

EDITORIAL: Only political will can fix councils

Greater clarity in the relevant laws and more nannying by national government are steps in the right direction — but the main problem is cadre deployment, and the African National Congress needs to acknowledge that

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THE constitution sets out different roles for the provincial and municipal tiers of government. The former is largely a planning and oversight structure that should focus on producing enabling legislation and supporting local authorities. The latter is supposed to be the primary vehicle of policy implementation, the arm of the government that is closest to the coalface and should be the main deliverer of essential services.

It is because service delivery is so heavily dependent on the competence and capacity of local authorities that the Municipal Finance Management Act obliges the central government to step in if the responsible provincial administration is failing to fulfil its oversight role. If people do not have access to clean water, housing waiting lists are being fiddled or billing systems are dysfunctional, intervention needs to be swift if chaos is to be avoided.

In contrast, the Public Finance Management Act, which governs the way national and provincial funds are used, makes the National Treasury jump through a few more hoops before it can place a province under administration — it has to be clear that the provincial authorities are either unwilling or unable to sort things out, and the first step should be to offer assistance rather than to take over.

Of course, if a province is failing to perform its constitutional mandate, it is likely that the municipalities within its borders will struggle too. It is partly for this reason that the Financial and Fiscal Commission — after assessing the recent national interventions in Gauteng, Limpopo and the Free State — has recommended that the Public Finance Management Act be amended to give central government more powers to intervene quicker.

The commission's acting CEO, Bongani Khumalo, says more provinces would have been subject to intervention had the law been clearer, and leaving anything to the discretion of national government officials makes the process "more open to subjective decisions" and delays — another way of saying that politics has a habit of getting in the way.

The latest report on municipal finances from Auditor-General Terence Nombembe makes it clear why things have to change: the deterioration in the quality of financial management at local government level continues apace, and there is no sense in sticking to the status quo if it is not working. Apart from tweaking the law to clarify responsibilities, the problem areas identified by Mr Nombembe suggest a number of other interventions that could be part of the solution.

The key obstacles to more municipalities receiving unqualified audits are apparently weaknesses in supply chain management, which expose administrations to tender fraud; poor human resource management, which means underqualified or corrupt people are all too often taking critical decisions; and a lack of sound information technology systems, which means controls are inadequate.

In provinces that have the capacity, treasuries should certainly be working more closely with municipal financial officers to help address control weaknesses. The National Treasury's move to appoint a chief procurement officer and a unit to monitor supply chain management is also a step in the right direction. Ensuring that proper procurement and transactional processes are followed is one area where a bit more nannying by the state is welcome.

However, the nub of the problem is a lack of skills and accountability, and fixing that demands political will. It is clear that cadre deployment is a direct cause of many of the problems local

government is experiencing, and that will change only when the African National Congress is prepared to acknowledge it. Until then, Finance Minister Pravin Gordhan can talk about consequences and accountability until he is blue in the face but the culture of impunity will remain.

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