Community management has a critical role to play in water services’ delivery in South Africa. National policy, best practice case studies and support programmes all point to this. There are also numerous examples of community-managed water schemes which are successful and sustainable. So why are municipalities looking at other institutional options for their rural areas? What is making community management so difficult to implement in the South African context?

After piloting a community-management approach, Alfred Nzo District Municipality embarked upon an ambitious programme to scale up community management to over 800 villages across the district area. However, despite establishing a number of community-based organizations (CBOs) as water services providers, and delivering water services to previously unserved rural communities, the municipality is facing difficulties in its efforts to scale up. These constraints relate primarily to the legislative framework for local government and water services that impact on community management.

The Water Services Act (1997) establishes the institutional arrangements for water services provision where it differentiates between the water services authority and the water services provider (see Figure 1). The municipality is the water services authority and therefore retains the overall governance function for water services, including decisions related to tariffs, levels of service and institutional arrangements. The municipality can either fulfil the water services provider functions itself, or it can contract another entity to fulfil this role.

The governance role of municipalities limits the decisions and level of control that communities can exercise over the provision of water services and therefore it affects the extent to which water schemes are community managed.

A further piece of legislation, which has greater implications for community management, is the Municipal Systems Act (2000) which addresses amongst other issues the process of appointing service providers. Since CBOs are not defined as an organ of state, they are subject to competitive bidding. This means that CBOs cannot be part of the process of implementing capital projects since a municipality cannot facilitate and pay for the establishment of CBOs on the one hand and yet subject them to competitive bidding on the other. In addition CBOs by their very nature, being nominated or elected by the community, will not have the competitive edge in terms of skills, expertise, institutional capacity and access to resources.

The Alfred Nzo District Municipality Case

Alfred Nzo District Municipality is one of the poorest district municipalities in South Africa. The population of the municipality, which is estimated at 800 000 people, is predominantly rural and spread across 881 villages. Less than 10 per cent of the population has access to basic water and sanitation services. Since 98 per cent of the rural population is classified as poor, they are entitled to free basic water.

The institutional model that Alfred Nzo District Municipality developed for scaling up consists of CBOs that are supported by support services agents (SSAs) (see Figure 2). The model was selected as the most appropriate option since it brings operations to the village level and other institutional options were found to be financially unviable.
The CBO–SSA model

The CBOs fulfil the role of water services provider and are responsible for the operation and management of schemes. The role of the SSAs is to: establish the CBOs so that they have a legal status; to provide training and capacity building so that the CBOs have the necessary skills and systems to fulfil their function as providers; and to provide ongoing mentoring and support to the CBOs, such as procurement of materials and major maintenance and repairs.

This model was piloted in 33 villages and is being scaled up to all the villages in the district municipality area. The municipality contracted three SSAs, each covering a specified area within the district, and comprising partnerships between NGOs and private companies. The NGOs address functions related to community management and the private companies address technical functions. Whilst in the longer-term the municipality aims to reduce the role of the SSAs, they are recognized as being integral to the success of scaling up and will remain part of the institutional arrangement.

Although the CBO–SSA model has been successful in achieving community operation, and to some extent community management of the water services, the implementation of the model did not fully address various legislative requirements, particularly related to the selection of CBOs as water service providers. As a result, the municipality attempted to identify institutional models that would better comply with legislative requirements. They tried to get members of the community to form groups to compete against each other in order to comply with the ‘competitive tendering’ requirement of the legislation. However, this went against the fundamental principles of community management – causing conflict rather than creating a representative structure – and it was a significant deviation from the original participatory model that worked in practice.

Attempts to comply with legislation have also slowed down the formalization of community management arrangements. The arrangements have remained ‘interim arrangements’ with complexities concerning the spread of risk between the parties. This has meant that it is unclear who would be responsible if things went wrong, for example, if a community fell sick as a result of poor water quality or a cholera outbreak, or if an operator was hurt while performing a task. The SSAs were paying the CBOs and therefore it could be argued that the SSAs were ‘sub-contracting’ the CBOs and were thus responsible for the CBOs. However, the SSAs were paying the CBOs ‘on behalf of the municipality’ and a contract should have been in place between the municipality and the CBOs.

Given the problems experienced by the Alfred Nzo District Municipality, to what extent should municipalities comply with legislation that impedes the delivery of basic services to poor rural communities? In the context of huge backlogs and the urgency of delivering basic water services to rural areas, it is argued that municipalities should assess risk in terms of how they interpret and apply legislative provisions, rather than attempting to comply with provisions that will undermine service delivery.

The most important criterion against which any service provision model should be assessed is whether it works or not. While there are legislative constraints to scaling up through the CBO–SSA model, it is clear that it works for the rural communities across the Alfred Nzo district area.

References


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