

## Study No. 11: UPDATED November 2013

### The Social Justice Coalition and Access to Basic Sanitation in Informal Settlements in Cape Town, South Africa

Neil Overy

#### Introduction

In July 2012 South Africa's Ministerial Sanitation Task Team, established by the Department of Human Settlements in July 2011, finally published its report on the state of sanitation in the country. In this report, the head of the task team, Winnie Madikizela Mandela, said, "I can unequivocally state that we have a serious problem [with sanitation] that threatens to have a negative impact not only on the health of this nation but on the very democratic culture we aspire to build."<sup>1</sup> While the report itself has little to add to our understanding of sanitation problems in South Africa, it highlights the continued high level of public interest in sanitation backlogs. Public frustration at sanitation backlogs was dramatically demonstrated in Khayelitsha on 18 April 2013 when a truck carrying chemical toilets was torched by angry residents demanding permanent toilet facilities.<sup>2</sup> While this public dissatisfaction is national in scope it is particularly prevalent in Cape Town because of the continued work and advocacy of the Cape Town-based community membership social movement, the Social Justice Coalition (SJC), and its ongoing Clean and Safe Sanitation Campaign (CSSC) which it launched in 2010.

Since the publication of the previous report on the SJC's CSSC there has been significant progress in certain areas and substantial setbacks in others.<sup>3</sup> In terms of progress, the SJC has compelled the City of Cape Town (the City) to provide it with a number of contracts (Service Delivery Agreements, or SDAs) signed between the City and private service providers for the provision of sanitation services in informal settlements. This information has enabled the SJC to begin assessing the performance of service providers against their contractual commitments. As a first significant step in doing so the SJC recently undertook a comprehensive social audit which assessed the provision of chemical toilets in certain sections of Khayelitsha. The publicity generated by this process appears to have resulted in the Mayor of Cape Town announcing a new initiative called "Know Your Community, Know Your Contractor," which aims to assist communities in holding private service providers to account. Progress has also been made in regard to budget training and information. The SJC has undertaken a number of budget

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<sup>1</sup> Winnie Madikizela Mandela, "Review, Investigation and Evaluation of the National Sanitation Programme – Toward Continuous Improvement," Ministerial Sanitation Task Team Report, Department of Human Settlements, July 2012, p. 10. Available at: [http://www.dhs.gov.za/uploads/reports/Sanitation\\_Task\\_Team\\_Report\\_July2012.pdf](http://www.dhs.gov.za/uploads/reports/Sanitation_Task_Team_Report_July2012.pdf)

<sup>2</sup> "Porta loos" Torched in Service Protest, News 24, 18 April 2013, <http://www.news24.com/SouthAfrica/News/Porta-loos-torched-at-service-protest-20130418>.

<sup>3</sup> The first report was published in March 2013 and is available here: <http://internationalbudget.org/wp-content/uploads/LP-case-study-SJC.pdf>

workshops with community members, more are being planned, and budget materials have been published and distributed.

The SJC has been less successful in gaining access to detailed information relating to the allocation of funds by the City for sanitation provision. The City remains unwilling, or unable, to supply the level of detail necessary for the SJC to fully assess the funding of sanitation projects in informal settlements. The City's failure to provide this information is perhaps the result of an apparent breakdown in the relationship between it and the SJC since the beginning of 2013. Since January 2013 the City has refused to meet directly with the SJC to discuss its campaign. Due to the City's refusal to grant this researcher a meeting, the reasons why it has stopped engaging with the SJC are not known. The change in attitude may be related to ongoing difficulties with the Janitorial Service (JS), which has been plagued with problems since its introduction in May 2012. Problems that the SJC has continually brought to the attention of the City and the residents of Cape Town.

The CSSC was launched in 2010 in response to community concerns about a lack of access to basic sanitation facilities in Khayelitsha. The campaign has two main objectives: 1) to ensure that the toilets that do exist are “adequately maintained, monitored and coordinated,” and 2) to pressure the City to deliver “clean and safe sanitation facilities ... within a reasonable timeframe” to all the informal settlements of Cape Town.<sup>4,5</sup> The SJC seeks to meet these objectives via the introduction of a JS and its Imali Yethu Project.<sup>6</sup> The Imali Yethu project seeks to:

- promote public engagement with government budgets;
- ensure that government adequately allocates funds to the needs of marginalized communities; and
- monitor the implementation of allocated funds.

The project has three core components: education and capacity building; research and advocacy; and community-based monitoring. Given these overall objectives, the SJC's CSSC has concentrated on four highly interrelated areas:

1. The Janitorial Service - the SJC successfully campaigned for the introduction of a janitorial cleaning service to clean flush toilets in informal settlements.
2. Access to Service Delivery Agreements - the SJC also sought access to the SDAs signed between the City and private service providers contracted to deliver sanitation services. By gaining access to the SDAs, the SJC seeks to use its members and community members, in general, to assist in assessing whether the commitments in the agreements are being met by the service providers.
3. Budget Training, Information, and Advocacy - the SJC promotes active citizenship through education, policy, and research. To this end it undertakes budget training

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<sup>4</sup> The metropolitan authority that is responsible for governing Cape Town is popularly referred to as “the City” by residents and activists. This convention will be followed in this report.

<sup>5</sup> “SJC Meets with Mayor of Cape Town to Discuss Access to and Quality of Sanitation in Informal Settlements,” SJC Media Release, 18 July 2012. Available at:

<http://www.politicsweb.co.za/politicsweb/view/politicsweb/en//page71656?oid=259319&sn=Detail&pid=71656>.

<sup>6</sup> Imali Yethu means “Our Money” in Xhosa, the predominant language spoken in Khayelitsha.

activities with both its members and members of the wider community, and budget advocacy activities via the media.

4. Securing Sanitation Spending Figures - to encourage transparent and accountable city governance and to inform its budget work, the SJC seeks detailed information from the City on how much and how it spends public funds allocated for the provision of sanitation services.

By concentrating on these four areas the SJC advocates for both short- and long-term change. The campaigns for access to SDAs and for the JS address the more immediate needs of the community. The budget training and sanitation spending campaigns look to foster more systemic long-term change both at the community and city level, by empowering citizens to advocate for change and by exerting pressure on the City to re-evaluate its spending priorities.

The following sections of this report explore in detail the impact that the SJC has had through each of these four activity areas since the publication of the previous International Budget Partnership case study of the CSSC. The report also assesses how impact was achieved and looks at a number of factors that continue to have an influence on the efforts of the SJC to advocate for clean and safe sanitation in Cape Town's informal settlements.

## **How Was Impact Achieved? An Update on Clean and Safe Sanitation Campaign Activities**

### *The Janitorial Service*

The launch of the R26 million (US\$2.9 million) JS in May 2012 was hailed by both city government officials and representatives from civil society as a significant step toward addressing sanitation problems relating to communal flush toilets in informal settlements in Cape Town.<sup>7</sup> Despite this, the service has been beset with problems since its inception resulting in limited impact. Within weeks of its launch, reports began to come into the SJC from both its Community Educators and other community members of a number of problems with the service.<sup>8</sup> The sheer volume of these reported problems led the SJC to undertake a three-month monitoring exercise in nine sections of Khayelitsha. This exercise, organized and implemented by the SJC's Community Educators, included observing the condition of communal flush toilets, assessing community responses to the JS via feedback meetings, and holding meetings with janitors. In September 2012 the SJC published its findings, which showed, *inter alia*, 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, such as gloves and masks.

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<sup>7</sup> \$1 = R8.96 as at 13 April 2013.

<sup>8</sup> Community Advocates are now known as Community Educators.

- Janitors were not provided with cleaning implements or cleaning chemicals, as a result little toilet cleaning was actually taking place.
- None had received any basic training, let alone training on how to undertake basic repairs.
- There had been no community engagement about the service with residents.
- Many toilets remained in a state of disrepair despite reports from janitors to the City.<sup>9</sup>

According to the SJC's Gavin Silber, at this stage the service "basically wasn't operating."<sup>10</sup> Upon releasing its report the SJC also noted that the service had ceased to operate in some areas because janitors' contracts had been terminated.<sup>11</sup> While the SJC only published its report in September 2012, all of the concerns listed within it were brought to the City's attention from as early as June 2012. According to the SJC, the City thus had "ample time to respond accordingly." The SJC argued that many of the weaknesses in the JS stemmed from the fact that the City had failed to release a policy document or operational plan setting out how the system was supposed to operate, something that it had been requesting the City to do since June. On 18 September the SJC called on the City, via a media release, to respond to its concerns with the JS and produce the requested documents within 14 days.<sup>12</sup> The SJC's media release received extensive coverage throughout South Africa and prompted varied responses from the City.<sup>13</sup> On 25 September Cllr. Sims (then Mayoral Committee Member for Utilities) argued that the SJC's report contained "misleading conclusions" stating that the organization was ignoring the "great strides" the City had made in rolling out the JS.<sup>14</sup> This defensive tone was not, however, present in a meeting called by the SJC between the Mayor of Cape Town, Patricia de Lille, and representatives of the SJC who met on 1 October to discuss the state of the service. At this meeting de Lille apologized to the SJC, admitted that their assessment of the service was accurate, and confirmed that it was not working effectively.<sup>15</sup> The SJC asked the mayor to apologize to the broader community, which she subsequently did in a media statement released on 3 October 2013.

In a remarkably frank statement the mayor apologized to all "affected communities" and noted that there had been a number of problems with the service. She observed that there had been insufficient monitoring of the 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 noted that, in consultation with the SJC, a number of remedial actions would be undertaken:

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<sup>9</sup> Monitoring of the City of Cape Town's Janitorial Service for Communal Toilets in Informal Settlements, Social Justice Coalition, September 2012, pp. 14-15.

<sup>10</sup> Interview with Gavin Silber, Khayelitsha, 26 February 2012.

<sup>11</sup> "SJC Demands Policy and Plan for City of Cape Town's Informal Settlement Janitorial Service," SJC Media Release, 18 September 2012. Available at: <http://www.health-e.org.za/documents/108997e8bb04d0b3c0970ac1d06f4459.pdf>.

<sup>12</sup> Ibid.

<sup>13</sup> See, "City Janitor Rollout Stinks," *Health-E News*, 19 September 2012, available at: <http://www.health-e.org.za/news/article.php?uid=20033778>; "Has the City's Janitorial Service Been Flushed?" *Ground-Up*, 2 October 2012, available at: <http://www.groundup.org.za/content/has-citys-janitorial-service-been-flushed>; "South Africa's Big Stink," *Cape Times*, 14 November 2012, available at: <http://www.iol.co.za/capetimes/south-africa-s-big-stink-1.1423215>; and "Security at Toilets on City Agenda," *Cape Times*, 14 November 2012, available at: <http://www.iol.co.za/capetimes/security-at-toilets-on-city-agenda-1.1423220>.

<sup>14</sup> "City Slams Janitorial Service Report," *Cape Times*, 25 September 2012, available at: <http://www.iol.co.za/capetimes/city-slams-janitorial-service-report-1.1389510>.

<sup>15</sup> Interview with Gavin Silber, Khayelitsha, 26 February 2012.

- Khayelitsha would become a pilot area for the scheme, which would be rolled out to other areas within two months.
- “Social facilitation and communication” with communities would be improved.
- All health and safety requirements of janitors would be addressed (including protective clothing).
- 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.”

The mayor noted that an “Action Plan” had been drawn up that promised:

- monthly meetings between the Mayor’s Office and all stakeholders;
- a mini-summit (to be held within a month) to develop a policy for the service;
- an evaluation of the service (a baseline survey) in full consultation with the public; and
- the allocation of “additional resources” to assist with managing and “up-scaling” the service.<sup>16</sup>

There are a number of interesting issues with this statement. First, it is not clear what “contractors” or service SDAs the mayor is referring to given that the JS falls under the expanded public works programme (EPWP) from which funds for the service are sourced. Those involved in the service are not privately contracted but are selected on an individual basis from the City’s database of unemployed residents. Second, the statement clearly indicates that no policy document or operational plans existed for the service (seven months into its existence). And, finally, despite the inherent weaknesses, the mayor appears to hold out the promise of additional budgetary allocations to the service.

After the publication of the mayor’s apology there were some limited improvements in the general operation of the JS. The City contracted the Independent Development Trust (IDT) to undertake community facilitation that, according to Silber, resulted in “some marginal improvements” in community engagement around the JS.<sup>17</sup> In addition, janitors were supplied with the necessary tools and uniforms. Silber also notes that regular monthly meetings were held with the Mayor’s Office at which the service was discussed.

While acknowledging these limited improvements, the SJC continued to undertake monthly inspections of communal toilets in the Khayelitsha area and compiled another report that it presented to the mayor on 6 December. This report listed a number of continuing problems with the service:

- No janitors had received copies of their contracts.
- No janitors had received any training in basic plumbing and were still unclear about their roles and responsibilities.

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<sup>16</sup> “Mayor Outlines Improvements to Janitorial Service,” Statement by the Executive Mayor of Cape Town, Media Release, 3 October 2012. Available at:

[http://www.capetown.gov.za/en/MediaReleases/Pages/STATEMENTBYTHEEXECUTIVEMAYOROFCAPE\\_TOWNALD\\_ERMAMPATRICIADELILLEMayoroutlinesimprovementstojanitorialservices.aspx](http://www.capetown.gov.za/en/MediaReleases/Pages/STATEMENTBYTHEEXECUTIVEMAYOROFCAPE_TOWNALD_ERMAMPATRICIADELILLEMayoroutlinesimprovementstojanitorialservices.aspx).

<sup>17</sup> The IDT is a South African government funded agency that offers “development advisory services to government departments.” See, [www.idt.org.za](http://www.idt.org.za). Interview with Gavin Silber, Cape Town, 26 February 2012.

- By 6 December each JS site had been provided with only one set of tools, which janitors were expected to share.
- None of the janitors had received protective items such as gloves or masks.
- Janitors were still not equitably distributed within Khayelitsha. In one section four janitors were responsible for 14 toilets, while in another three were responsible for 128 toilets.
- Community engagement was still inadequate, as some residents still reported that they did not know what the janitors were meant to be doing.

In addition, the report noted that the City had still not produced a draft policy or operational plan, had not shared its baseline survey data with the SJC (which apparently was concluded in December), and had not organized a summit to discuss the service.<sup>18</sup> In response to this report the City assured the SJC that at their next meeting in early January 2013 deadlines would be put in place to address the SJC's concerns, especially as they related to policy formulation and planning. Even with this assurance, at the time of writing the City had refused to engage with the SJC since the meeting in December, despite repeated attempts by the SJC to meet with City representatives about the JS. It is not known why the City is no longer willing to meet with the SJC to discuss the JS. This did not prevent the mayor from noting in a statement in February that the City had identified problems with the JS and was having monthly meetings with "community-based organizations to successfully implement the programme."<sup>19</sup>

In a further development in early March the SJC was compelled to write to the City concerning payment problems for janitors. Many janitors were reporting that they had not received their salaries, while some noted that they had received four times what they were supposed to receive. On 19 March 80 janitors held a protest in Khayelitsha over the nonpayment of their salaries. At this meeting janitors reported to the SJC that they had been told by JS supervisors that JS managers would "book them off" if they spoke to the SJC about these problems. The janitors presented a list of grievances to the City and demanded a response by March 22.<sup>20</sup> The nonpayment of janitors clearly threatens the viability of the entire service.

Despite the recurring nature of the problems with the JS, the City appears to have made a long-term financial commitment to it. Additional funds were directed toward the JS as part of the City's adjustments to the budget in January 2013. In this budget an additional R11.4 million (US\$1.3 million) was allocated "for work done on the EPWP Janitorial Services Project."<sup>21</sup> 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."<sup>22</sup> The draft budget includes an allocation of R86 million (US\$9.6 million) — for both operational and capital expenditures — directed to "backyarders and janitorial services," although it does not indicate how much is specifically allocated to the JS. The Mayor of Cape Town stated that this specific allocation "will

<sup>18</sup> "SJC Update on City of Cape Town Janitorial Service for Flush Toilets in Informal Settlements," SJC, 6 December 2012.

<sup>19</sup> "City Delivers to Poor," Statement by the Executive Mayor of Cape Town, Media Release, 12 February 2013.

<sup>20</sup> "City of Cape Town Must Act to Resolve Non-Payment of Sanitation Workers," SJC Media Release, 19 March 2013.

<sup>21</sup> City of Cape Town Adjustments Budget 2012/13," 30 January 2013, Annexure A, p. 6. Available at: <http://www.capetown.gov.za/en/Budget/Pages/201213-Adjustment-Budget-Jan-2013.aspx>.

<sup>22</sup> Draft Budget for the City of Cape Town for the Financial Period 2013/14 to 2015/16," p. 60. Available at: [http://www.capetown.gov.za/en/Budget/Budget%20201314/1314Budget\\_March2013CouncilMeeting.pdf](http://www.capetown.gov.za/en/Budget/Budget%20201314/1314Budget_March2013CouncilMeeting.pdf). The term "backyarders" refers to residents who have built informal structures in the backyards of City-provided social housing.

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.”<sup>23</sup>

The above account clearly demonstrates that the impact of the JS has so far been limited because it has not been implemented effectively. This has resulted in the service operating only fitfully and in only a few areas of Khayelitsha. These problems seem in large part to stem from the City's apparent failure to develop a comprehensive policy, with concomitant operational plans setting out how the service is to function, despite the SJC's much publicized attempts to gain access to such documentation.

### *Social Audit and Service Delivery Agreements*

The SJC has made significant progress in regard to its campaign to access SDAs. In September 2012, after a period of intensive negotiation with the City, 26 SDAs were given to the SJC. In addition, after the social audit it undertook in April 2013 (see below) the SJC has gained access, via the use of access to information legislation, to detailed information on invoicing and payments between the service provider (Mshengu) and the City. The information was specific to the services (the provision of chemical toilets) that were the subject of the social audit.

In addition, after the social audit the Mayor of Cape Town released a statement on 6 May openly acknowledging that the City had not properly monitored Mshengu to ensure that residents receive “the highest level of basic services at all times.”<sup>24</sup> The statement notes that the City needs to improve its service and that it has taken action to do so by appointing 266 staff members to “improve our efforts to monitor the provision and maintenance of toilets [sic] services across the City.”<sup>25</sup> It further notes that the mayor intended visiting informal settlements to “engage” with residents about the content of SDAs, and calls on communities to be the “eyes and ears of the City.” Lastly, in apparent recognition of the governing regulations, it notes that the City would be making SDAs available on its website and at city facilities, such as libraries.<sup>26</sup> Following from this statement, the mayor announced on 29 May 2013 the launch of a “Know Your Community, Know Your Contractor” campaign. This initiative is aimed “at informing people about their rights and obligations with regards to City services.” On launching the initiative, the mayor announced that she would be holding eight public meetings in different informal settlements in Cape Town to inform citizens about how they can hold “water and sanitation and solid waste management” contractors accountable.<sup>27</sup> Analysts have directly linked the introduction of this initiative with the SJC's social audit.<sup>28</sup>

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<sup>23</sup> Speech by the Executive Mayor of Cape Town on the Occasion of the Presentation of the City's Draft Budget for the 2013/14 Financial Year, Media Release, 27 March 2013. Available at:

<http://www.capetown.gov.za/en/MediaReleases/Pages/CITYDRAFTBUDGET201314.aspx>.

<sup>24</sup> Statement by the Executive Mayor of Cape Town, Patricia de Lille: City Takes Steps to Improve Monitoring of Toilet Services. Available at: [http://www.capetown.gov.za/en/mayor/Documents/DeLille\\_speeches/Statement\\_monitoring\\_toilet\\_services.pdf](http://www.capetown.gov.za/en/mayor/Documents/DeLille_speeches/Statement_monitoring_toilet_services.pdf).

<sup>25</sup> Ibid.

<sup>26</sup> At the time of writing no SDAs had appeared on the City's website.

<sup>27</sup> “Mayor Launches ‘Know Your Community, Know Your Contractor’ Campaign,” 29 May 2013. Available at:

<http://www.capetown.gov.za/en/Pages/CitylaunchesKnowCommKnowContractorcampaign.aspx>.

<sup>28</sup> See, “Council Wants to Show a More Caring Face,” *Cape Times*, 29 May 2013. Available at:

<http://www.iol.co.za/capetimes/council-wants-to-show-a-more-caring-face-1.1523647>.

Despite these positive developments, problems remain. The SJC's Phumeza Mlungwana notes that some of the SDAs they were given by the City had already expired, and none were the final signed agreements entered into between the City and the service providers. Mlungwana also argues that the SJC's, and by extension the communities', ability to hold service providers accountable in terms of SDAs is compromised because it appears that amendments are being made to the SDAs on an informal basis. According to Mlungwana, city officials have indicated to the SJC that certain service providers are not paid for some services that are stipulated in SDAs because these services are not being carried out by service providers.<sup>29</sup>

Mlungwana observes, however, that notwithstanding these limitations, the SJC has made condensed versions of those SDAs, which relate to sanitation service provision in Khayelitsha, available on its website for public scrutiny.<sup>30</sup> In addition, the SJC is currently working with a nonprofit organization called Cell-Life, which uses mobile technology to empower citizens.<sup>31</sup> Cell-Life's Project Lungisa, which is soon to be piloted in Khayelitsha with the support of the City, aims to channel complaints about service-delivery problems to relevant government officials in the City. The SJC is working with Cell-Life to compress information from 10 SDAs into a manageable cell phone format that can be used by Khayelitsha residents. Axolile Notywala, newly appointed Imali Yethu Project Coordinator, recently drew attention to the difficulty in translating complex legal documents into manageable formats for cell phones.<sup>32</sup>

### *Social audit*

Toward the end of 2012 the SJC decided to undertake a comprehensive social audit exercise in collaboration with the International Budget Partnership in order to assess the compliance of the largest private supplier (Mshengu) of chemical toilets in Khayelitsha, which has a R165 million (US\$18.4 million) three-year contract to service 4,500 chemical toilets in Cape Town.<sup>33</sup> To this end 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 to include all appendices;
- copies of all invoices provided by the company to the City related to the SDA;
- 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.

On 26 February the SJC received a three-page fax from the City that contained none of the requested information. In response the SJC approached the City again on 28 February requesting the information. The SJC indicated that if it did not receive the information by 7 March it would be compelled to use South African freedom of access to information legislation (Promotion of Access to Information Act-PAIA). On 1 March 2013 the SJC received a PAIA application form from the City. Three days later it received another letter from the new Mayoral Committee

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<sup>29</sup> Interview with Phumeza Mlungwana, Khayelitsha, 26 February 2013.

<sup>30</sup> Interview with Phumeza Mlungwana, Khayelitsha, 26 February 2013. The contracts have been condensed to make them more user-friendly, without cutting any of the key commitments in them.

<sup>31</sup> See, [www.cell-life.org](http://www.cell-life.org).

<sup>32</sup> Interview with Axolile Notywala, Khayelitsha, 26 February 2013.

<sup>33</sup> The tender document notes that the service provider is committed to cleaning 4,500 chemical toilets, where the service schedule notes a total of 5,014 chemical toilets.

Member for Utility Services, Cllr. Sonnenberg, stating that the SJC's request for information was being considered in the light of the information they were said to have already received.

On 19 March the SJC received sections of a tender document signed between the City and Mshengu. The sections contain information relating to cleaning guidelines, equipment levels, number of chemical toilets per section of Khayelitsha, and their respective monitoring schedules. It also includes information relating to the quantities of waste emptied from chemical toilets in February 2013. It is important to note that the document includes a servicing schedule for all chemical toilets that details which days the toilets should be cleaned in each respective area of Khayelitsha under the contract, and a pricing schedule which indicates how much Mshengu is paid to maintain the chemical toilets. The City argued on 20 March that it had now provided the SJC with "two detailed responses."<sup>34</sup> On the basis of this information the SJC decided to undertake a comprehensive social audit of Mshengu chemical toilets in Khayelitsha.

Between 22-26 April 2013, 60 SJC members and residents of Khayelitsha, assisted by representatives from the International Budget Partnership and the Society for Social Audit, Accountability, and Transparency, undertook a social audit of the chemical toilets in four different areas of Khayelitsha – RR Section, Taiwan/CT, Green Point, and Emsindweni.<sup>35</sup> According to the information received from the City on 19 March, 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, with 63 missing in the Green Point area alone. Of the 256 that were found, 170 (66 percent) were damaged while 138 (54 percent) were found to be in an unusable state. None of the toilets were properly secured to the ground as required by the contract between the City and the service provider. This means that despite the minimum standard being one toilet to every five households, in the four areas inspected this ratio ranged from 10:1 to 26:1 (with an overall average of 18:1).<sup>36</sup>

During the course of the social audit, 270 residents were also interviewed via a questionnaire. Their testimony together with physical inspection also revealed that only 65 percent of the toilets had been serviced (emptied) in the preceding week, even though the toilets are supposed to be emptied three times a week according to the SDA between the City and Mshengu.<sup>37</sup>

The social audit participants also undertook some budget work that revealed how much money the City was paying for each toilet. The information provided by the City in March reveals that it spent R126 million (US\$14.1 million) between November 2010 and March 2013 on the provision of 5,014 chemical toilets. This means that the City spent R25,000 (US\$2,790) per toilet during this period, which is a monthly cost of R800 (US\$89) per toilet.<sup>38</sup> This means that City has, in the areas inspected during the social audit, potentially been paying a total of R72,000 (US\$8,036) a month for toilets that do not appear to exist. If the rate of missing toilets (26

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<sup>34</sup> Chief of Staff in the Mayor's Office, Paul Boughey, quoted in, "Toilet Mess in Khayelitsha – SJC Demands Service Delivery Contracts," *Ground-Up*, 20 March 2013. Available at: <http://www.groundup.org.za/content/toilet-mess-khayelitsha-sjc-demands-service-delivery-contracts>.

<sup>35</sup> The Society for Social Audit, Accountability, and Transparency is a joint initiative between the government and social activists in Andhra Pradesh, India. It uses social audits to minimise the leakage and wastage of public funds from rural welfare schemes. See, <http://125.22.8.66/SocialAudit/AboutUs.jsp>.

<sup>36</sup> "Report of the Khayelitsha 'Mshengu' Toilet Social Audit, 22-27 April 2013," Social Justice Coalition, 10 May 2013, pp. 16 – 22. Available at: <http://www.sjc.org.za/posts/sjc-report-of-the-khayelitsha-mshengu-toilet-social-audit-released-10-may-2013>.

<sup>37</sup> Ibid, p. 22.

<sup>38</sup> Ibid, p. 16.

percent) in the four areas inspected is typical and can be generalized across the City, this would mean that the City is paying approximately R1.04 million (US\$116,340) per month for toilets which are not actually being provided by the service provider.

On 27 April 2013 the SJC held a public hearing, chaired by an independent panel of observers, in Khayelitsha where the findings of the social audit were presented to assembled members of the community, representatives from the City, the Office of the Premier of the Western Cape, the Western Cape Department of Human Settlements (Housing), as well as a senior manager from Mshengu and a number of journalists. During the course of the hearing, members of the public provided testimonies detailing their experiences of using the chemical toilets. Both government representatives and the representative from Mshengu were given the chance to respond to both the findings and the public testimonies.

The results of the social audit were covered by a front page story in Cape Town's most widely read newspaper, the *Cape Times*, under the headline "Cape Town's Botched Toilet Contract."<sup>39</sup> This story was followed by a number of similar articles released by other media outlets in the days immediately following the public hearing.<sup>40</sup> There seems little doubt that the significant degree of publicity garnered by the social audit led the mayor to announce her "Know Your Community, Know Your Contractor" campaign.

### *Expenditure Figures*

The SJC has made little impact in trying to gain more detailed information from the City in regard to spending in informal settlements. Silber notes that there is an absence of transparency at the local level when it comes to budget spending. He argues that because the budget only contains high-level spending information, it is impossible to know how much is actually spent in informal settlements like Khayelitsha. He argues that this makes it difficult to talk about sanitation issues when you don't know how much money is being allocated to these services.<sup>41</sup> Fritz Jooste, a researcher with SJC's partner organization, Ndifuna Ukwazi, notes that the Mayor of Cape Town consistently states that 57 percent (R10.8 billion, or US\$1.2 billion) of the City's 2012/13 budget (R18 billion, or US\$2 billion) is spent on "poorer areas of the City."<sup>42</sup> He argues that this "misrepresents the reality" because the 57 percent figure only relates to "direct service delivery expenditure," which amounts to only 44 percent of the overall budget.<sup>43</sup>

Jooste also highlights the City's failure to define the terms it uses when it describes funding allocations. He observes that the City interchangeably uses the terms "poor communities," "informal settlements," and "previously disadvantaged areas." Jooste has repeatedly asked the City to define each term operationally and provide lists of the areas that fall within each

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<sup>39</sup> "Cape Town" Botched Toilet Contract." Available at: <http://www.iol.co.za/news/politics/cape-town-s-botched-toilet-contract-1.1507753#.UZu3C8oRJ8E>.

<sup>40</sup> See for example, "Cape Town Toilet Contract Flouted," 29 April 2013, available at: <http://www.news24.com/SouthAfrica/News/Cape-Town-toilet-contract-flouted-20130429>; and "Activist Group Accuses City of Failing to Monitor Toilet Contracts," 16 May 2013, available at: <http://groundup.org.za/content/activist-group-accuses-city-failing-monitor-toilet-contracts>.

<sup>41</sup> Interview with Gavin Silber, Khayelitsha, 26 February 2012.

<sup>42</sup> See for example, "City Delivers to the Poor," Statement by the Executive Mayor of Cape Town, Media Release, 12 February 2013. Available at: <http://www.capetown.gov.za/en/MediaReleases/Pages/ALDERMANPATRICIADELILLE.Citydeliverstopoor.aspx>.

<sup>43</sup> Interview with Fritz Jooste, Cape Town, 11 March 2013.

respective term. This is a critical budgeting question, for if the City cannot specifically identify which areas are in (relative) need, it cannot operationalize its allocation of funds accordingly.

Initially the City responded by stating that the terms were “self-explanatory,” but later noted that all three the terms (“poor communities,” “informal settlements,” and “previously disadvantaged areas”) refer to all the 204 “informal settlements” within the City of Cape Town.<sup>44</sup> This despite the fact that other City documents, such as its most recent quarterly performance report, note that there are 223 informal settlements in the City.<sup>45</sup> The City’s responses are clearly unhelpful and would appear to indicate that the City does not have accurate working definitions of each term, or has chosen not to share its definitions, and does not appear to know with any accuracy how many informal settlements there are in the City. This has obvious negative consequences for the City’s ability to allocate its budget equitably and for anyone’s ability to monitor this commitment.

#### *Budget training workshops*

The budget training workshops that the SJC has undertaken have also advanced the objectives of the CSSC by galvanising SJC Community Educators and general community member support. Feedback from SJC Community Educators about the six budget workshops conducted in May 2012 is largely positive. Phumzile Tyulu noted that the workshops were “eye-opener[s]” that have given communities the “upper hand” in being able to develop their respective areas. He notes that they had enabled him to inform Khayelitsha residents, via door-to-door advocacy, of the kind of questions they should be asking their respective councillors about service delivery.<sup>46</sup> Thandokazi Njamela stated that the workshops had helped her understand the services communities should be receiving.<sup>47</sup> Mlungwana notes that a number of Community Educators have undertaken simple budget workshops in their respective branches, some of which have looked at general budget issues, while others focused on SDAs.<sup>48</sup>

Efforts also have been made to promote the use of budget work with civil society partner organizations. For example, Mlungwana has undertaken a number of budget presentations: she has presented budget work to the New Women’s Movement in Cape Town and made a presentation about participatory local budgeting methods to the People’s Parliament Conference in August 2012.<sup>49</sup>

At the end of September 2012 the SJC, in conjunction with partner organization, Ndifuna Ukwazi, officially published a number of budget literacy outputs:

- Budget Fact Sheet 1 looks at the local government budget process and the City of Cape Town.
- Budget Fact Sheet 2 is a brief overview of the 2011/12 City of Cape Town Budget and Spending on Sanitation.

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<sup>44</sup> Correspondence between Fritz Jooste and the City of Cape Town, 25 October 2011 and 19 February 2013.

<sup>45</sup> “City of Cape Town 2012/2013 2<sup>nd</sup> Quarter Corporate Performance Scorecard, 1 July-31 December 2012, Annexure A,” p. 1.

<sup>46</sup> Interview with Phumzile Tyulu (A Section Community Advocate), Khayelitsha, 26 February 2013.

<sup>47</sup> Interview with Thandokazi Njamela (Green Point Community Advocate), Khayelitsha, 26 February 2013.

<sup>48</sup> Interview with Phumeza Mlungwana, Cape Town, 26 February 2013.

<sup>49</sup> The New Women’s Movement is a civil society organization that promotes the specific interests of women in South Africa. See also, [www.peoplesparliament.nu.org.za](http://www.peoplesparliament.nu.org.za).

- Budget Fact Sheet 3 looks at municipalities and outsourcing.

The campaign included publishing 600 of each fold-out fact sheet, which combine text and illustrations for greater accessibility. They are available in both English and Xhosa and, according to NU's Jooste, have been made as understandable as possible. They have been distributed to SJC members, wider community members and in ward offices, public libraries, and municipal offices.<sup>50</sup> In addition to the fact sheets, 1,500 57-page budget booklets titled “Engaging with Government Budgets: An Activists Guide to South African Government Budgets at Local, Provincial and National Level” have also been produced. As indicated in the title, these booklets are aimed at fellow civil society activists working in the social justice field. There are also plans to make both the fact sheets and booklet available on dedicated sections of both the SJC and NU websites. While it is difficult to link the production of these materials directly to the SJC's continuing impact, these budget literacy materials can be said to have contributed to the ongoing “conversation” taking place in Cape Town about the City's budgetary priorities and performance.

While the response to the SJC's budget training and budget materials has been mostly positive, a number of weaknesses in both need to be acknowledged. Community Educators note the SJC's failure to include members of Community Associations or Street Committees, such as those organized by the South African National Civic Organization (SANCO), in their budget training initiatives.<sup>51</sup> Community Educators argue that by including these groups in their budget training SJC could expand the reach of its work because Community Associations are respected and their meetings well attended. In addition, bringing the associations in could give the SJC access to designated community leaders.

Njamela notes:

“I would like to see the SJC more involved with Committee members ... they are visible in our organizations, but they should try and be more visible in our Community Committees. These people are seen as the leaders of our communities and if they know about these things [budget work, etc.] then it will be easier.”<sup>52</sup>

These sentiments were shared by another Community Educator, Luthano Tokota, who argues that by engaging with Community Associations the SJC could call “bigger meetings” and expand its influence.<sup>53</sup>

Budget training participants also stressed the need for more “practical skills.” Participants wanted to know “where to find budget information” and “how to use budget information.” In addition, previous participants expressed the desire to have follow-up visits at their respective organizations to provide more ongoing support. According to Jooste a plan had been drawn up to visit each organization at least once after they have attended future budget training workshops. Workshops would also be tailored to specific issues – for example, education or

<sup>50</sup> Interview with Fritz Jooste, Cape Town, 11 March 2013.

<sup>51</sup> Interviews with Phumzile Tyulu (A Section Community Advocate), Thandokazi Njamela (Green Point Community Advocate), and Luthano Tokota (RR Section Community Advocate), Khayelitsha, 26 February 2013. SANCO was formed during the struggle against apartheid and represents community interests.

<sup>52</sup> Interview with Thandokazi Njamela, Khayelitsha, 26 February 2013.

<sup>53</sup> Interview with Luthano Tokota (RR Section Community Advocate), Khayelitsha, 26 February 2013.

health, or national or provincial budgets. Lastly, the length of the workshops is also to be shortened, with a five-day intensive morning-only course being proposed. This decision has been taken to ensure that attendance remains high, suggesting that attendance at the SJC's previous budget training workshops was problematic.<sup>54</sup> Both organizations should try and attract new participants to these workshops to ensure the widest possible dissemination of budget work. Previous workshops have largely been held with organizations that are closely aligned to both the SJC and NU, such as Equal Education, the Treatment Action Campaign, and the Right to Know Campaign.<sup>55</sup>

There has also been a somewhat mixed response to the budget literacy materials. While SJC Community Educators wholeheartedly support the idea of the fact sheets, there is concern that they are too complicated. Tyulu and Njamela argue that they are only helpful for those who have attended school as they contain "big words" and have "too much text." Both called for the fact sheets to be simplified further to make them more accessible to the un/undereducated, in particular the elderly. Tyulu argued that "simpler words" are needed to explain the budget, raising an ongoing challenge of describing technical processes in understandable ways. Reflecting this difficulty, Njamela noted that it was easier to talk about SDAs with community members than about the budget more generally because community members experienced the direct consequences of SDA problems. She also called for the fact sheets to be translated into more languages.<sup>56</sup>

In regard to the budget literacy materials, Mlungwana argues that while they have "started the conversation about budget work," they cannot simply be distributed without explanation because they "would not be understood." She states that they must be used in conjunction with budget workshops.<sup>57</sup> This would seem to indicate that there is some uncertainty about how both organizations can make best use of the fact sheets given that they are already being distributed.

Clearly these weaknesses need to be addressed to ensure that maximum use can be made both of the workshops and of the literacy materials that have been produced.

### **Why did the campaign succeed/fail?**

#### *Internal factors*

It is clear that one of the reasons for the SJC's continued impact, especially in regard to its campaign to access SDAs, has been its vigorous and sustained community-based advocacy work. Throughout the course of its campaigning the organization has successfully garnered the support of a growing number of Khayelitsha residents, which has strengthened the legitimacy of the organization's claim to represent the interests of the people of Khayelitsha. This legitimacy has been reinforced significantly by the February 2013 appointment of Phumeza Mlungwana as the full-time General Secretary of the SJC. This means that for the first time, the most senior

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<sup>54</sup> Interview with Fritz Jooste, Cape Town, 11 March 2013. Interview with Phumeza Mlungwana, Khayelitsha, 26 February 2013. Interview with Axolile Notywala, Khayelitsha, 26 February 2013.

<sup>55</sup> Equal Education works to improve educational outcomes in public schools, the Treatment Action Campaign works to improve access to public healthcare, while the Right to Know Campaign works to promote government transparency and accountability.

<sup>56</sup> Interview with Phumzile Tyulu and Thandokazi Njamela, Khayelitsha, 26 February 2013.

<sup>57</sup> Interview with Phumeza Mlungwana, Cape Town, 26 February 2013.

representative of the organization comes from Khayelitsha. Mlungwana will now be responsible for overseeing the work of the organization and ensuring that Executive Council resolutions are implemented. The political significance of this change cannot be overestimated.<sup>58</sup>

A number of other staff changes have also taken place within the SJC. Axolile Notywala's recent appointment as Imali Yethu Project Coordinator is likely to be initially quite challenging. Despite being an experienced and highly capable SJC campaigner, his experience in budget work is relatively limited, thus it is probable that he will, at least in the short-term, require ongoing budget training and support. It seems increasingly likely that Jooste will be leaving NU this year, meaning that they will lose his recently acquired budget expertise. Clearly NU will need to ensure that they replace him with someone who will, at the very least, match his experience of budget work.

Obligations relating to the SJC's Justice for All Campaign have significantly impacted on the organization's ability to focus on its Clean and Safe Sanitation Campaign. Since the publication of the first case study report, the Western Cape Premier, Helen Zille, has agreed with the SJC's demand to appoint a Commission of Enquiry (the so-called O'Regan Pikoli Commission) into policing in Khayelitsha. The establishment of the commission and subsequent court challenges have resulted in the SJC undertaking a significant amount of advocacy – ranging from media interviews to protests – and research. Notywala argues that since the announcement of the commission, the SJC has had to shift most of its focus to the Justice for All Campaign. He argues that work within the Imali Yethu Project “fell away” as a consequence.<sup>59</sup> Mlungwana notes that the constant shift in focus between each campaign also means that some community members “get confused because they do not hear a clear message from the SJC.”<sup>60</sup> This highlights the importance that the SJC must, and does, place on the intimate relationship that exists between both campaigns.

### *External Factors*

The issue of sanitation, especially as it relates to the provision of toilets, is one that continues to capture ongoing headlines in South Africa. Since the Makhaza open-toilet saga in January 2010 sanitation has loomed large in the minds of the public.<sup>61</sup> As such, the issue of the provision of sanitation continues to be a highly contested political issue between the ruling party, the African National Congress (ANC), and the official opposition in South Africa, the Democratic Alliance (DA). Recent stories relating to the continued use of bucket toilets by many South Africans provides ongoing evidence of the politicization of the issue. On 7 May 2013 the national Minister for Human Settlements, Tokyo Sexwale, told parliament that the “bucket system” would be “here [in South Africa] for the next few years.”<sup>62</sup> Just three days after this comment the Mayor of Cape Town and the DA Premier of the Western Cape announced plans to eradicate the bucket system in Cape Town via the supply of portable flush toilets. The mayor noted that

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<sup>58</sup> “SJC Executive Council Elects New General-Secretary and Deputy General-Secretary,” SJC Media Release, 6 February 2013. Available at: <http://nu.org.za/sjc-executive-council-elects-new-general-secretary-and-deputy-general-secretary/>.

<sup>59</sup> Interview with Axolile Notywala, Khayelitsha, 26 February 2013.

<sup>60</sup> Interview with Phumeza Mlungwana, Cape Town, 26 February 2013.

<sup>61</sup> Described in the first IBP case study on the SJC.

<sup>62</sup> “Bucket Toilets Here for Next Few Years,” 7 May 2013. Available at: <http://www.iol.co.za/news/politics/bucket-toilets-here-for-next-few-years-1.1511664#.UZyK6MoRj8E>.

958 households in Cape Town still used the bucket system but that this would soon end.<sup>63</sup> In early June 2013 the issue of sanitation in Cape Town again featured extensively in both the local and national media.<sup>64</sup>

Analysts question the “convenient timing” of the Mayor's recent plans to eradicate the bucket system and link it directly to the upcoming national election in South Africa.<sup>65</sup> On an as yet undetermined date between April and July 2014, there will be a general election in South Africa that will elect a new National Assembly and new provincial legislatures in each of South Africa's provinces, including the Western Cape. As is common in other democratic states, electioneering in South Africa begins approximately a year before the election is due. This process has already begun in South Africa and the timing of the announcement to eradicate the bucket system would seem to be an early attempt by the DA to court voters.<sup>66</sup> The specific context of the political competition between the ANC and the DA in Cape Town and the Western Cape, alluded to in detail in the previous report, is clearly a relevant factor here. Electioneering specifically focused on the issue of sanitation has clearly already started in Cape Town, which contributes to the attention being given to the issue and to the SJC's CSSC.<sup>67</sup>

The polarizing effects of the run up to the elections can also help explain the City's about face in its relationship with the SJC. Obviously the difficulties that the SJC has been experiencing in terms of its relationship with the City of Cape Town has negatively influenced the impact of their campaign. Despite repeated requests, the author of this report has been unable to meet with any City representatives to ascertain why the City has seemingly terminated its previously productive relationship with the SJC, especially as it relates to discussion around the JS. SJC staff members themselves are at a loss to know why the City is no longer responding to their numerous requests for meetings in regard to the JS. Given the fact that the JS is an SJC initiative, which the City has now committed itself to in the long term (and will pilot specifically in Khayelitsha), their refusal to engage with the SJC is particularly puzzling. This position must be contrasted with the City's decision to send representatives to both the social audit and the public hearing at which the audit findings were announced. This inconsistent position in relation to the SJC's sanitation campaigning is mirrored in its contradictory public responses to the findings of the social audit.

The mayor's conciliatory tone, her admission that the City has not been monitoring service provision adequately, and her introduction of the “Know Your Community, Know Your

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<sup>63</sup> “Mayor De Lille and Premier Zille to Outline the City's Plans to Eradicate the Bucket System,” 10 May 2013. Available at: <http://www.capetown.gov.za/en/MediaReleases/Pages/MayorDeLilleandPremierZilletooutlineetheCitysplanstoeradicatebucketssystem.aspx>.

<sup>64</sup> See, for example, “De Lille, SAHRC to meet over toilets,” 7 June 2013, available at: <http://www.iol.co.za/news/politics/de-lille-sahrc-to-meet-over-toilets-1.1529220#.Ubm0-jwRj8E>; “HRC Weighs Into the Fray Over Bucket Toilets,” June 2013, available at: <http://www.iol.co.za/news/politics/hrc-weighs-into-fray-over-bucket-toilets-1.1528074#.Ubm2nZwRj8E6>; and “We Won't Support Toilet Plan,” 6 June 2013, available at: <http://www.news24.com/SouthAfrica/News/We-wont-support-toilet-plan-SAHRC-20130606>.

<sup>65</sup> “Danger of Scoring Political Points in Toilet Wars,” *Business Day*, 20 May 2013.

<sup>66</sup> See, for example, “South African Election's Silly Season Starts,” Leadership Online, 7 May 2013, available at: <http://www.leadershiponline.co.za/articles/south-african-election-s-silly-season-starts>; and “Interventions not 2014 Electioneering – ANC,” *The New Age*, 6 February 2013, available at: <http://thenewage.co.za/81887-9-53-Interventions-not-2014-electioneering-ANC>.

<sup>67</sup> See, for example, “De Lille blasts ANCYL ‘thugs,’” 5 June 2013, available at: <http://www.iol.co.za/news/politics/de-lille-blasts-ancyl-thugs-1.1527820#.Ubm7-5wRj8E>; and “ANC's toilet tactic tip of the iceberg,” *Cape Argus*, 7 June 2013, available at: <http://www.iol.co.za/capeargus/anc-s-toilet-tactic-tip-of-the-iceberg-1.1529080#.Ubm7VpwRj8E>.

Contractor” campaign can be contrasted sharply with the attitude of her Mayoral Committee Member for Utility Services Cllr. Sonnenberg toward the SJC. Immediately after the social audit, Sonnenberg released a statement to the media which was highly critical of the SJC.<sup>68</sup> The statement condemned the organization for publicising “the problem” of “maintenance ... not taking place,” rather than bringing the issues “directly to the City's attention.”<sup>69</sup> It argued that “this strategy of the SJC is perplexing” and insinuated that the SJC had another agenda, outside of the provision of quality sanitation services, for undertaking the social audit.<sup>70</sup> The statement also undermined and trivialized the social audit process, by indicating that it was an “informal ‘audit.’” Cllr. Sonnenberg also disputed the figures provided by the SJC in relation to the number of toilets found in the four areas inspected, arguing that the number of chemical toilets “constantly changes” because chemical toilets are removed as more permanent sanitation facilities are provided.<sup>71</sup> He also contended that numbers fluctuate because chemical toilets are “vandalized every day ... making it difficult to calculate an exact total.”<sup>72</sup>

The following day the SJC responded to Cllr. Sonnenberg's statement by releasing its own statement to the media. This statement, among other things, defended the rigor of the social audit and criticized Cllr. Sonnenberg for not acknowledging the obvious lack of monitoring of the Mshengu contract by the City. It also drew attention to Cllr. Sonnenberg's failure to recognize the critical role that informed citizens can play in assisting government, via activities such as social audits, in monitoring the quality and value for money of contracted services.<sup>73</sup>

This statement was followed by another media release from Cllr. Sonnenberg on 5 May. In this statement Cllr. Sonnenberg announced that the City would be releasing all the information relating to the Mshengu contract that the SJC had requested in its PAIA request of 25 March.<sup>74</sup> While claiming that the release of this information demonstrated the City's commitment to “open and transparent government,” the statement condemned the SJC for coming to “premature or ill-informed conclusions” because it did not understand the technical issues related to the provision of chemical toilets.<sup>75</sup> The statement echoed the previous one by trivializing the social audit process and disputing its findings. It then proceeded to list seven ways in which the City ensures the monitoring of service providers. It ends by noting that while the City does all it can to monitor the provision of services it “also relies on the users of facilities, as well as ward councillors, community leaders and organizations to provide feedback to inform the City when chemical toilets need to be maintained and replaced.”<sup>76</sup> This final comment seems

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<sup>68</sup> “Statement by the City’s Mayoral Committee Member for Utility Services, Councillor Ernest Sonnenberg,” available at: <http://www.capetown.gov.za/en/MediaReleases/Pages/CityofCapeTownremainscommittedtoprovidingsanitationservices.aspx>.

<sup>69</sup> Sonnenberg’s criticism that the SJC should have brought the issues directly to the City’s attention is entirely disingenuous given the numerous times the organization has done so.

<sup>70</sup> Ibid. The statement noted “If indeed we are working toward the common goal of delivering sanitation to those in our City most in need of assistance, then this strategy of the SJC is perplexing.”

<sup>71</sup> Ibid.

<sup>72</sup> Ibid. The implications of this last comment in terms of invoicing and payment are unclear, for if the City does not know the exact total of toilets in service how does it calculate how much it should pay Mshengu?

<sup>73</sup> “City of Cape Town’s Response to Chemical Toilet Audit Puzzling and Misdirected,” available at: <http://www.sjc.org.za/posts/city-of-cape-towns-response-to-chemical-toilet-audit-puzzling-misdirected>.

<sup>74</sup> “City Sets Record Straight Regarding Sanitation Contract,” available at: <http://www.capetown.gov.za/en/MediaReleases/Pages/Citysetsrecordstraightregardingsanitation-contract.aspx>.

<sup>75</sup> Ibid.

<sup>76</sup> Ibid.

particularly confused given that this is exactly what community members and the SJC did during the social audit process, which then became the subject of criticism from Cllr. Sonnenberg.

It is not clear why there appears to be such a difference in attitude to the work of the SJC between the mayor and her mayoral committee member. An explanation may lay in recent media reports that indicate divisions within the mayoral committee in which relations between the mayor and committee members is said to be “far from collegial.”<sup>77</sup> Whatever the reasons for the confused response from the City these inconsistencies make it difficult for the SJC to form a productive relationship with the City as it is unsure of how its campaigns and policy recommendations will be viewed. This once again demonstrates the dangers of viewing the City as a homogenous organization, revealing as it does the contested spaces that exist within the City in regard to its attitude to the SJC.

## Conclusions

The City’s most recent quarterly performance report notes that it had installed only 15 percent of the standpipes (96 out of 620) and 5 percent (199 out of 3,735) of the toilets that it had planned to install. In addition, it notes that 9 percent of all informal settlements still do not have door-to-door refuse collection services.<sup>78</sup> These figures demonstrate the nature of the challenges that still face the City and the SJC when it comes to provision of clean and safe sanitation to the residents of Cape Town’s informal settlements.

The problems currently being experienced with the JS in Cape Town demonstrate how budget work is an ongoing, multi-phase process. The story of the JS 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 new budget allocations are influencing the social justice issues that precipitated campaigning for increased or new allocations in the first place. The JS case also demonstrates how relationships with stakeholders, such as the City of Cape Town, are dynamic and can quickly change. Organizations involved in budget work need to be cautious in making assumptions about the nature of the relationships they have established. The story of the JS reveals 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.

The story of the JS should also act as a cautionary tale in terms of how CSOs associate themselves with service delivery innovations. The SJC has, as much as is reasonably possible, wisely distanced itself from being seen as an agent of service provision, or of having any influence over the City’s decisions. For the JS to be effective it clearly needs the support of the community that it is designed to serve.

While the budget workshops that NU and the SJC have undertaken have been largely well received, the call by participants to have follow-up visits to their respective organizations

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<sup>77</sup> See, “Unease over De Lille Grows,” 27 May 2013, available at: <http://www.iol.co.za/news/politics/unease-over-de-lille-grows-1.1522174#.UbNF4ZwRJ8E>; and “Mayor Hangs-Up on Interviewer.,” 27 May 2013, available at: <http://www.iol.co.za/news/politics/mayor-hangs-up-on-interviewer-1.1522605#.UbNGMZwRJ8E>.

<sup>78</sup> “City of Cape Town 2012/2013 2<sup>nd</sup> Quarter Corporate Performance Scorecard, 1 July 2012 – 31 December 2012, Annexure A,” p. 1.

highlights two challenges: first, it shows the long-term commitment that is necessary to impart meaningful budget training to other organizations; and second, it calls on NU and the SJC to carefully assess the practicality, in terms of time and resources, in offering extended support to training participants. Both organizations should caution against making commitments that will further stretch their limited resources. The publication of budget literacy materials has also raised some interesting issues about how such materials can be used pedagogically among communities lacking in formal educational opportunities. The production and distribution of such materials should not be viewed as sufficient in such circumstances.

There are clearly multiple challenges facing the SJC going forward, not least of which is the demands placed on the organization by the Justice for All Campaign, which is likely in future months to monopolize much of the organization's time and resources. How the SJC is able to negotiate these difficulties and manage its relationship with the City will ultimately determine the success of its ongoing budget work.