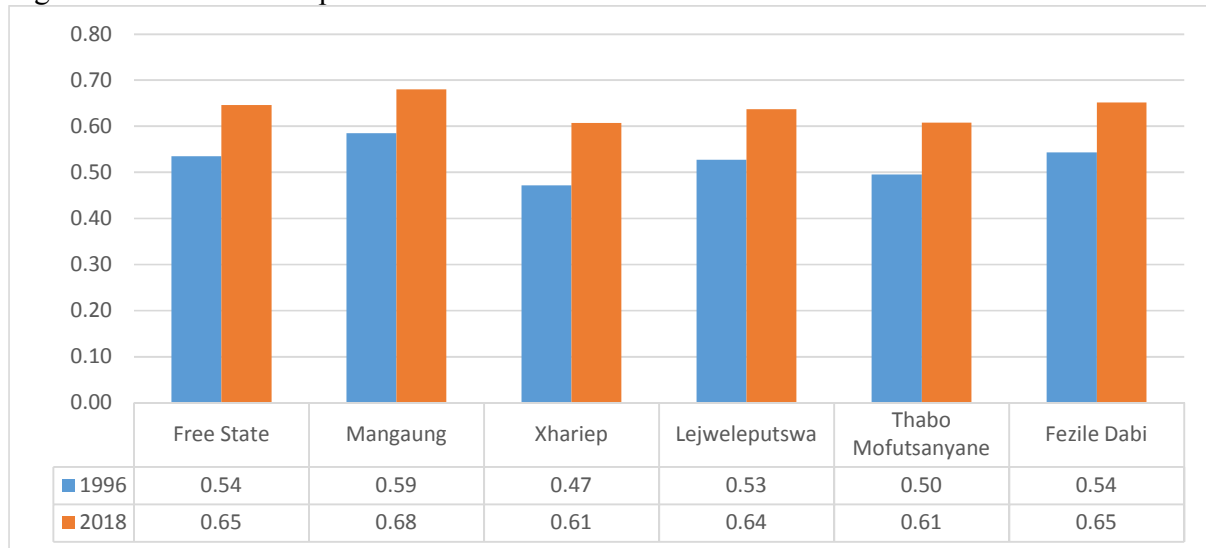
- A long and healthy life
- Knowledge

- A decent standard of living

A long and healthy life is typically measured using life expectancy at birth. Knowledge is typically measured using adult literacy and / or the combination of enrolment in primary, secondary and tertiary schools. A decent standard of living is typically measured using GDP per capita.

The HDI can assume a maximum value of 1, indicating a very high level of human development. It has a minimum value of 0, indicating no human development. Human development has improved across all region in the Free State over the years under review. The HDI for the province as a whole has increased from 0.54 in 1996 to 0.65 in 2018. Across the regions, Mangaung Metro, as one would expect, is the most developed, followed by Fezile Dabi and Lejweleputswa. On the other end of the spectrum, Xhariep and Thabo Mofutsanyane are the least developed (see figure 5 below).

Figure 5: Human Development Index

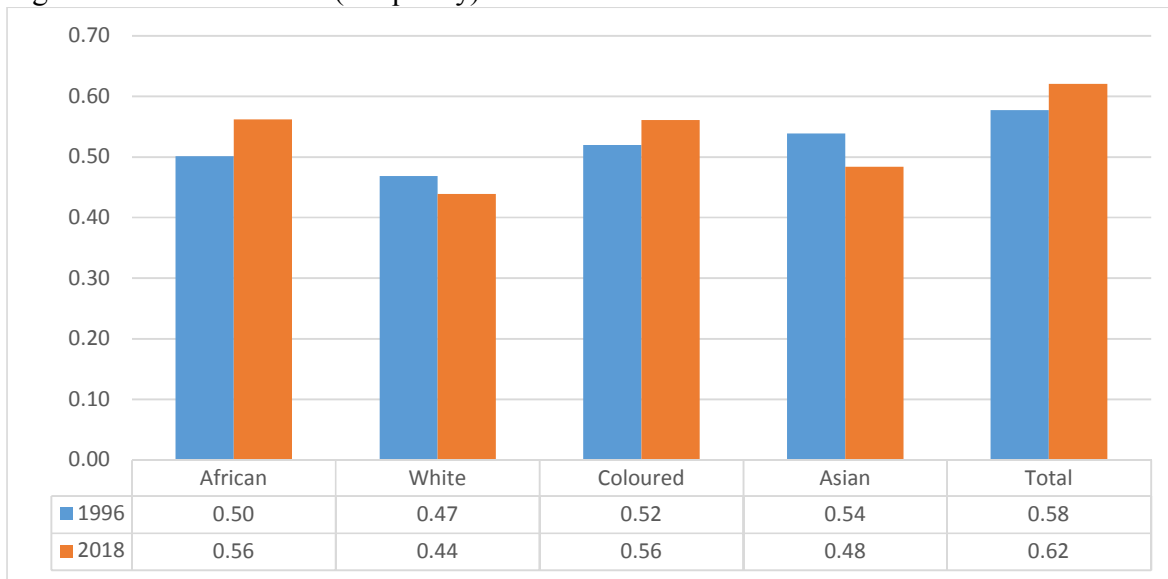


Source: IHS Markit, Regional Explorer, Version 1854

The Gini coefficient is a summary statistic of income inequality, which varies from 0 to 1. If the Gini Coefficient is equal to zero it means that incomes are distributed in a perfectly equal manner, indicating a low variance between high and low income earners in the population. If the Gini coefficient is equal to one, income is completely inequitable, with one individual in the population earning income, whilst everyone else earns nothing. In practice this coefficient is likely to lie in a range between 0.25 to 0.70 (IHS Markit, 2020).

The Free State, according to figure 6 below, has become more unequal during the period under review, with the gini coefficient increasing from 0.58 in 1996 to 0.62 in 2018, as shown in figure 6 above. Inequality is highest among the African and Coloured population and lowest among the Whites. High income inequality is likely to translate into unequal distribution or skewed access to services.

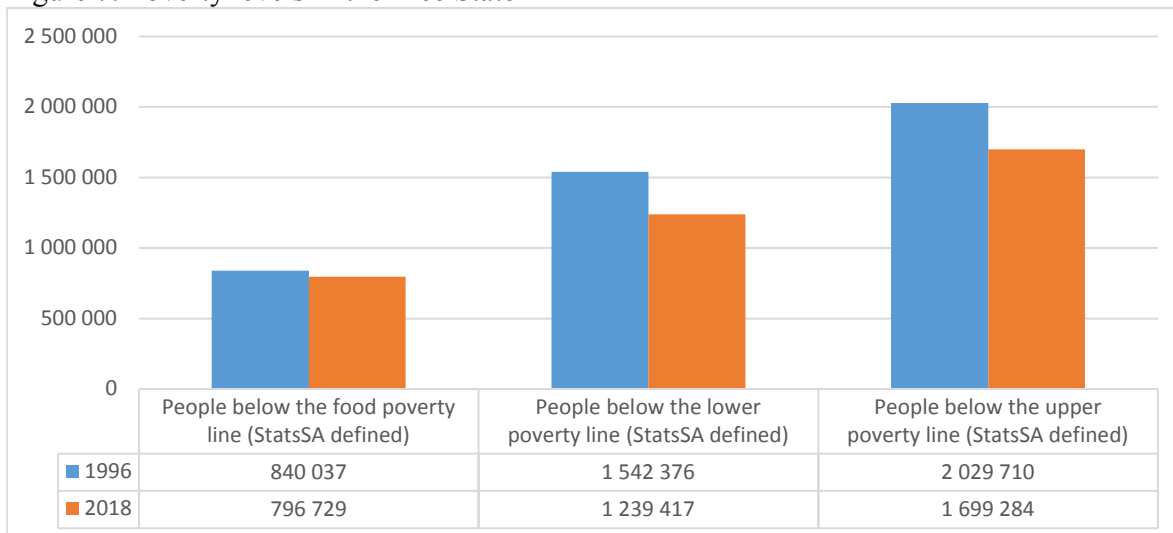
Figure 6 Gini- coefficient (Inequality) in the Free State



Source: IHS Markit, Regional Explorer, Version 1854

Figure 7 below shows the level of poverty in the province for the years 1996 and 2018. The number of people considered to be poor has declined in the Free State. Those living below the food poverty line has decreased from 840 037 in 1996 to 796 729 in 2018; a decline of 43 308. The number of people living below the lower poverty line and below the upper poverty line decreased by 302 959 and 330 426 respectively.

Figure 7: Poverty levels in the Free State

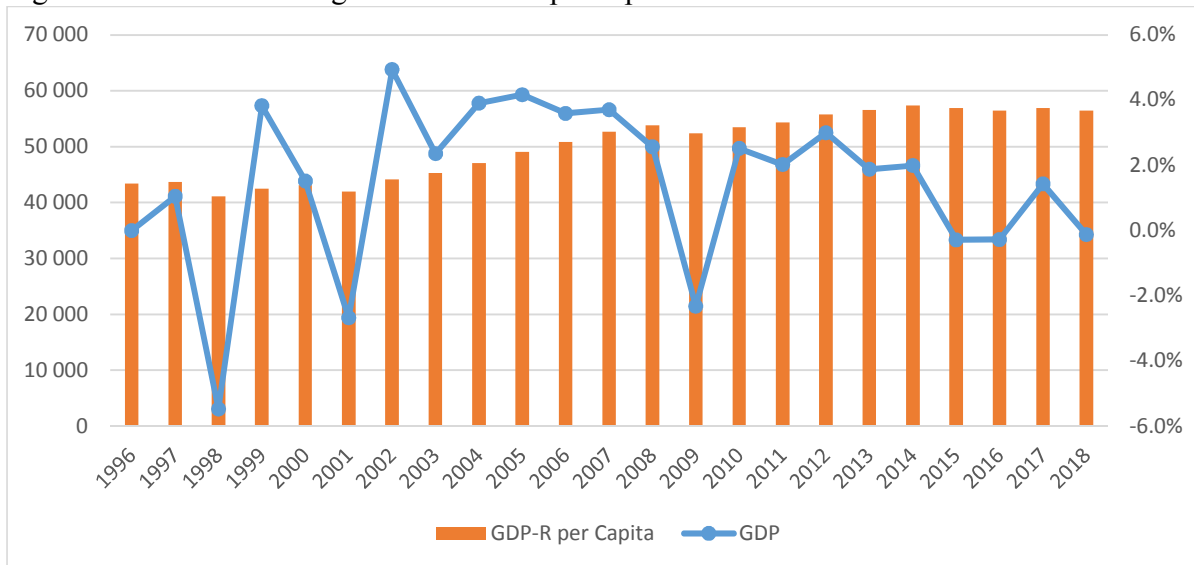


Source: IHS Markit, Regional Explorer, Version 1854

Figure 8 below is a depiction of GDP and GDP per capita trends in the Free State from 1996 to 2018. The provincial economy grew by 1.5% on average during this period, compared to the national average of 2.5%. The Free GDP has not grown by over 3% post the 2009 recession,

averaging just 1.3%, which is substantially below the envisioned 5.4% required to tackle the triple challenges of poverty, inequality and unemployment. GDP per capita during this period averaged R50 222; increasing from R43 392 in 1996 to R56 444 in 2018. The national average was R50 338 for this period.

Figure 8: Free State GDP growth and GDP per capita



Source: IHS Markit, Regional Explorer, Version 1854

6. STATE OF BASIC SERVICES IN THE FREE STATE PROVINCE

One of the key features of a developmental state is to ensure that all citizens have access to basic services, particularly the poor and other vulnerable groups. This is particularly so in a highly unequal country like South Africa. The Constitution of South Africa places the responsibility on government to ensure that such services are progressively expanded to all, of course within the limits of available resources which are shrinking with every passing year, making it increasingly difficult for government to achieve this responsibility. Government policy on most of these issues is, therefore, to progressively move towards Universal Access. The South African government had committed its municipalities to remedying service backlogs by 2014. Basic services are accepted to include the following:

- Housing,
- Education,
- Health care,
- Social welfare,
- Transport,
- Electricity and energy,
- Water,
- Sanitation and refuse removal.

However, for the purpose of this paper, the focus will be on the last three, which are a core part of the mandate of local government.

The policy approach to basic services since 1994 has been that government funded the capital costs of new services infrastructure while the users covered operation and maintenance costs. Towards the end of the decade, it became clear that poverty, unemployment and the high running costs of many schemes meant that poorer people could not afford the charges and so this arrangement would not be adequate to ensure either sustainability of services or equity of access to services. A substantial and important part of the population was being denied access to basic services.

Currently, there is a general consensus that due to their economic conditions, the poor majority are unable to pay the full price for essential municipal services, thus are precluded from accessing some of these basic services. The adoption of the policy in the year 2000/1 to provide a basket of free basic services to all, linked to an indigent policy which targets the poorest sections of communities is an integral part of the programme to alleviate poverty among poor households. The basket of services includes solid waste, water, sanitation and electricity, which are the focus of this research report. Since the introduction of the policy by government in 2001, the emphasis has been on the provision of a basic amount of free water and electricity, though work has started recently on sanitation and solid waste.

Many municipalities have also developed indigent policies to ensure that households with little or no income can be identified and can still get basic municipal services. In most areas all users get a certain amount of free water and electricity – enough for their most basic needs. Those who use a lot must pay higher rates. In this way people with big houses and gardens who use a lot of electricity and water pay more and the poor who use very little, pay nothing or very little.

The following section of the paper will look into the progress made in the provision of access to basic services in the Free State Province since 1996. The report will further breakdown the data into the Metro and the 4 district municipalities. Statistics for the 19 local municipalities is provided in the appendix.

6.1. Electricity

The RDP (1994) identifies energy as a “basic need”. It went further to state that “although Eskom has excess generating capacity, only 36% of South African households have access to electricity, leaving some three million households unelectrified. Furthermore, some 19 000 black schools (86% of schools) and around 4 000 clinics are currently without electricity. Little attention has been paid to utilizing sustainable energy sources...” (Section 2.7.1). The first democratic government, therefore, adopted a country with huge electricity access backlogs.

Consequently, government introduced an energy and electrification policy aimed at:

- Addressing the inequalities and backlog in access to energy of the majority;
- Promoting economic development through energy provision; and
- Managing the environmental and health impact of energy provision and use.

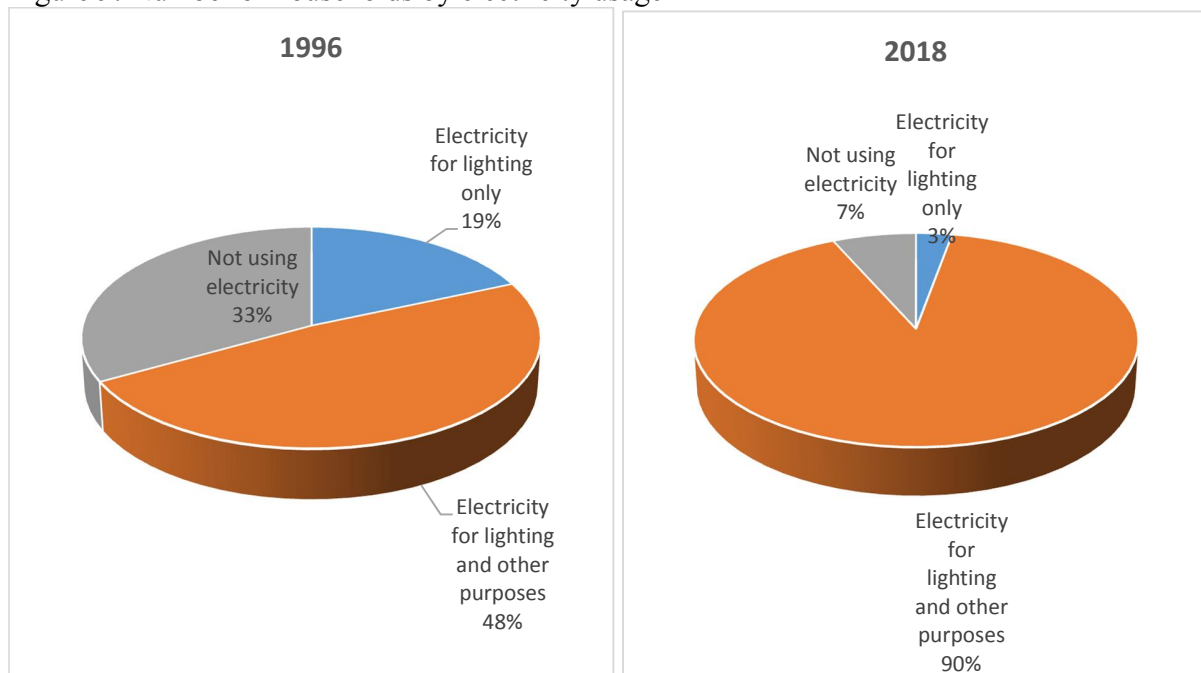
To reach these aims, the energy sector had to be fundamentally restructured. South Africa’s energy sector historically is based on the availability of vast amounts of relatively cheap coal in the country and closely linked to the mining sector, which needed vast amounts of cheap energy.

The apartheid government in the 1960's and 1970's implemented huge power station projects, leading to Eskom having excess capacity into the 1990's. South Africa, with its electricity generated from locally mined coal, continues to have amongst the lowest energy prices in the world. Energy supply to households in 1999 made up only 17% of total energy use, whereas industry used 40% and transport used 27%.

Government has committed itself to universal basic access to electricity by 2014. A direct connection to a grid network constitutes a higher level of service, and a 10 Amp connection constitutes the basic level of service. Any household using gas, paraffin, wood or coal instead of electricity is said to experience a backlog. Below is a presentation of government's progress as of 2018.

Figure 9 below paints a picture of the level of access to electricity by households in the Free State and how it has changed over the 22 year period under review. In 1996 an astounding 33% of the households in the province had no access to electricity. This figure has declined to just 7% in 2018, decreasing by a staggering 26 percentage points. Despite this notable improvement, it is still a concern that 7% of the households in the province have no access to electricity when the goal is universal access. As of 2018, 93% of the Free State's households had access to electricity; 3% had access for lighting only, while 90% had access for lighting and other purposes.

Figure 9: Number of households by electricity usage

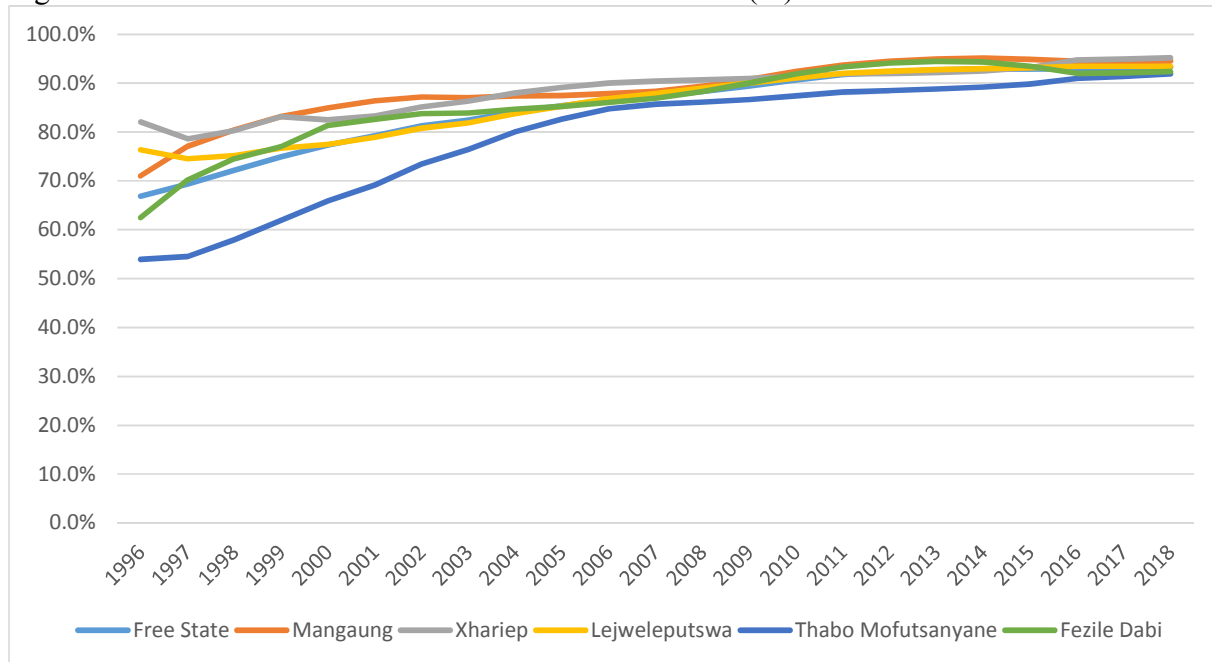


Source: IHS Markit, Regional Explorer, Version 1854

The share of households with electrical connections has increased steadily since 1996 (see figure 10 below). The proportion of households with electrical connections in the province increased from 66.9% in 1996 to 93.3% in 2018; representing a 26.4 percentage point increase. Thabo Mofutsanyane District Municipality has the lowest electrical connection, although it has showed significant improvements from a poor 53.9% in 1996 to 91.9% in 2018.

Xhariep District Municipality has the highest rate of connections at 95.2%, followed by Mangaung Metro (94.6%), Lejweleputswa District Municipality (93.5%), Fezile Dabi District Municipality (92.4) and lastly Thabo Mofutsanyane District Municipality (91.9%). What is also encouraging and worth noting is the convergence of the access to electricity among the different district with the province. Districts like Thabo Mofutsanyane and Fezile Dabi have largely caught up with the other district in terms of the share of households with electrical connection.

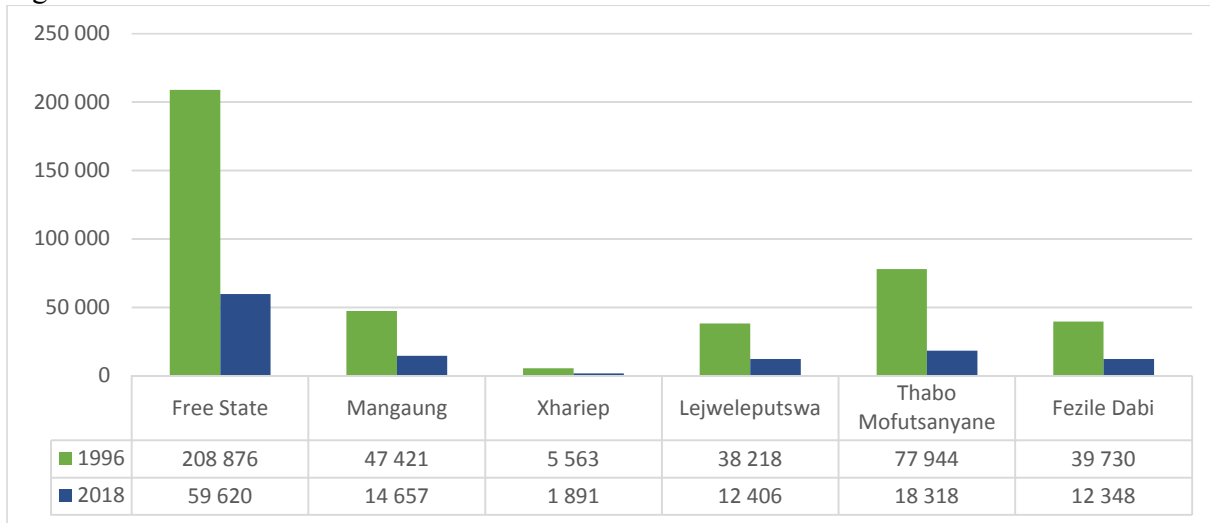
Figure 10: Share of households with electrical connections (%)



Source: IHS Markit, Regional Explorer, Version 1854

A further breakdown of the number of households with no electrical connections is provided in figure 11 below. There were approximately 59 620 households with no electrical connection in 2018 in the Free State, which is a significant decline from 208 876 in 1996. The majority of these households with no electrical connections in 2018 were in Thabo Mofuntsanyane (12 406), followed by Mangaung (14 657), Fezile Dabi (12 348), Lejweleputswa (12 406) and lastly Xhariep (1 891). On the positive side, there has been improvements in electrical connections across all regions in the province, which the biggest, in percentage terms, being in Thabo Mofutsanyane with a decline of 77%. Overall, the number of households with no electrical connection by 72% during the review period. However, that fact that an estimated 59 620 are without any electrical connection remains a concern that needs urgent redress in order to achieve the ultimate goal of universal access.

Figure 11: Number of households with no electrical connection



Source: IHS Markit, Regional Explorer, Version 1854

Overall, the province has shown great strides towards achieving universal access to electricity. However, despite this achievement, there is still a significant number of households who do not have access to electricity and thus denied a human right enshrined in the Constitution. Government has therefore in this case been unable to meet its target of universal access by 2014.

6.2. Water

Prior to 1994, there was no single national government department responsible for water supply and services. The responsibility was divided amongst local governments in the previous four provinces and to ten nominally autonomous homelands, resulting in very different levels of service. Most of the then white local governments offered standards equal to those in industrialised countries. In the rural areas there were often no services, while in black urban areas the situation was mixed. Both urban and rural services for black people were often than not in a state of disrepair. The new democratic dispensation inherited a highly unequal society in 1994 with huge backlogs in the areas reserved for the black majority.

In 1994 approximately 15.2 million South Africans, (12 million who lived in rural areas) did not have adequate access to safe water. The short term aim of RDP committed Government to providing every citizen with adequate water. A national water (and sanitation) programme which aimed to provide all households with a clean, safe water supply of 20 – 30 litres per capita per day was put in place. The Department of Water Affairs and Forestry (DWA) was given the responsibility to ensure that all South Africans had equitable access to water supply and sanitation. The White Paper on Community water supply and sanitation adopted in November 1994 provided the framework thereof. The basic water supply was defined as 25 litres per person per day, within 200 metres of the home.

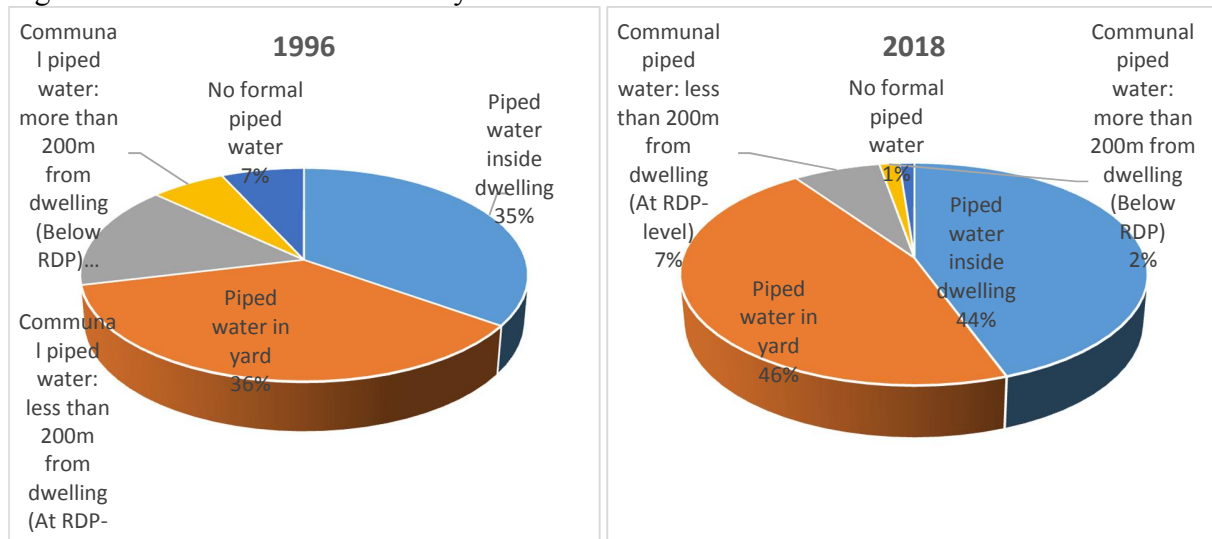
In 1996, as the capital works programme expanded rapidly, DWA recognised that progress was constrained by a shortage of delivery capacity. It started four partnerships with private-sector consortia to undertake BoTT (Build, Operate, Train and Transfer) contracts in the four provinces

(Eastern Cape, KwaZulu-Natal, Mpumalanga and Limpopo) where the backlog of services was greatest. The aim was to speed up delivery by minimising bureaucracy, and by using the resources of the private sector to achieve the vision. These partnerships had mixed results.

During the first decade of freedom, new water services were constructed, giving access to clean water to 9 million people. In the absence of a local government planning framework in 1994, prioritization was done through the setting up of Water Project committees, later led by elected local government representatives. Some funds for stand-alone projects in small (less than 5,000 people) communities were channeled through the Mvula Trust, which had developed community management delivery models.

Figure 12 below shows the progress attained in providing access to water since 1996. In this regard a comparison is made between 1996 and 2018. In 1996 only 35% of households had piped water inside their dwelling. However, this has increased by 9 percentage points to 44% in 2018. During this period, the share of those with no formal piped water decreased from 7% to 1%. Those with piped water in the yard increased from 36% in 1996 to 46% in 2018. Generally, access to piped, clean and safe water has increased considerably during the period under review.

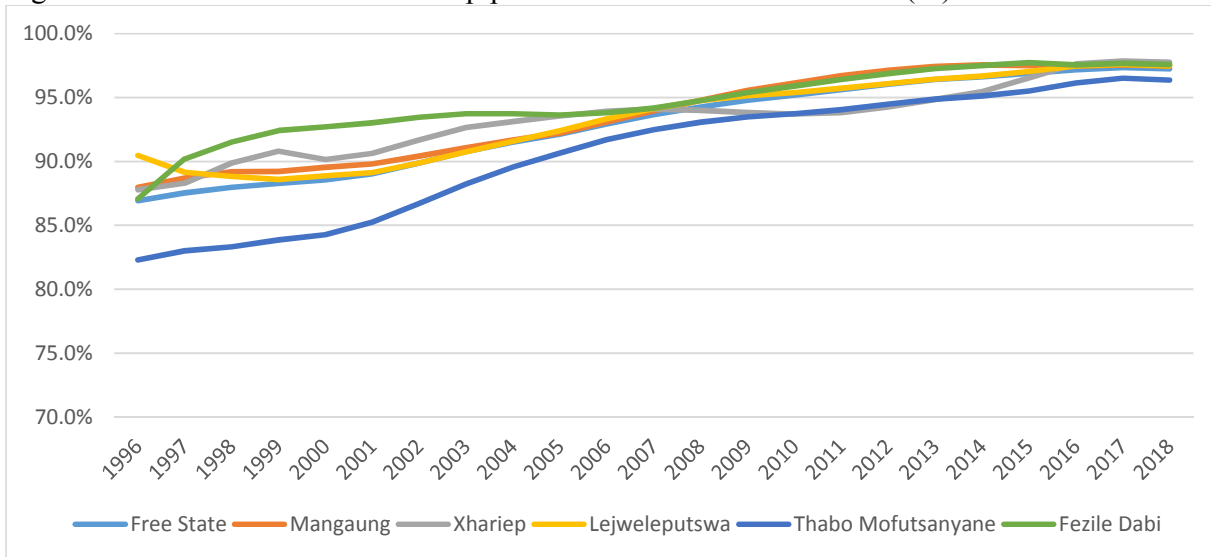
Figure 12: Number of households by level of access to Water



Source: IHS Markit, Regional Explorer, Version 1854

The share of households with piped water at or above RDP level has increased from 86.9% in 1996 to 97.2% in 2018; an increase of 10.3 percentage points (see figure 13 below). A further breakdown shows an increase across all the districts and the metro. Thabo Mofutsanyane remains the district with the lowest share of households with piped water at or below RDP-level, but has recorded a significant increase from 82.3% to 96.4% during the review period. The region with the highest share in 2018 was Xhariep DM (97.7%) closely followed by Fezile Dabi DM (97.6%), Lejweleputswa DM (97.5%), Mangaung Metro (97.5%) and lastly Thabo Mofutsanyane DM (96.4%). The biggest improvements were observed in Thabo Mofutsanyane DM (14.1%) and Fezile Dabi (10.5%), whilst Lejweleputswa DM had the smallest improvement of 7.0%. Mangaung Metro and Xhariep improved by 9.5% and 9.9% respectively.

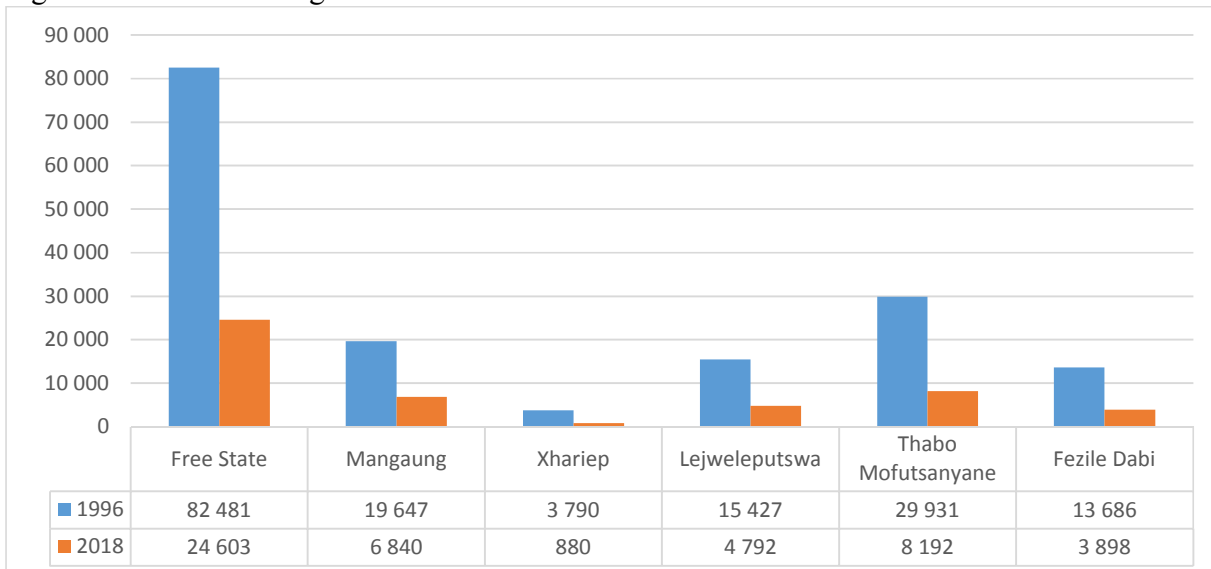
Figure 13: Share of households with piped water at or above RDP-level (%)



Source: IHS Markit, Regional Explorer, Version 1854

As mentioned earlier, the first democratic government in 1994 inherited a society with deep rooted inequalities and huge backlogs that needed to be addressed urgently. Figure 14 below illustrates the level of water backlogs in 1996 and progress made by 2018. Approximately 82 481 households had no access to piped water at or above RDP level in the Free State Province. This number declined to 24 603 by 2018; a decrease of 70.2%. The biggest contributors to the unacceptably high figure in 1996 were Thabo Mofutsanyane DM (29 931 or 36.2%) and Mangaung Metro (19 647 or 23.8%). Fast forward to 2018, the status quo remains; Thabo Mofutsanyane and Mangaung Metro are still the leading regions with the share of households with piped water below RDP-level, although both have shown some level of progress.

Figure 14: Water backlog - number of households below RDP-level



Source: IHS Markit, Regional Explorer, Version 1854

6.3. Sanitation

Government has a constitutional responsibility to ensure that all South Africans have access to adequate sanitation. Key target areas will include rural, peri-urban and informal settlements where the need is greatest. Government has made a commitment to get rid of all bucket toilets by the end of 2007. The policy focuses on:

- Providing adequate sanitation for households, schools and clinics;
- Improving household waste collection and disposal, and
- Educating the public about hygiene.

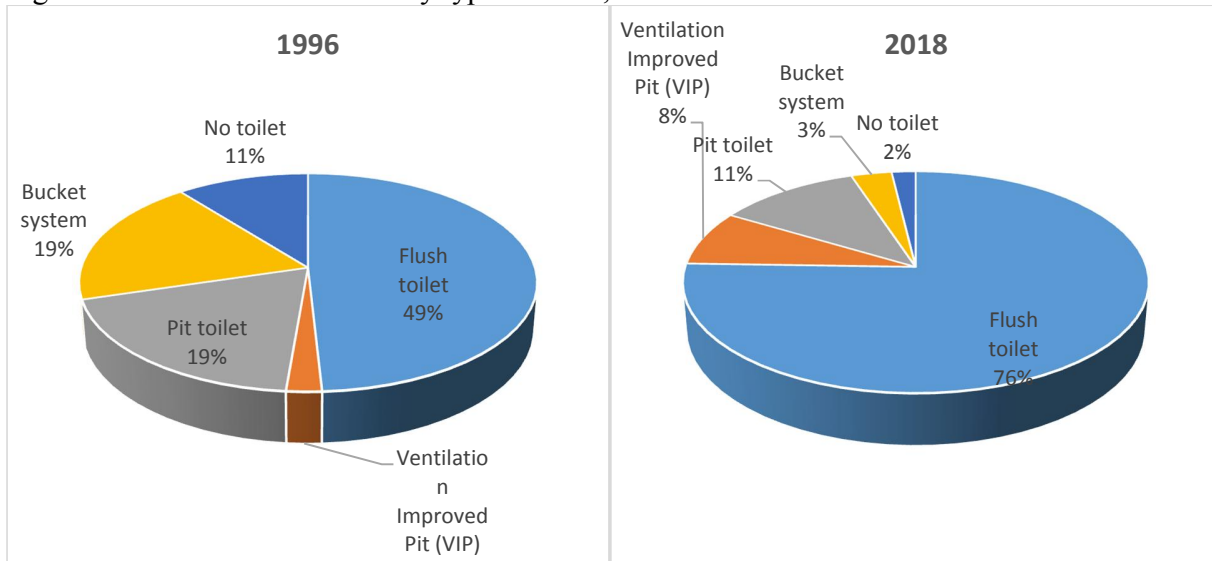
The improvement of sanitation is everybody's business. Role-players include communities and households (first and foremost); community-based contractors; local, provincial and national government; the private sector and NGOs. The Constitutional responsibilities for ensuring access to sanitation rest with government, local government must provide access to basic sanitation, and national and provincial government must support municipalities with legislation and other measures.

In 1994 an estimated 21 million people did not have access to a basic level of sanitation in South Africa. There are still around 18 million people (in 3 million households) who do not have access to basic sanitation in the country. An estimated 15% of clinics and 11, 7% of schools are without sanitation. Many other schools use pit latrines that are inadequate, dirty and unsafe. This all adds up to a potential health time bomb. The government had therefore committed to support communities and households in wiping out the sanitation backlog by 2010.

Sanitation means collecting and getting rid - in a hygienic manner - of waste, including human excreta, household waste water and rubbish. If this is not done, neighbourhoods become dirty and people get sick. Sanitation is vital for good health. In South Africa there are already 1, 5 million cases of diarrhoea (runny stomach) each year in children under 5, as well as outbreaks of cholera. Other health problems associated with poor sanitation include dysentery, typhoid, malaria, bilharzia, worm infestations, eye infections, skin diseases and increased infections in HIV positive people. Good sanitation leads to increased life expectancy.

According to figure 15 below, the share of households with access to flush toilets increased from 49% in 1996 to 76% in 2018. Those without any form of toilet facility decreased from 11% to 2% during this period. Usage of the bucket system decreased from 19% of households in 1996 to 3% in 2018.

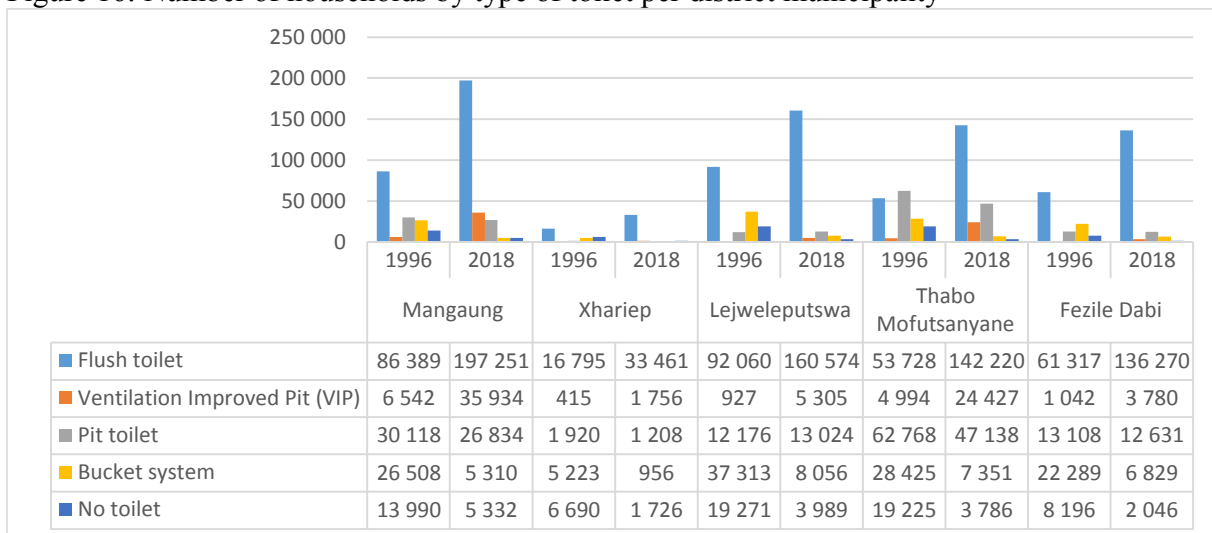
Figure 15: Share of households by type of toilet, Free State



Source: IHS Markit, Regional Explorer, Version 1854

Figure 16 below shows the progress with regard to the number of households that have access to various types of toilet facilities between 1996 and 2018. The level of access to facilities is also shown per district municipality. There has been a recorded increase in the number of households with access to flush toilets across all districts in the Free State. The number of households with no toilet facilities is highest in the region of Mangaung (5 332), followed by Lejweleputswa (3 989), Thabo Mofutsanyane (3 786), Fezile Dabi (2 046) and lastly Xhariep (1 726). Although there has been an increase in the number of households with flush toilets, it remains a concern that the bucket system is still a reality for thousands of households in the province.

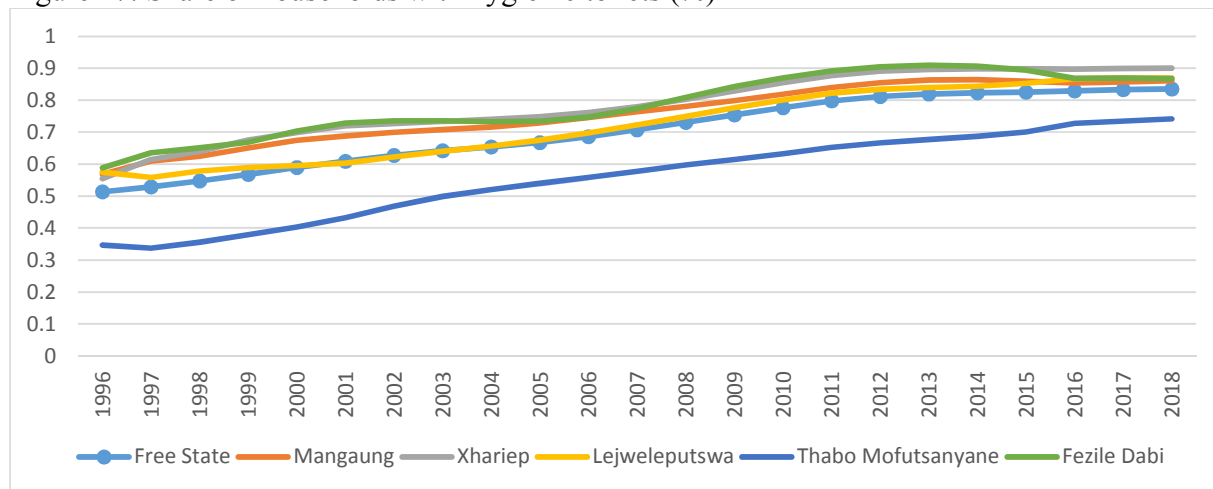
Figure 16: Number of households by type of toilet per district municipality



Source: IHS Markit, Regional Explorer, Version 1854

As shown in figure 17 below, the share of households with hygienic toilets has increased consistently in the Free State during the review period, from 51.3% in 1996 to 83.5% in 2018; an increase of 32.2 percentage points. Thabo Mofutsanyane DM has the lowest share of households with hygienic toilets in the province at 74.1% in 2018, whilst the region with the highest share was Xhariep DM with 90.1%. More than 28 thousand Free State households still use the bucket toilet system, 12 years past the initial deadline set by the government to eradicate them. According to Stats SA’s Non-financial census of Municipalities 2016, around 44% of consumer units using the bucket toilet were located in the Free State. This paints a bad picture of the state of the sanitation services in the province. The majority of these were found in Setsoto Local Municipality with 8 213 consumer units, followed by Nala Local Municipality (3 759) and Ngwathe Local Municipality (1 734). The influx of people to informal settlements remains the biggest challenge in dealing with this problem.

Figure 17: Share of households with hygienic toilets (%)



Source: IHS Markit, Regional Explorer, Version 1854

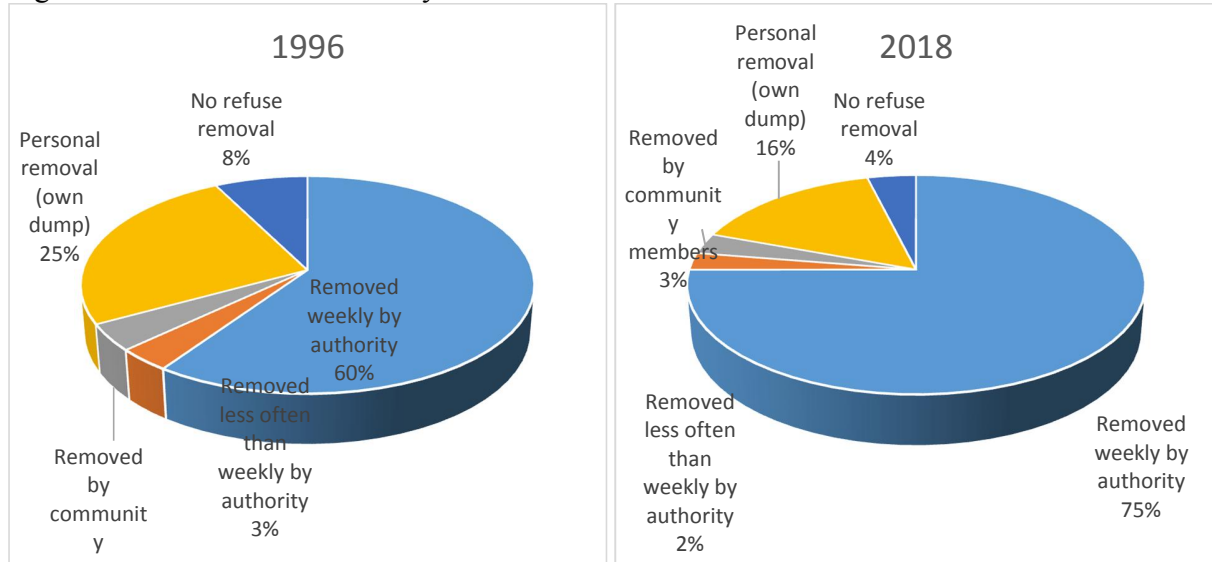
6.4. Waste removal

Although there has been improvement, weekly refuse removal remains a challenge in the Free State. Waste that is not properly managed, especially excreta and other liquid and solid waste from households and the community, are a serious health hazard and lead to the spread of infectious diseases. Unattended waste lying around attracts flies, rats, and other creatures that in turn spread disease. Regular waste removal is thus crucial to the health of individuals and the communities at large. Figure 18 below illustrates the share of households by access to refuse removal. The share of weekly refuse removal by authority has increased by 15 percentage points, from 60% in 1996 to 75% in 2018. The share of households with no refuse removal has halved during the review period, from 8% to 4%. Personal removal remains significantly high at 16% in 2018, although it declined from 25% in 1996.

In 2018, the share of households in the Free State with a basic level of service of refuse removal stood at 75%, up from 60% in 1996. The basic level of service refers to access to a communal skip, whereas a higher level of service refers to “removal by local authorities/private company at least

once a week”. This therefore means that government has been unsuccessful in achieving universal access to (at least) a basic level of refuse removal services by 2014.

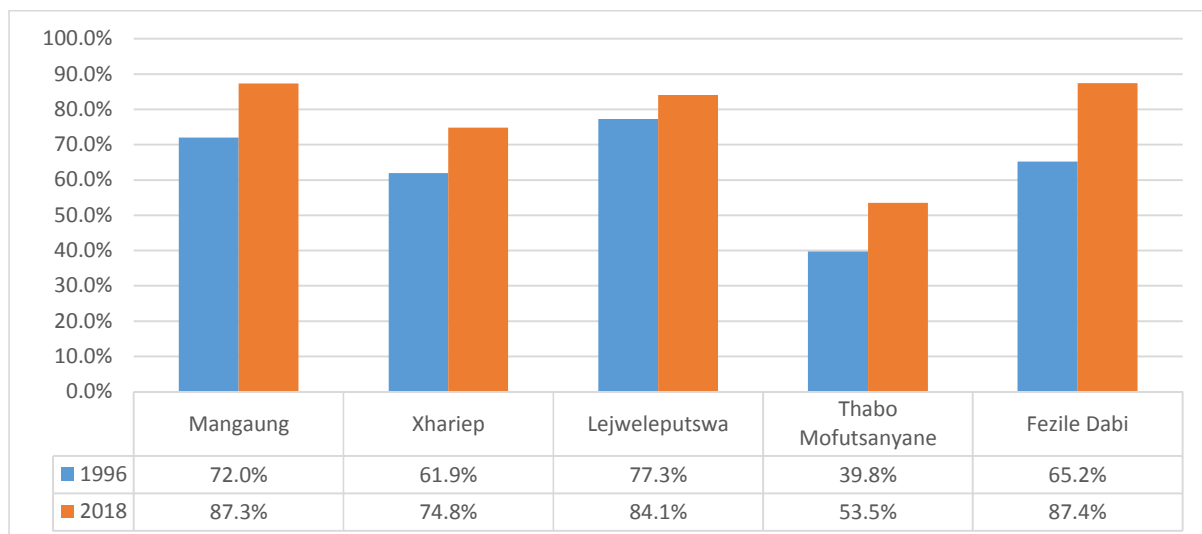
Figure 18: Share of households by access to refuse removal



Source: IHS Markit, Regional Explorer, Version 1854

The share of households with access to formal refuse removal by district municipality is illustrated in figure 19 below. In 2018, Fezile Dabi DM had the highest share at 87.4%, followed closely by Mangaung Metro (87.3%), Lejweleputswa DM (84.1%), Xhariep DM (74.8%) and lastly Thabo Mofutsanyane DM (53.5%). There has been improvements across all regions during the period under review. However, a significant amount of work is still needed to achieve the government’s target of universal access.

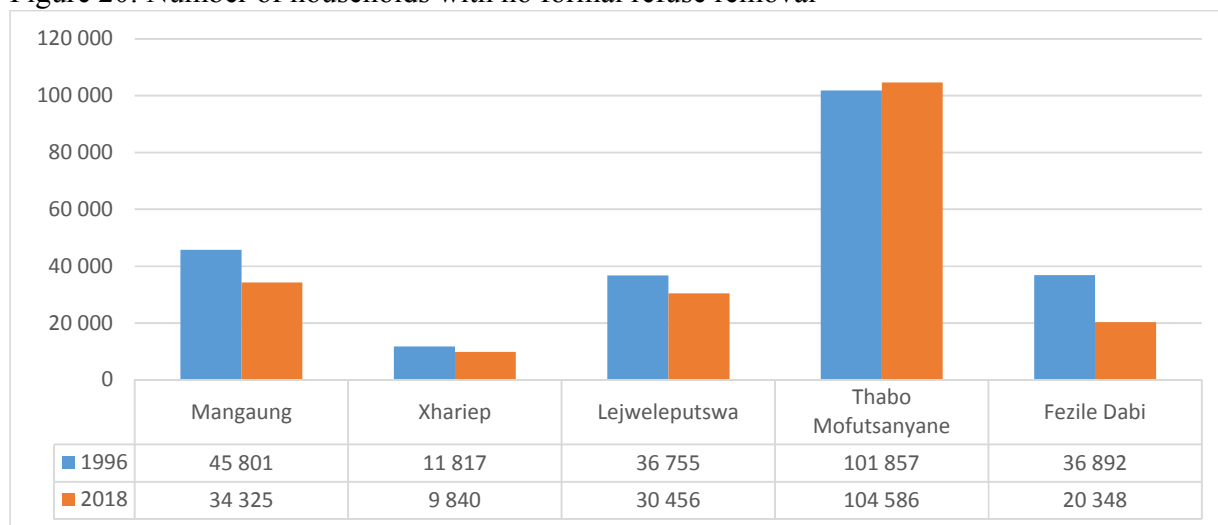
Figure 19: Share of households with formal refuse removal



Source: IHS Markit, Regional Explorer, Version 1854

The province still has a significant number of households with no formal refuse removal, estimated at 199 555 or 22.5% in 2018. The majority of these households are found in Thabo Mofutsanyane (104 586), followed by Mangaung (34 325), Lejweleputswa (30 456), Fezile Dabi (20 348) and the least being in Xhariep (9 840). Provincially, the number of households with no formal refuse removal decreased from 233 122 in 1996 to 199 555; a decline of 33 567 households. In terms of regions, the biggest declines were in Fezile Dabi with 16 544, followed Mangaung (11 477), Lejweleputswa (6 299) and then Xhariep (1 976). Thabo Mofutsanyane is the only region that regressed with the number of households increasing by 2 729 during this period (see figure 20 below).

Figure 20: Number of households with no formal refuse removal



Source: IHS Markit, Regional Explorer, Version 1854

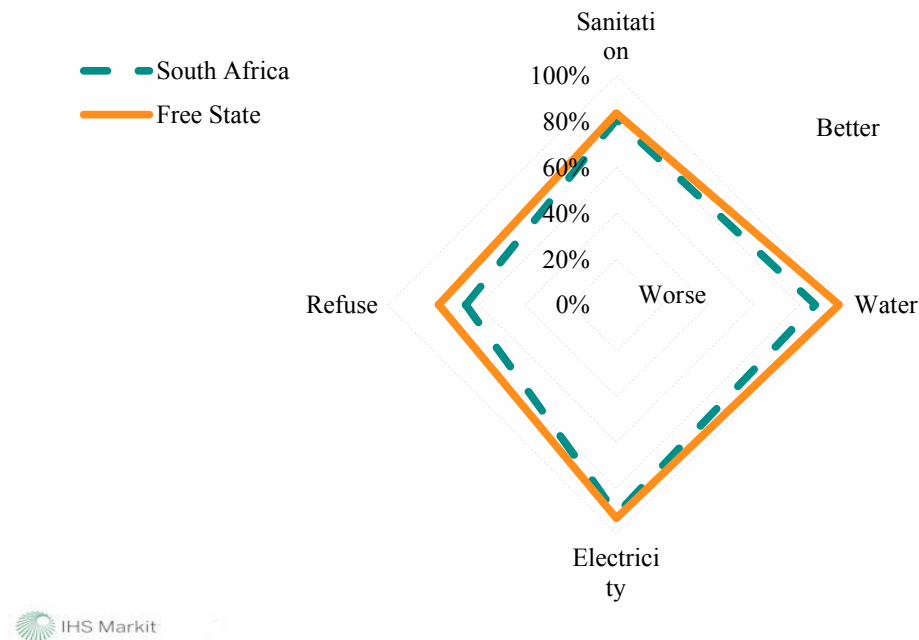
5.5 Basic services infrastructure

The government of South Africa set itself a target of achieving universal access to (at least) a basic level of water, sanitation, electricity and refuse removal services by 2014. Based on the analysis above, it is evident that the province of the Free State has failed in this regard. However, the province must still be commended for the great strides achieved in the face of the unique challenges inherited in 1994. The figures on backlogs shown above indicate the considerable challenge remaining to provide all residents of the Free State with at least a basic level of service.

Funding infrastructure in the country is a major challenge. Municipalities are primarily responsible for establishing the infrastructure needed for delivering services and addressing the principal welfare issues of citizens whose behavior and decisions have important consequences. Municipal infrastructure is the physical facilities, comprising immovable assets which are required to provide a municipal service. The South African government has committed its municipalities to remedying service backlogs by 2014. It was estimated that in 2011 the cost of building, upgrading, rehabilitating and expanding the required water, transport, power and township infrastructure exceeded R473 billion. Capital constraints have contributed to government not achieving its target of getting services to all by 2014. These capital constraints exist in the context of severe institutional capacity constraints, particularly in the capacity of technical staff.

Figure 21 below compares the provincial basic services infrastructure to that of the country in 2018. In relative terms, the Free State is in a better position compared to the national status. The province is doing particularly well in refuse removal and water provision infrastructure when compared to other provinces, but particularly poor in refuse removal when looked at in isolation. Both the country and the province are doing well in water and electricity infrastructure, but a fair amount of work still need to be done to improve infrastructure for refuse removal and to a lesser extent sanitation.

Figure 21: Infrastructure diamond



Source: IHS Markit, Regional eXplorer version 1854

7. KEY CHALLENGES

The Constitution enshrines the rights of all people in the country to dignity, equality before the law, freedom and security, and commits government to take reasonable measures, within its available resources, to ensure that all South Africans have access to adequate housing, health care, education, food, water and social security. 24 years after attaining democracy and 22 years after the enactment of the Constitution, the reality in our cities, towns and rural areas is far from this ideal.

Service delivery is a complex, difficult task, and particularly so in South Africa. The infrastructure backbone of the country was not built to be inclusive, and the process of restructuring the entire system to meet the needs of the whole population is a daunting task for the government that is generally under capacitated. Good progress has been made in many areas, but huge problems remain, particularly in underserved areas. The unequal distribution of services is particularly dangerous: seeing others with resources that you are denied can possibly generate as much anger as the lack of services in the first place.

It is apparent that the state continues to face difficulties in the delivery of basic municipal services even after 25 years of democracy. However, it should always be acknowledged that tremendous progress has been made in providing and extending basic services to the majority of South Africans and that local government has an enormous task in tackling poverty, inequality and unemployment head on and not at arm's length as provinces and national government do. It is also true that for many municipalities, the task is that much more difficult as they have a high rate of indigency and very little revenue raising potential, thus are reliant on grant funding from the other spheres of government (national in particular) to deliver on its developmental mandate. In some cases, municipalities are simply unreasonably expected to deliver far too much with very limited capacity or financial resources.

It is also true that being the sphere of government closest to the people, and irrespective of which sphere or department is responsible, municipalities will always bear the brunt of communities' dissatisfaction with government as a whole, since it is the face of government to the people. However, and notwithstanding the various protections afforded to poor communities by the Constitution and other legislation, as well as substantive case law, it is poor people (and those in informal settlements in particular) who continue to experience daily rights violations and suffer the effects of exclusion and non-delivery of FBS by local government, to which they are entitled in terms of the Constitution, and for which local government is directly funded.

The financial state of local government is indicative of why the poor continue to suffer and why many municipalities deliberately withhold up to 90% of funding (LGES) intended for service provision to the poor, and instead use it to fund their operations. Recent reports by SALGA indicate that some 112 municipalities (out of 257) do not have the money to carry out service delivery plans for the current financial year due to unfunded municipal budgets. Confirming this situation was a worrying report by the Auditor-General (AG) on the audit outcomes for local government for 2016-17, published on 23 May 2018. Auditor-General Kimi Makwetu painted a dismal picture of the state of municipalities. Their level of non-compliance with proper financial controls is at its highest in five years. Municipalities are not paying their debts because they do not have the money to do so, owing Eskom and water boards billions. The AG indicated that 31% of municipalities conceded that they might not be able to continue operating.

While vacancies, a lack of skills and poor leadership were cited as reasons for the poor performance, the AG was of the view that many municipalities are in fact just showing a blatant disregard for financial controls and the advice of his office. He indicated that accountability continues to fail in local government, with glaring governance, leadership and oversight lapses at municipal level contributing immensely to undesirable audit results. There was a 75% increase in municipal irregular expenditure, from R16.2 billion in the previous year to R28.3 billion in the 2016/17 financial year, the year under review. Fruitless and wasteful expenditure amounted to R1.5 billion, a 71% increase from the previous year.

The AG stated that 45 municipalities regressed while only 16 improved, and that only 33 municipalities, or 13%, managed to produce quality financial statements and performance reports, as well as complied with all key legislation, thereby receiving a clean audit. "When we released the 2011/12 municipal audit outcomes in August 2013, we highlighted, among other things, a lack of decisive leadership to address the lack of accountability by ensuring consequences against those

who flouted basic processes that hampered effective municipal governance. We reported weaknesses in internal control and the risks that needed attention in local government by providing root causes for audit findings and recommendations to remedy these underlying causes. It is now five years later, and we are still faced with the same accountability and governance challenges we had flagged throughout these years. There has been no significant positive change towards credible results; instead, we are witnessing a reversal in audit outcomes.”

Another issue affecting municipal service is planning. The national, provincial and local spheres of government planning are not aligned and coordinated; this usually results in the duplication and wastage of resources (Fourie and Valeta 2008:139). For example, many Local Economic Development (LED) and IDP initiatives are not aligned with provincial and national priorities. Fourie and Valeta (2008:139-140) warn that if the problem of service delivery remains unresolved for much longer, the country will continue to struggle to bridge the gap of inequality between the rich and the poor. Metaphorically, the “haves” (who are in the minority) are trapped within (among) the sea .of the “have-nots” (who are in the majority) and this gap remains unbridged

In 2015, the South African Human Rights Commission’s (SAHRC) investigative Report entitled “Access to Housing, Local Governance and Service Delivery” investigated challenges faced by local government that had a negative impact on delivering basic municipal services. The challenges identified included, among others, a lack of:

- Proper governance and budgeting, particularly in the implementation of and spending on projects;
- Capacity and skill (both in the sense of having the adequate knowledge as well as a high vacancy rate in municipalities);
- Transparency in hiring external contractors and in holding contractors accountable for the quality of services delivered;
- Understanding or implementation of a human rights-based approach to service delivery in respect of transparency and public participation;
- Monitoring and evaluation of projects implemented by local government; and
- Monitoring and evaluation of the utilisation of funds allocated to local government.

Municipalities have, in terms of schedules 4 and 5 of the constitution, functions that are explicitly detailed. It would appear that since their establishment they have been discharging their functions with limited funds at their disposal. However, they have not maximised their sources of revenue, collected all revenues due to it or been creative about additional sources of revenue. Zybrands (2012) has also highlighted several other challenges that have impacted negatively on service delivery since the ushering in of the post-1994 local government dispensation, namely:

- Unfunded mandates, where municipalities are not funded or receive very little funding for services such as housing, library services, tourism, welfare services and support for the Commission.⁶
- Financial viability: the demarcation process has resulted in some municipalities not having an economic base and being financially viable (Reddy 2010:82). They are dependent on grants from other spheres of government.
- Legal compliance: there is a compliance-driven governmental approach as opposed to a service delivery one. Quite often, there are First World standards and Third World

competencies, resources and needs. It has been difficult for municipalities to comply with prescripts.

- Sound fiscal discipline is not compatible with deficient political leadership. As long as ‘cadre deployment’ is practiced and municipalities are forced to practice financial discipline, the financial future of municipalities will remain bleak.
- Guiding local economic development to address unemployment and poverty alleviation: there is no money for LED projects and additional work should be channelled to emerging service providers through the supply chain management system (See Reddy & Wallis 2015b).
- Establishing an investment-friendly environment: through cheap land, concessionary tariffs and tax holidays.

To this end, in spite of the achievements attained since 1994, there are still contradictions in service delivery and many challenges for socio-economic development, especially in rurally based municipalities. These include, according to Hologram in Kanyane (2010:87), high levels of poverty in and around urban areas, but mostly affecting rural towns. Hologram goes further to say that despite South Africa’s relative wealth and a developing modern economy, economic growth has not yet benefitted the majority of the country’s poor communities. South Africa remains one of the most socially unequal countries in the world. It appears that, since 1994, economic growth has been associated with growing poverty and increasing exclusion of the poor from the mainstream of the market economy.

Unless the challenges that clearly undermine service delivery are addressed, the SAHRC cautioned that it will be impossible to achieve the full realisation of the rights promised by the Constitution. The disconnection between the legal framework governing access to housing and general service delivery, and the lack of effective implementation of policies giving effect thereto, has led to the cycle of poverty and inequality, in addition to the reinforcement of marginalisation and exclusion of poor people.

8. FINDINGS AND RECOMMENDATIONS

This section outlines the key findings from the analysis of the Free State’s progress in providing basic services to its residents and makes recommendations for improving the effectiveness of basic service delivery in the province.

8.1 Key findings

The Free State Province had an above average per capita income of R56 444 in 2018, up from R43 392 in 1996. South Africa’s per capita was estimated at R54 099 in 2018. The proportion of the population in the province living below the food poverty line is below the national average at 27.8%, although much higher than 18.7% and 20.3% recorded for Western Cape and Gauteng respectively. What is encouraging is the decrease in the share from 31.1% in 1996 to 27.8% in 2018. The province’s poverty gap decreased from 36.2% in 1996 to 31.2% in 2018. The gini-coefficient of 0.62 in the Free State is below the national average of 0.63, but still considerably high by international standards. The province’s economy grew by an average of 1.5% between 1996 and 2018, compared to the country’s average of 2.5%. Free State’s economy was traditionally

rooted in the primary sectors; the result of a wealth of mineral resources and favourable agricultural conditions. But recent decades have seen a structural shift in output towards the tertiary sectors. The provincial economy has become heavily reliant on the community services sector, as the sector accounts for about 27.8% of employment, and about 25.1% of GDP. Government is the province's largest employer and has supported the labour market during the recovery of the economy post the 2009 economic recession. The Free State's economy is services-driven as the tertiary industries constitute two-thirds of the province's GDP.

Municipalities are the engines of the Free State's economic growth, and are also the main destinations for rural-urban and urban-urban migrants. Growing constraints on economic growth and municipal revenues wield pressure on financial resources available to municipalities in order to discharge their responsibilities. Stagnation of local economies places increasing burdens on national revenue collection, and affects transfers to provinces and municipalities. Economic stagnation also negatively affects economic opportunities and income growth. The approach to the development and growth of local economies is therefore critical to the country's future development path. This will require continued and sustained focus on economic and social strategies at a local level.

The provision of sufficient, affordable and quality basic services is considered a core function of municipalities in South Africa. Delivery of services (water, sanitation, electricity and refuse removal) correlates closely with the health and well-being of citizens. Governments at all levels play important roles in service delivery, regulating, facilitating and collaborating with other stakeholders and institutions. National governments set the policy framework, transferring resources to local government for implementation. Primary responsibility for the provision of basic services usually rests with the respective municipality, even if delivery of services is outsourced to the private sector or NGOs. Urban governance for basic services covers the full range of arrangements through which governments and other stakeholders work together to install, deliver and manage services.

Notwithstanding the notable achievements of the Free State government on increasing access to basic services over the 22 years under review, the province's municipalities still bear the spatial legacy of Apartheid social engineering. The government has not met its target of universal access to at least a basic level of water, sanitation, electricity and refuse removal services by 2014.

In 1996, an astounding 33% of the households in the province had no access to electricity. This figure declined to just 7% in 2018, decreasing by a staggering 26 percentage points. Despite this notable improvement, it is still a concern that 7% of the households in the province have no access to electricity. As of 2018, 93% of the Free State's households had access to electricity; 3% had access for lighting only, while 90% had access for lighting and other purposes.

In 1996 only 35% of households had piped water inside their dwelling. However, this has increased by 9 percentage points to 44% in 2018. During this period, the share of those with no formal piped water decreased from 7% to 1%. Those with piped water in the yard increased from 36% in 1996 to 46% in 2018.

There has been a recorded increase in the number of households with access to flush toilets across all districts in the Free State. The share of households with hygienic toilets has increased consistently in the Free State during the review period, from 51.3% in 1996 to 83.5% in 2018; an increase of 32.2 percentage points.

The share of weekly refuse removal by authority has increased by 15 percentage points, from 60% in 1996 to 75% in 2018. The share of households with no refuse removal has halved during the review period, from 8% to 4%. Personal removal remains significantly high at 16% in 2018, although it declined from 25% in 1996. The province still has a significant number of households with no formal refuse removal, estimated at 199 555 or 22.5% in 2018.

It can be concluded from the evidence presented above that government has fallen short of providing universal access to basic services due to various challenges in the local government sphere. For some municipalities in the province, the task is that much more difficult as they have a high rate of indigency and very little revenue raising potential, thus are reliant on grant funding from the other spheres of government (national in particular) to deliver on its developmental mandate. In some cases, municipalities are simply unreasonably expected to deliver far too much with very limited capacity or financial resources. Recent reports by SALGA indicate that some do not have the money to carry out service delivery plans due to unfunded municipal budgets. This was also confirmed by the Auditor-General (AG) on the audit outcomes for local government for 2016-17, published on 23 May 2018. The AG painted a dismal picture of the state of municipalities. Their level of non-compliance with proper financial controls is at its highest in five years. Municipalities are not paying their debts because they do not have the money to do so, owing Eskom and water boards billions. The AG indicated that 31% of municipalities conceded that they might not be able to continue operating.

The AG also highlighted governance and accountability challenges, stressing that accountability continues to fail in local government, with glaring governance, leadership and oversight lapses at municipal level contributing immensely to undesirable audit results. There was a 75% increase in municipal irregular expenditure, from R16.2 billion in the previous year to R28.3 billion in the 2016/17 financial year, the year under review. Fruitless and wasteful expenditure amounted to R1.5 billion, a 71% increase from the previous year.

Some of the other challenges identified from literature are, amongst others:

- Proper governance and budgeting, particularly in the implementation of and spending on projects;
- Capacity and skill (both in the sense of having the adequate knowledge as well as a high vacancy rate in municipalities);
- Transparency in hiring external contractors and in holding contractors accountable for the quality of services delivered;
- Understanding or implementation of a human rights-based approach to service delivery in respect of transparency and public participation;
- Monitoring and evaluation of projects implemented by local government; and
- Monitoring and evaluation of the utilisation of funds allocated to local government.

- Unfunded mandates, where municipalities are not funded or receive very little funding for services such as housing, library services, tourism, welfare services and support for the Commission.
- Financial viability: the demarcation process has resulted in some municipalities not having an economic base and being financially viable (Reddy 2010:82). They are dependent on grants from other spheres of government.
- Legal compliance: there is a compliance-driven governmental approach as opposed to a service delivery one. Quite often, there are First World standards and Third World competencies, resources and needs. It has been difficult for municipalities to comply with prescripts.
- Sound fiscal discipline is not compatible with deficient political leadership. As long as 'cadre deployment' is practiced and municipalities are forced to practice financial discipline, the financial future of municipalities will remain bleak.
- Guiding local economic development to address unemployment and poverty alleviation: there is no money for LED projects and additional work should be channelled to emerging service providers through the supply chain management system (See Reddy & Wallis 2015b).
- Establishing an investment-friendly environment: through cheap land, concessionary tariffs and tax holidays (Zybrands 2012).
- The inhibiting factor which influences the nature and scope of municipal services is the limited ability of citizens to pay for services, not discounting the intrinsic culture of non-payment for services.

8.2 Recommendations

Accelerate inclusive economic growth

Economic growth is the only mechanism through which sustained household income growth and new economic access can be realized. Even though poor urban form is a constraint to inclusivity and equity, other spatially neutral interventions may have greater impacts on equity than spatial targeting. Most importantly, local economies are the catalysts and drivers of the province's economy, and local economic growth must be seen as the key catalyst to local transformation and equity. Creation of new economic opportunities, growth in household incomes, market mobility and municipal revenue growth are critical to spatial equity and access. Furthermore, skills development strategies to improve the ability of the urban poor to access and participate in economic growth are as important. This requires a much greater investment focus on local municipalities' productive sectors, in addition to the current focus on spatial infrastructure and basic services expenditure.

It is a fact that municipalities depend on strong revenue bases to sustain their viability and ability to deliver services to individual households. In situations where these revenue sources are depleted, communities will likely be characterised by high levels of abject poverty and unemployment and also have strong elements of rural and informal economies, resulting in increasing demands for subsidisation and welfare, which are unsustainable. This is evidenced by the escalation of informal settlements which puts pressure on the municipalities to provide free basic services such as water, electricity and housing for the indigents. A free basic service in itself is burdensome and causes

policy failure (Fourie and Valeta 2008:39). These free basic services, especially social grants, have the potential to put South Africa at risk of turning itself into a dependent society.

Faster economic growth will lead to increased employment levels and thus potential for higher revenues for municipalities. Increased revenues when used efficiently will contribute to the provision of basic services.

Improve operational efficiencies

Getting basic municipal functions and responsibilities right is a major potential stimulant of private investment. Improving service delivery, billing processes and responses to customer queries and streamlining key municipal functions all encourage investment. Fast-tracking planning, rezoning and building plan approvals, issuance of rates clearance certificates, and facilitating access to temporary and emergency accommodation to enable renovation and redevelopment of occupied properties also remove important bottlenecks to private investment. Further, transfers of Title Deeds to subsidy beneficiaries will assist to stimulate township property markets. These improved efficiencies will also contribute to accelerated economic growth.

Promote transparency and accountability through public participation

Poor levels of service, interruptions and low coverage are among the problems that undermine quality of life and erode trust in local government (Jones et al., 2014a). Better governance of basic services does not necessarily mean that the government needs to provide all services, but it needs to ensure that the poor can access adequate services. This entails working with service providers (public or private), small-scale vendors, civil society organisations and low-income residents. Moreover, with a number of different government agencies and authorities playing a role in service delivery, coordination between agencies is key.

There is a growing consensus that service providers and those who work with them need to be more accountable to vulnerable groups, otherwise truly pro-poor measures are unlikely to be implemented or sustained (UN-Habitat, 2003). Decentralised, community based and participatory approaches and processes for the design, development and implementation of urban programmes and projects increase the potential for democracy, accountability and transparency and promote local involvement and enablement. This approach will also decrease the number of service delivery protests, as the communities will be part of the process and potential solutions.

Improve financial governance and accountability

Effective and efficient municipal financial management is critical to ensuring value for money in the use of public resources. Sound financial management practices are, therefore, essential for the long-term sustainability of municipalities in South Africa. These practices underpin the process of democratic accountability and good governance. Poor financial management is the cause of the misdirection of resources and it increases the risk of corruption. The Twenty Year Review Report of Local Government 2004–2014 (2014:34) points out that accountability challenges persist in local government.

Municipalities should improve financial management, reduce debtors and introduce innovative revenue enhancement measures. Through this, long-term fiscal sustainability and predictability for planning and capital investments will be improved. To directly address their financial management challenges, with a particular focus on own revenues, municipalities must be provided with ongoing support and incentives.

Ensure and enforce consequence management for poor performance and transgression of local government regulations that lead to unauthorised irregular, fruitless and wasteful expenditure; and reskill/upskill officials lacking appropriate skills and competencies.

Strengthen/improve partnerships with other state entities and the private sector

In instances where capacity to plan and spend is a concern, municipalities should consider partnerships with other state entities (Eskom and water boards) or with the private sector. The use of public/private partnerships (PPP) remains an untapped financing option for many municipalities. For example, municipal services could be partially or fully outsourced, provided the municipality has the capability for effective contract management and understands that effective PPP agreements are based on a mutual understanding of the risks and costs that are borne by both parties.

Effective leadership

Good leadership in terms of the Batho Pele Principles is an essential element of successful organisations. Staff training and development is crucial because skilled staff have got expertise, are capable and confident and got vision, so that in return the people that are recruited to the organisation have the necessary skills, necessary expertise, they share in values of the organisation, they are willing to go out and do things, and that is one of the ways you can enhance service delivery. Employee skills development programmes and training contribute to employees' satisfaction and skills retention in the municipalities (HSRC, 2015)

9. CONCLUSION

A major priority following the ushering in of a democratic government in 1994 was addressing the developmental backlogs, particularly at the local sphere of government, pertaining to access to basic services by all irrespective of race. However, two decades on, the issue of basic services delivery is a very contentious topic that is high on the municipal agenda provincially and nationally. Uneven economic development, residential segregation based on income and race and peripheral and poorly serviced low-income townships are still dominant features of cities in the Free State and the country at large.

It is apparent that the Free State continues to face difficulties in the delivery of basic municipal services. Although there has been grave improvements in the provision of basic services, universal access remains a challenge in the province. Poor socio-economic conditions in the province exacerbate the problem, together with financial governance challenges within the municipalities. Sound political management is key to enhanced municipal service delivery and ultimately good local governance.

Free State municipalities have a long to road to travel to ensure that municipal services are equitable and accessible for all local residents and all municipalities achieve and fulfil their objectives and duties as per their mandate.

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