



In 2010 the Social Justice Coalition (SJC) launched the Clean and Safe Sanitation Campaign to compel the Cape Town City Council to properly maintain existing toilets and also provide additional clean and safe sanitation facilities in informal settlements. SJC's campaign had several achievements, including the introduction of a janitorial service for regular maintenance of flush toilets and standpipes. To achieve these gains, SJC relied on a multifaceted approach including extensive research, a legal strategy, media publicity targeting both poor and wealthy communities, protest, and some budget work.

Photo courtesy of David Harrison

The following case study update describes progress in the Social Justice Coalition's (SJC) Clean and Safe Sanitation Campaign (CSSC) designed to improve access to basic sanitation in the informal settlements of Cape Town, South Africa. This is a summary of a more in-depth update prepared by Neil Overy as part of the Learning Program of the International Budget Partnership's Partnership Initiative. The PI Learning Program seeks to assess and document the impact of civil society engagement in public budgeting.

Download a PDF of the complete case study at <http://internationalbudget.org/publications/sjc-pushes-for-access-to-sanitation-in-informal-settlements-in-south-africa/>.

## UPDATE NOVEMBER 2013

### SOUTH AFRICA: CAMPAIGNING FOR SANITATION JUSTICE

After rapid impact, the Social Justice Coalition's (SJC) Clean and Safe Sanitation Campaign (CSSC) encountered unexpected resistance and poor performance by the City of Cape Town. The partnership that quickly developed between the City and the SJC had resulted in the introduction of an innovative daily janitorial service for flush toilets in informal settlements. The janitorial service, which later received R26 million (US\$3.2 million) worth of funding from the city, was not only a victory for the SJC but also the first service of its kind in South Africa.

After establishing the janitorial service, the City failed to put in place some of the basic prerequisites for it to operate successfully. When the SJC brought some of the problems it had uncovered through monitoring the service to the City's attention, the coalition encountered unexpected resistance. Despite the City's hesitance to release information about the service and their frequent media attacks on the SJC, the CSSC has continued to wrench incremental reforms from the City, such as the mayor's recent announcement of the "Know Your Community, Know Your Contractor" initiative, which aims to

assist communities in holding private service providers to account. This update of campaign activities shows the need for continued monitoring of government services, even after impact has been achieved. It also shows how shifts in the political landscape can impact negatively on relationships with sympathetic insiders in government.

### THE ISSUE: INFORMAL SETTLEMENTS AND SANITATION

Cape Town is South Africa's second largest city with an estimated population of 3.7 million. Over the last 10 years, the city's population has grown by 21 percent and is expected to reach 4.2 million by 2031. Its rapid growth is largely due to the "in-migration" from other parts of South Africa of mostly poor, young South Africans looking for work. The relative poverty of most migrants means that they are not able to purchase or rent formal housing when they arrive in the city, and government housing programs meet only a fraction of the demand. As a result, informal settlements continue to grow at a rapid pace. According to the most recent estimates, there are now 230 informal settlements in the city, containing over 194,000 households, or about a quarter of the city's population.

A lack of access to water and basic sanitation in such informal settlements remains a serious problem for residents. The City of Cape Town (often simply referred to as the City) has estimated that 400,000 residents lack access to basic sanitation in the informal settlements, but the SJC argues that the real figure is much higher: that the City's calculation has disregarded the uneven distribution of toilets, ignored the large number of toilets in disrepair, and unfairly included toilets that do not meet the minimum requirements of "basic sanitation."

Sanitation is an important issue to residents for a variety of reasons. Access to basic sanitation is a matter of basic human dignity and a right of all South Africans as enshrined in the Constitution. It is also an important health issue, especially for children. According to UNICEF, among children under 14, more than 20 percent of deaths and disabilities in South Africa are attributable to unsafe water, inadequate sanitation, or insufficient hygiene.

Furthermore, the SJC discovered that sanitation is intimately linked to *safety* and *security* in the settlements. The SJC collected testimonies from numerous residents about assaults, rapes, and murders that occurred because residents are forced to relieve themselves in isolated areas far from their homes.

## THE CAMPAIGN

The SJC describes itself as a grassroots social movement committed to making government accountable. It has a total of 1,500 members, all based in the township of Khayelitsha, which lies on the southeastern edge of Cape Town. Through its efforts at education, policy advocacy and research, and community organizing, it tries to promote what it calls *active citizenship*, building leadership skills from within the ranks of its members. The SJC also works both sides of the fence on issues: organizing protests and public demonstrations while simultaneously collaborating with government officials to design policy solutions. In this regard, the SJC shares some similarities with the Treatment Action Campaign (TAC), which is known, among its many accomplishments, for compelling the South African government to develop and implement a national plan for the distribution of anti-retroviral drugs for people living with HIV/AIDS. The similarity of style is not a coincidence. Zackie Achmat, the high-profile South African activist, was the driving force behind the creation of both movements.

The SJC prides itself on setting its agenda from the bottom up, so when its members indicated sanitation as one of their priority concerns, especially with relation to security issues, it decided to formulate a campaign, which it later called the Clean and Safe Sanitation Campaign (CSSC). From the outset, the SJC sought partnerships with other sections of civil society for the CSSC. To this end, the SJC hosted the Cape Town Sanitation Summit that was attended by over 100 delegates representing 60 partner organizations and both major political parties in Cape Town. This summit was a major part of the SJC's efforts to form a broad alliance of organizations committed to improving access to sanitation.

After the introduction of the much lauded janitorial service, the SJC immediately started to monitor the quality of services

that community members actually received. In September 2012 their first report revealed that:

- The janitor-to-toilet ratio was unbalanced. In some areas of Khayelitsha two janitors were servicing only 13 toilets, whereas in other areas three janitors were expected to service 2,663 toilets.
- No janitors had signed copies of their contracts, and many did not know how long their contracts were for.
- Very few janitors were given uniforms or received any protective gear, cleaning implements or cleaning chemicals, or any basic training, let alone training on how to undertake basic repairs.
- Many toilets remained in a state of disrepair despite reports of problems from janitors to the City. There also had not been any community engagement about the service with residents.

After some initial bluster in the media, the mayor met with the SJC, apologised to all "affected communities," and acknowledged that there had been a number of problems with the janitorial service. She observed that there had been insufficient monitoring of the outsourced service, an inadequate supply of uniforms and protective clothing, a lack of training, and no provision had been made for community consultation about the service. She announced that, in consultation with the SJC, a number of remedial actions would be undertaken:

- All health and safety requirements of janitors would be addressed (including protective clothing).
- Social facilitation and communication with communities would be improved.
- The contents of "Service Delivery Agreements" with contractors would be made available to the public so they could "assist the City in monitoring their performance."
- Khayelitsha would become a pilot area for the scheme, which would be rolled out to other informal settlements within two months.

When these commitments also failed to translate into substantial improvements in the service, the SJC decided to undertake a social audit exercise in collaboration with the International Budget Partnership (IBP) in order to assess the compliance of the largest private supplier (called Mshengu) of chemical toilets in Khayelitsha. Mshengu has a R165 million (US\$18.4 million) three-year contract to service 4,500 chemical toilets in Cape Town. In order to conduct the social audit, the SJC requested the following documents from the City:

- an up-to-date and signed copy of the SDAs between the City and the company, including all appendices;

- copies of all invoices related to the SDA provided by the company to the City;
- copies of all proof of payments made by the City to the company; and
- delivery notes that serve as proof of delivery of chemical toilet units.

The City was slow to respond and only provided fragments of the necessary information after repeated requests. The SJC ultimately had to resort to South Africa's Right to Information legislation.

Despite the scanty information provided by the City, 60 SJC members and residents of Khayelitsha, assisted by representatives from the IBP, undertook a social audit of the chemical toilets in four different areas of Khayelitsha in April 2013. According to the information received from the City, there should have been a total of 346 chemical toilets in the four areas inspected. However, only 256 toilets were found, meaning that 90 (26 percent) of the toilets were missing. Of the 256 which were found, 170 (66 percent) were damaged, while 138 (54 percent) were found to be in an unusable state, and none were properly secured to the ground as required by the contract between the City and Mshengu.

The findings of the social audit were presented to the City, the media, and a wide array of other stakeholders. Extensive media coverage followed, as well as preliminary inquiries by the South African Human Rights Commission. Predictably the City responded to the social audit by attacking the SJC's *bona fides* and technical competency. Despite this public resistance, the City again conceded tacitly by introducing the "Know Your Community, Know Your Contractor" initiative a few weeks later.

Despite the recurring nature of the problems with the janitorial service, the City appears to have made a long-term financial commitment to it. Additional funds were directed toward the service as part of the City's adjustments budget in January 2013. In this budget an additional R11.4 million (US\$1.3 million) was allocated to the service. The City's draft budget, released in March 2013, highlights 11 "strategic areas as focal points," one of which is described as "backyarder and Janitorial Services." The draft budget includes an allocation of R86 million (US\$9.6 million) – made up of operational and capital expenditures – directed to "backyarders and Janitorial Services," although it does not indicate how much is specifically allocated to the janitorial service. The mayor of Cape Town stated that this specific allocation "will continue to rise over the Medium-Term Revenue and Expenditure Framework and is indicative of our commitment to delivery on our electoral mandate and to improve the quality of life for a substantive section of our population."



## TACTICS FOR CAMPAIGNING FOR BETTER SANITATION IN INFORMAL SETTLEMENTS

- Forming a broad coalition that includes civil society organizations, health professionals, and religious leaders
- Training local residents in social audit and budget analysis methodologies
- Producing simplified pamphlets and guides to budget reading and analysis
- Monitoring the Janitorial Service and reporting problems to the City
- Requesting public service contracts to monitor their implementation and using the media and the threat of legal action when officials are reluctant to be transparent
- Conducting a social audit of janitorial services provided by the City and publishing the results in the media

## CHANGES DUE TO THE CAMPAIGN

The campaign can claim a few small but important victories.

Initially, it was instrumental in getting approval and funding for the janitorial service for public toilets in informal settlements. Not only does the service promise the regular maintenance of thousands of flush toilets and standpipes in Cape Town's informal settlements (and the health benefits that will accrue from this) but it also provides 500 jobs for Cape Town's unemployed. The establishment of the service was also an important symbolic victory for informal settlement residents, who feel they have been treated more like refugees than citizens.

While it is hard to make a direct connection to the CSSC, the City has made substantial new and medium term commitments to sanitation and janitorial services in informal settlements. As a minimum, one can claim that the SJC's campaign kept these issues on the public agenda and sustained pressure on the City to at least be seen to be doing something about this issue.

The timing of the mayor's announcement of the "Know Your Community, Know Your Contractor" initiative also suggests that the SJC's social audit played a large role in motivating her to do so. The City's failure to follow through on other commitments to provide and publish information, however, does cast doubt on the likely effectiveness of this new initiative.

Despite the immense efforts that it required, the release of parts of the SDAs and other pieces of information was another valuable outcome. Again the *ad hoc* nature of this "win" limits

its benefit to broader society. While the ultimate goal must be routine publication of a wide range of budget and service delivery data, such smaller prompts to release some of this information may help create the momentum needed for more systematic reforms.

Lastly, and over the long term perhaps most significantly, the work of the SJC has continued to train and empower a growing group of marginalized poor to hold the City to account for the performance of its legally and constitutionally mandated functions. In the short term improvements in service delivery are important, but such improvements will only become sustainable if a larger cross section of the poor and marginalized can find ways of keeping the pressure on government to deliver services.



### OUTCOMES OF THE CAMPAIGN FOR IMPROVED SANITATION SERVICES IN CAPE TOWN'S INFORMAL SETTLEMENTS

- The introduction of the Janitorial Service
- Large short- and medium-term funding increases for the provision of sanitation and janitorial services
- Introduction of the “Know Your Community, Know Your Contractor” initiative
- Release of a large amount of data about the delivery of subcontracted sanitation services
- Training of community members in social audit methodologies

## CONCLUSIONS

The SJC-led campaign for improved sanitation services in informal settlements in Cape Town has been successful in a remarkably short period of time. The SJC's legitimacy with its members, its ability to garner support from a broad swath of civil society groups, and its exceptional communication skills are all credited for its achievements.

However, the story of the CSSC also illustrates that organizations involved in budget work need to commit resources and energy not just to modifying budget allocations but also to monitoring how these changed, or how new budget allocations are influencing the social justice issues that precipitated campaigning in the first place. The CSSC case also demonstrates how relationships with stakeholders, such as the City of Cape Town, are dynamic and can quickly change. This case study shows how a relationship characterized as a “partnership” (by both the City and the SJC) has changed within a period of months to one where the City will no longer meet with the SJC.

Despite these political shifts, the SJC has found other ways to keep the pressure on the City and wrench further concessions despite the City's obstructionist tactics.

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