

Review of Sector Collaboration in the Water Services Sector, South Africa

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Building Partnerships for Development in Water and Sanitation

The challenge

The numbers are well known – too many poor people still lack access to basic water and sanitation services throughout the world. Factors that influence access are numerous.

Financial and economic factors relate to connection charges and tariffs; *technological* issues include standards that are often challenging to introduce in poor communities; *political* barriers include the lack of priority that is placed on services in poor communities; and *institutional* factors relate to the question of who makes decisions, who co-ordinates action, and who implements projects.

Multi-sector partnerships

Partnership approaches for implementation and stakeholder engagement over wider sector reform present progressively important pieces in an increasingly complex puzzle. Existing technical and financial approaches have proven time and again to be insufficient to meeting the challenge of providing sustainable water and sanitation services in poor communities. Multi-sector partnerships between relevant stakeholders – be they from public, private, civil society and donor spheres – provide one tool to overcome these failures. Such partnerships promote innovation and greater accountability whilst improving the understanding and capacity that make projects more appropriate and effective. Understanding more concretely the impact of sector reforms (be they on institutional arrangements, tariff setting, community responsibility or on other issues) contributes to this analysis and to the development of new implementation models.

BPD

As a non-profit membership organisation, Building Partnerships for Development in Water and Sanitation (BPD) seeks to respond to this challenge. BPD works with strategic partnerships involving government, business, civil society and donors to improve access to safe water and effective sanitation for the poor. Taking the lessons learned from these strategic partnerships, BPD seeks to influence policy and debate to ensure that basic services are designed with the poor in mind. Furthermore, BPD promotes dialogue around institutional approaches for serving the poor, a more realistic understanding of multi-sector relationships and the development of broad-based support for appropriate environments that enable partnerships to thrive. Through a set of analytical and facilitation tools, BPD aims to influence the way organisations work together in partnership.

BPD components

The components of BPD derive directly from the recognition that each sector has a legitimate contribution to make toward the provision of basic services in poor communities. Hence, BPD:

1. Provides a forum for international debate that balances the participation of public, private, civil society and donor sectors;
2. Builds capacity of specific target groups to engage in (and/or support) local-level partnership projects;
3. Supports nascent/existing partnership projects for implementation of water and sanitation services in poor communities; and
4. Conducts research and analysis on issues relating to water and sanitation, partnerships and poverty.

At the project or programme level, BPD works with appropriate partners from across the different sectors to address individual and partnership goals. BPD is not prescriptive nor does it impose a 'one-size fits all' model. It emphasises capacity building, innovation and accountability through partnership.

Foreword

There is currently no debate on the need for sector collaboration in the water services sector in South Africa, however the meaning and definition of sector collaboration varies according to each stakeholder's viewpoint. Literature on this topic is relatively scarce and most people use collaboration and partnership interchangeably. In South Africa we have come to realise that the challenges accompanying collaboration, while similar to those for partnerships, are perhaps even more complex and harder to overcome.

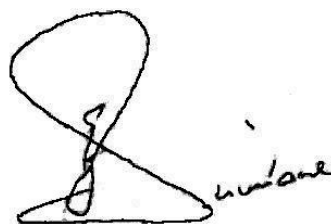
Under the leadership of DWAF, South Africa has adopted a sector-wide collaborative approach to water services delivery. This approach is supported by a programme known as "Masibambane" (meaning "let's work together" in Nguni languages) which was formally launched in 2001. The idea was to forge sector collaboration across the three spheres of government, but also inclusive of water services sector bodies outside of government, e.g. NGOs, the private sector, professional water services bodies, etc.

The programme is managed by DWAF on behalf of the sector, but owned and driven by sector members collaboratively, with different players taking the lead at appropriate levels. Masibambane is meant to be a vehicle for transformation and decentralisation through joint responsibility and collective accountability. It provides multi-faceted support to the sector and is government-led, pooling donor funds in support of the water services sector strategy within the government's overall budget. Success requires strong leadership from government and a high level of trust and flexibility by its development partners.

The intergovernmental relations bill now provides a golden opportunity for DWAF to build on the existing sector collaboration platforms at provincial and national level. Without the clout of financial control and direct authority over the independent sphere of local government a collaborative approach enables DWAF to work with others in delivering against sector goals and targets, for which DWAF is ultimately responsible.

Given the rapid evolution of the sector, a review of collaboration is timely; aiming to better understand the nature of current collaboration and ways to build upon the progress to date.

We see this review as a mechanism for the water services sector to share the lessons learned. We also believe that, in focussing on how collaboration can put local government and the consumer at the heart of service delivery, the review provides a valuable contribution to moving the sector forward.



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List of acronyms

BoTT – Build, Operate, Train and Transfer
 BPD – Building Partnerships for Development in Water and Sanitation
 CBO – Community-Based Organisation
 CMIP – Consolidated Municipal Infrastructure Programme
 CWSS – Community Water Supply and Sanitation
 DANIDA – Danish Development Agency
 DCD – Department of Constitutional Development (forerunner to DPLG)
 DDG – Deputy Director General
 DFID – Department for International Development
 DHLGTA – Department of Housing, Local Government and Traditional Affairs
 DORA – Division of Revenue Act
 DPLG – Department of Provincial and Local Government
 DWAF – Department of Water Affairs and Forestry
 EU – European Union
 GTZ – German Technical Assistance Agency
 IDP – Integrated Development Plan
 IDT – Independent Development Trust
 IGRB – Intergovernmental Relations Bill
 ISWIP – Implementing Sustainable Water Services Institutions Programme
 IWSMF – Integrated Water Services Management Forum
 KFA – Key Focus Area
 MAAP – Multi-Annual Action Plan
 ManCo – Management Committee
 MCC – Masibambane Co-ordinating Committee
 MEC – Member of the Provincial Executive Council
 MIG – Municipal Infrastructure Grant
 Minmec – Meeting of National Minister with the nine Members of the provincial Executive Councils
 MITT – Municipal Infrastructure Task Team
 MTEF – Medium Term Expenditure Framework
 MSA – Municipal Structures Act
 NaSCO – National Sanitation Co-ordination Office
 NGO – Non-Governmental Organisation
 NSTT – National Sanitation Task Team
 PAF – Poverty Action Fund
 PLC – Provincial Liaison Committee
 PMU – Programme Management Unit
 PSTT – Provincial Sanitation Task Team
 RDP – Reconstruction and Development Programme
 RWSS – Rural Water Supply and Sanitation
 SAAWU – South African Association of Water Utilities
 SALGA – South African Local Government Association
 SCOWSAS – Standing Committee On Water Supply And Sanitation

WATSAN – Kwa-Zulu Natal Provincial Water and Sanitation Fora
 WIN-SA – Water Information Network – South Africa
 WSA – Water Services Authority
 WSDP – Water Services Development Plan
 WSFMC – Water Services Financial Management Committee
 WSP – Water Services Provider
 WSSLG – Water Services Sector Leadership Group
 WSSU – Water Services Support Unit

Relevant Legislation of the Republic of South Africa:

National Water Act 1998, (Act 36 of 1998)
 Water Services Act, 1997 (Act 108 of 1997)
 National Environmental Management Act, 1998 (Act 107 of 1998),
 Local Government Transition Act, 1993 (Act 209 of 1993),
 Local Government: Municipal Structures Act, 1998 (Act 117 of 1998),
 Municipal Systems Act, 2000 (Act 32 of 2000)
 Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)

Preface

Spurring discussion

We hope that this report will prompt discussion, however the nature of collaboration is such that views are subjective, answers rarely definitive and many questions remain 'open'. There is no one 'right' approach. We do not suppose to change that here.

The intention of this work is to spur discussion and debate within the sector, especially focussed on some of the processes that bring actors together (or drive them apart) and what the implications of this might be for water and sanitation service delivery. Readers are therefore not expected to agree with the entirety of our analysis – we hope that these points can be debated within the sector itself.

While the purpose of the overall review is one of critical analysis, the work is also intended as a platform from which others can progress. We are therefore not overly prescriptive with our suggestions and do not close off our 'recommendations', although we do draw conclusions and lessons where appropriate.

Looking back, as well as forward

As a document recording what has driven collaboration and how it has progressed, the tone of the early parts of the report will come across as somewhat historical to some, especially those intimately acquainted with developments in the sector. However, in doing so it is hoped to respond to a specific point raised in earlier reviews of Masibambane: namely that there has been little documentation of what has occurred to date and why. We also wish to place current collaboration within the 'broad sweep of history' and thus get a feeling for the general macro trends impacting the sector.

The importance of 'view point'

The findings and observations in the report are based on three weeks spent interviewing a broad range of sector stakeholders, our experience in the international water sector, as well as considerable review of existing literature. As such we have indeed relied on subjective points of view related to us in interviews, for which we make no apology. Being strongly concerned with process and with intangibles such as 'stakeholder buy-in', individuals' perceptions and viewpoints are as important as objective 'facts'. Naturally we have taken care to canvass a broad range of opinion as well as looking at written policy and primary sources. However, the perception of stakeholders remains important to progress in the sector and we thus incorporate some of that sentiment within this report.

Scope and purpose of review

The last 10 years have seen dramatic institutional changes in how basic services are delivered in South Africa. The water and sanitation sector has been at the forefront of this evolution. These shifts have necessitated ever increasing co-operation and collaboration between a variety of sector stakeholders, which has helped smooth the transition over time and better co-ordinate the efficient, effective and sustainable delivery of services.

While the achievements of the sector have been widely praised, both within and outside South Africa, several key stakeholders would like to develop a better understanding of how collaboration has evolved and what its contribution to service delivery has been.

With this in mind a project steering committee, comprising all the relevant players (at both national and provincial level) was convened in late 2004, to sponsor a 'sector collaboration review'. The main purpose is to *"critically review and document for key stakeholders both the rationale for and progress to date of the collaborative approach taken, analysing the driving forces behind sector collaboration and its evolution over time"*.

The review covers collaboration at both national and provincial level, looking at the dynamics at each level, and importantly, at the inter-linkages between them.¹ It aims to lay the basis for the steering committee to:

1. institutionalise a collaborative approach;
2. inform successive stages through a more structured approach to sector collaboration;
3. better understand how to measure and consolidate progress;
4. inform both other sectors nationally and other countries;
5. allow others to develop guidelines on what to consider and how to proceed in collaborative initiatives (or 'partnerships').

This report captures the review team's² key findings. It is split into three sections. The first looks back at the roots of collaboration prior to 2000. The second assesses how collaboration has looked since then and provides a 'balance sheet' of where we stand. The final section looks forward, suggesting various options on how collaboration can adapt to the changed context and new challenges faced by the sector in 2005.

¹ Only one province (the Eastern Cape) was studied in depth but learning in this province was discussed and tested with representatives from the other seven provinces during a half-day workshop.

² The team of four included a South African local government and water specialist, an international expert on sector decentralisation and financing, the co-ordinator of the South African Water Information Network, and was led by a BPD specialist in partnerships that deliver water and sanitation to poor communities. The review was a joint exercise between the steering committee (managed by WIN) and BPD Water and Sanitation, an international non-profit organisation.

Introduction

Overview of the water services sector in South Africa

The democratically elected government of 1994 inherited a country of vast disparities, within which the delivery of basic infrastructure services was particularly visible. Shortcomings in water and sanitation delivery were particularly pronounced, with an estimated 15.2 million people across the country lacking adequate water supply services and 20.5 million without adequate sanitation (many in those rural areas that had been most disadvantaged under the previous regime).

As the recent 'Ten year history of water services in South Africa' highlights, the challenge facing the new government was enormous. On one hand lay the development needs of millions of poor, mainly black, South Africans. On the other, the new government had no choice but to build on the foundations of the old, making use of the structures and public servants it inherited.

The foundation of the new government's policy was the Reconstruction and Development Programme (RDP), of which meeting basic needs, including water and sanitation, was one of four pillars. To help implement the RDP the government turned to the newly created Department of Water Affairs and Forestry (DWAF) as its means to rapidly reduce the backlog of citizens waiting for services, and in the early years channelled large amounts of money through DWAF which became (for the first time) a large scale project implementer in rural areas.

While this focus on rapid delivery was taking place, the statutory framework regarding spheres and roles of government was gradually coalescing. From the outset the system agreed at the multi-party negotiating forum allocated significant levels of authority and responsibility to local government (Galvin & Habib). The Constitution and first White Paper on Local Government established the principle of co-operative governance and devolution by giving local governments status as one of three equal spheres (alongside national and provincial) rather than a subsidiary tier. At the same time it was clear that ultimately local government, rather than national or provincial, was to be tasked with the responsibility of providing basic services to communities.

Thus while DWAF eagerly took up its role as a project implementer, this was always a temporary measure, albeit warmly welcomed by senior politicians as new local government found its feet. This was reflected in growing budget allocations in the early years of democracy, as DWAF proved willing and able to scale up its activities. In many senses this was a new role for those involved (the previous Department for Water Affairs had been involved primarily in water resources management) and in rural areas the Department proved keen and willing to work through NGOs and CBOs, of which the Mvula Trust (set up in 1994) was the major player. DWAF, in the search for a rapid and scaleable delivery mechanism, also worked closely with the private sector most notably through the BoTT programme (Build, Operate, Train and Transfer) that was

The Water Supply and Sanitation White Paper of 1994

"The policy of the Department of Water Affairs and Forestry is to ensure that all communities in the country have access to basic services and to the support that they need to achieve them. This does not imply that the provision of these is necessarily the direct responsibility of the Department. What is required is a framework within which responsibilities and lines of support for water supply and sanitation activities are clear. This institutional framework will necessarily involve a range of other agencies, notably provincial and local governments as well as other interested parties such as the private sector and non-governmental organisations. The Department of Water Affairs and Forestry will support the work of the other agencies; as important, it will assume the responsibility to fill the gaps in the interim." (DWAF, 1994)

active in the four provinces with the largest backlog.

As the 'final phase' of transforming local government took place, starting with the Municipal Structures Act (MSA) of 1998 and leading into the second democratic elections in 2000, it became increasingly clear that the focus on service delivery would shift over to local and district municipalities, as originally envisaged.³ DWAF's role therefore reverted from one of project implementer to 'custodian' of the sector, one that includes enabling and supporting local government to fulfil its mandate and now sees it gently moving into a role of 'developmental regulation'. Uniquely amongst national departments DWAF has adopted a mantle it calls 'sector leader' (of which more later).

This transitional phase has especially required co-ordination and collaboration between sector stakeholders, of which the principal players are DWAF, local government and the national Department of Provincial and Local Government (DPLG), but which includes other parties such as the South African Local Government Association (SALGA), departments of health, housing and education at various levels (especially on sanitation), and NGOs, CBOs and the private sector. At one remove stand the National Treasury and external donors, of which the EU is the largest.

A significant proportion of co-operation funds from the EU and its members are directed to the water sector, of late mostly for institutional support rather than infrastructure expenditure. The Masibambane programme is the flagship for this support, and has laid great emphasis on encouraging, co-ordinating and institutionalising collaboration between the myriad stakeholders involved.

The Treasury is strongly committed to decentralisation – its actions to drive this have had a large impact on the water sector. Recently it accelerated the introduction of the Municipal Infrastructure Grant (MIG), consolidating several national capital grants to municipalities. The change effectively means that DPLG rather than DWAF oversee grant money in the water sector – the impact on collaboration within the water sector, and in particular relations between these two departments, is likely to be considerable.

Today the sector finds itself at something of a threshold as local government increasingly asserts itself, the Treasury forces the pace of decentralisation and DWAF considers its future role. The engine of collaboration over the last four years, Masibambane, finds itself challenged to deepen and broaden itself at the same time – moving into new spheres of co-operation at the same time as it tackles six new provinces (it originally focussed on only three).

From the standpoint of municipal managers and the Treasury the shift to consolidated grants and municipal planning certainly makes sense, integrating the range of infrastructure functions expected of municipalities and providing one route for financial support and reporting. Taking a long-term view, it is also helpful to DWAF, as it allows it to move its attention from funding and the risk of micro-managing municipalities, to the 'sector leader' role it envisages for itself, a large part of which is 'developmental regulation'. Attention is slowly turning to this new dynamic, where DWAF and others support but also regulate municipalities. Whereas the transitory period since 2000 has been inherently 'collaborative', infused by a strong climate of support, a regulatory dynamic may be less so. This and the recent fiscal shifts may have a significant impact on the functioning of the existing sector fora (as well as those being created in the six provinces where Masibambane was not previously active).

A further significant issue for the sector is how existing water sector fora relate to nascent 'municipal-wide' ones, such as those introduced alongside MIG, as well as more politically linked ones being driven by the Presidency. Whilst the quality of

³ Although an amendment to the Municipal Services Act in 2000 shifted the original location of municipal powers and functions from local to district municipalities as well as introducing an 'opaque' system of national or provincial authorisations that could transfer these back (Savage)

engagement by water stakeholders with DPLG and the Treasury has been somewhat mixed in recent years, the sector may want to reassess this now especially as the new powers and functions bed down. The challenges here are probably more than just the lack of capacity often cited, but also encompass departmental attitudes and the perceived 'terms of engagement' from various sides.

Significant challenges that the sector has yet to fully engage with concern efficiency and sustainability. These should be a core focus for DWAF's fledgling 'sector leader' role – improving accountability to the consumer, rather than to other layers of government, will certainly be a welcome step forward (and one where the sector can potentially learn from international experience). The water services sector should also consider how it can best support municipalities beyond immediate sectoral concerns – sustainable delivery will depend upon strong municipal capacity and strong governance across the board rather than in isolated 'cells'. Here the Municipal Infrastructure Grant and the Intergovernmental Relations Bill both represent new opportunities.

Unpacking collaboration

Clearly collaboration is not an end in itself, rather a tool to enhance outcomes. Nevertheless understanding what makes collaboration successful, where it is appropriate and what links collaboration to positive outcomes is important.

Understanding this within a context as broad and complex as the South African water services sector is not easy. Strong linkages outside the sector to broader municipal governance, consumer representation and fiscal decentralisation merely add to the challenge. To do so the review has needed to 'unpack' collaboration in order to assess its constituent parts. First we have sought to understand collaboration over time. Secondly we have looked at how it is reflected across the three spheres of government. Thirdly we have looked at the building blocks of collaboration and the processes that take place within these.

Three eras of service delivery

The review took in three broad 'eras' of service delivery within South Africa, reflected in the overview above. The first era was that of DWAF implementing actual schemes. This ran more or less from 1994 to around 2000. This was superseded by a second era, one of transition, where responsibility was progressively transferred to municipalities. This ran from around 2000 to the present day. The third era is to come, and we have called this one of municipal service delivery, where the focus will be on how effectively municipalities discharge their responsibilities and how national government can play a supportive and oversight role in ensuring this.

Collaboration across the province, at national level and now within municipalities

A further level of unpacking has been across the three spheres of government. We show how collaboration germinated within provinces and then track how this has flowed first to national level and now needs to flow outwards to a municipal level. Naturally this entails different actors and different incentives at each stage.

Process, subjects, structures and stakeholders

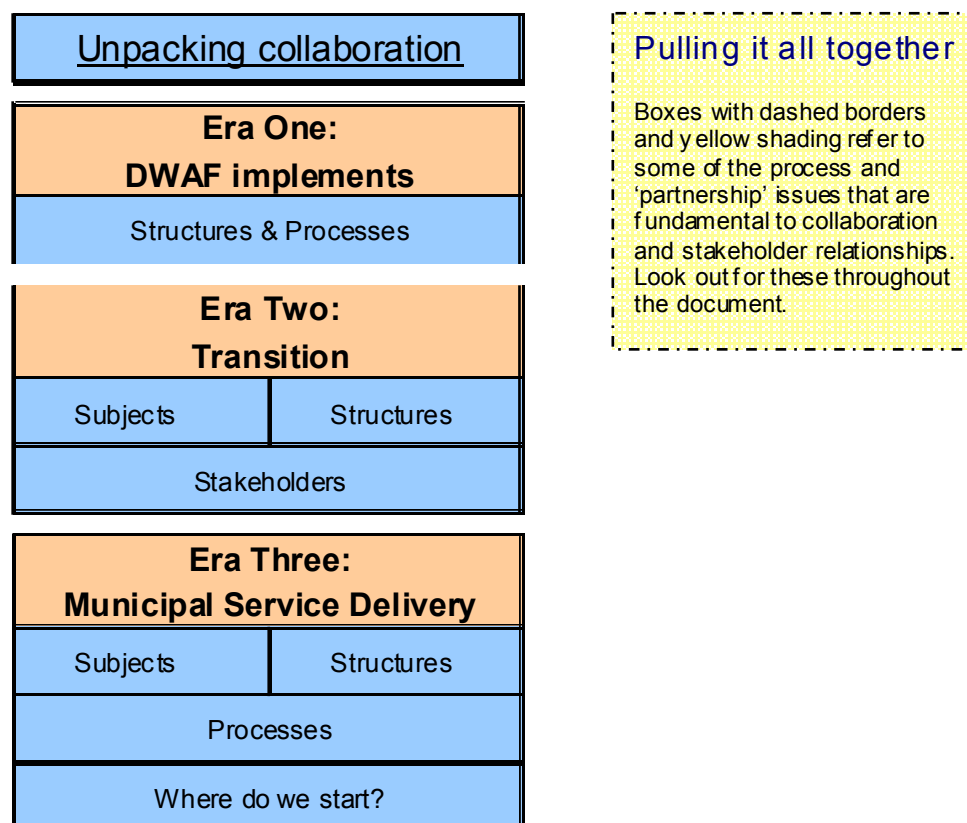
Collaboration is first and foremost about process, which may or may not facilitate positive outcomes. Yet to understand the full picture in such a complex context, it is necessary to examine three further aspects. One concerns the issues or subjects where collaboration does and does not occur and how and why this may vary. A second concerns the structures that guide collaboration and how these relate to the subjects. A third pertains to the stakeholders themselves, how they are structured and how they relate to the subjects and structures of collaboration.

The table below shows how the review unpacks collaboration and how this document is essentially structured across three sections.

The first section (era one) looks at how collaboration developed during our first era, that of DWAF as an implementer. We examine the structures that were developed during this period and the processes that led to this.

The second section (era two) looks at the recent transitional era. Within this we first see what issues collaboration has addressed and how these are related to five 'arenas' of the water sector. We then look more closely at specific collaborative structures. Throughout sections two and three are a set of 'process' boxes (yellow with dashed borders), which allow us a deeper understanding of how and why stakeholders interact.

The final section (era three) builds on our understanding of the current 'balance sheet' as regards sector collaboration. We look forward to how collaboration may need to evolve in a new era where attention and focus shift downwards to municipal level and water is seen as one function of municipal services rather than an individual sector. We suggest how this might evolve for various issues and ask how existing structures may need to adapt to remain effective within the changed context. In doing so we draw on several international experiences that South African decision makers could potentially learn from.



Introducing the players – their mandate and structure	
DWAF	<p>The Department for Water Affairs and Forestry is the legal custodian of the water sector ('sector leader'). Its role is to safeguard and harness the country's water resources as well as ensure all citizens are afforded access to affordable water and sanitation services. It is effectively split into three – water (and sanitation) services, water resources and forestry – of which water services is the largest component.</p> <p>DWAF has regional offices that divide along provincial lines. Importantly, unlike other government departments, it does not have Provincial Ministers or departments as counterparts.</p> <p>Nationally DWAF is considered one of the more active and able departments and has been at the frontline of service delivery since 1994.</p>
	<p>The Department of Provincial and Local Government's role is to support and co-ordinate the work of these two spheres of government, and the relationship between national sector departments and provincial and local counterparts.</p> <p>There has been significant change as decentralisation policy has evolved – its current guise dates from the powers and functions introduced by the Municipal Systems Act, whose implementation it is meant to oversee.</p> <p>Provincial departments of local government often include housing – otherwise it is meant to act as the focus for intergovernmental co-operation (between departments and between different spheres of government) as well as supporting human resource development within municipalities.</p> <p>Worries about lack of capacity at DPLG are often aired, although recently its size has increased. It has endured frequent re-organisation and high turnover of staff.</p>
SALGA	<p>The South African Local Government Association is not a formal arm of government, although it plays an increasingly important role as the representative of the local politicians and municipal staff in the local government 'sphere' and is a privileged 'partner' of government in policymaking.</p> <p>Originally a loose alliance of provincial associations it recently amalgamated as a national body, despite some resistance from Kwa-Zulu Natal and the Western Cape associations.</p> <p>Similar to DPLG its mandate cuts across all local government areas of responsibility – however as water and sanitation services are the most important of these (financially) it has been more active in this sector than other service sectors.</p> <p>DFID's Water Services Support Unit within SALGA acted as a forerunner to SALGA's current involvement in Masibambane. It has a water co-ordinator at national level, and more recently within six of the provinces (funded by Masibambane).</p>
	<p>The Water Services Act of 1997 created the function of 'Water Services Authority'. The Authority function is vested in local government and its primary responsibility is ensuring that the water and sanitation needs of its constituents are met.</p> <p>The Municipal Structures Act of 2000 decided whether the WSA function would be allocated to local or district municipalities, though it led to some inconsistency and confusion on the ground that still continues.</p> <p>WSAs need to decide who will undertake the twin function of 'Water Service Provider', which can be retained by local government or delegated to other actors. Section 78 of the MSA guides this appointment process.</p>

Introducing the players – their mandate and structure	
Donors	<p>Donors have been involved in the water services sector since the democratic opening of the '90s. Given that South Africa is not dependant on donor resources their influence has been less strong than in other African countries.</p> <p>The mainstay of their support has been to institutional and 'software' issues – principally channelled through DWAF. Limited support has gone to NGOs, DPLG or other spheres of government.</p> <p>The Masibambane programme has seen increased donor co-ordination although donor presence has been declining in recent years, with the European Commission the largest contributor by some margin.</p>
	<p>In former years NGOs and the private sector played a more important role than they currently do. The CWSS programme and donors encouraged working with and through NGOs in the early and mid '90s, as did BoTT for the private sector in the late '90s.</p> <p>The NGO sector is now quite weak and fragmented despite efforts from donors to support it through capacity building initiatives. Only one NGO, Mvula Trust, has a significant national presence, and this is in decline. The private sector, while an important player as regards consulting and construction, is not a significant actor in operating and managing water or sanitation systems (although Johannesburg do have a contract which involves some private management).</p> <p>The transfer of powers and functions has further marginalised these two actors, as local government is generally perceived as hostile to NGOs and to private sector participation. Both parties are represented at national policymaking fora, although their presence within provincial fora and at local government level is much diminished.</p>
National Treasury	<p>The National Treasury is responsible for the efficient and effective allocation and use of public resources in the country. It has been a key driver in the fiscal decentralisation process.</p> <p>The three divisions most relevant to the water sector are Budget, Public Finance and Intergovernmental Relations. These divisions are central to the resource allocation and budget implementation processes as well as intergovernmental fiscal transfers.</p> <p>It sets resources ceilings for sector ministries and engages with them during the budget process each year. It also compiles the Medium Term Expenditure Framework Submissions forms that include sector performance targets and resource allocations.</p>

Section One: The backdrop to the South African water sector

Chapter 1 – The roots of collaboration

Era One:
DWAF implements

Structures & Processes

The nature of sector-wide collaboration (rather than more narrowly focussed 'partnership') is such that it is not possible to say when it begins or ends. It is an ongoing and evolving process, as much shaped by changes in the environment as it itself shapes that environment.

This being said, it is important to explore the roots of more recent collaboration to better understand what has been effective and why. This section thus looks at the context of the sector and the driving forces behind collaboration. It also discusses specific programmes that have been introduced to encourage co-operation between stakeholders and their rationale. Lastly, it allows us a closer look at some of the key stakeholders and their underlying motivations.

DWAF gears up

When the RDP looked to DWAF to meet the immediate post-'94 backlogs, a Directorate for Community Water Supply and Sanitation (CWSS) was established. This adopted much of the approach pioneered by the Drought Forum and its spin-offs (see box); an approach that also found a willing home in the new Institutional and Social Development Directorate. This early period also saw the founding of the Mvula Trust (funded by the Development Bank of Southern Africa, the IDT and the EU), an NGO that advocated a demand responsive approach in small rural and peri-urban communities. A close relationship developed between the CWSS programme and Mvula (whose role was as an 'implementing agent') that was encapsulated in a signed agreement in 1995 (extended for five years in 1997).

The first three years of democracy saw the sector budget expanding rapidly as a plethora of schemes were developed in previously disadvantaged, predominantly rural areas. Although local government was envisioned as the ultimate provider of services, the lack of functional structures and

capacity (especially in rural areas and rooted in the deliberate neglect of previous decades), led to the water sector in effect creating a parallel rural local government system, forged by water users committees that planned, implemented and ran their own schemes (Savage). Others also availed of RDP to get rural infrastructure schemes off the ground. For instance, the Eastern Cape Amatole District Municipality established local RDP forums whereby communities could express their needs and identify projects. Such municipal fora tended to overlap the committees set up by DWAF and Mvula, leading to early tensions with local government⁴

The enormous pressure to achieve results and scale of resources being poured into the sector were delivering visible results on the ground. However, the sheer rate of progress started to also manifest itself in an increasingly supply-driven approach, with outputs and expenditure overtaking sustainable community-level outcomes as the primary focus. Some of the laudable goals in overall policy were thus being

Early seeds

Current collaboration in the water services sector has its seeds as far back as the early '90s, when two fora in particular brought together a range of stakeholders to discuss policy issues and develop a response to the glaring needs. The first is SCOWSAS, the Standing Committee On Water Supply and Sanitation, which was established in 1992, first through informal discussions and then via a formal structure. Its legitimacy could only lie in bringing together a wider cross-section of stakeholders than had previously been involved, including non-state actors such as NGOs and the trade unions. The Committee reviewed national policy, developing a single set of recommendations for the new sector, one of which was the setting up of what became DWAF. Early on SCOWSAS thus laid the basis for greater cohesion amongst previously divided and scattered roleplayers (Colvin & Gotz).

The Drought Forum was established in response to severe drought in the early '90s. It brought together political parties and NGOs with government institutions to ensure that previously neglected rural communities benefited from government intervention. Its approach on the ground, taken up by the nascent Independent Development Trust (the IDT, funded by the EU and DFID), was community-based and focussed on setting up and funding CBOs (Galvin & Habib and Colvin & Gotz).

⁴ While Mvula apparently tried to broker the relationship and seek written contracts between local government and communities, DWAF schemes did not pay much heed to the nascent local government structures.

undermined, and on the ground worrying signs of schemes falling into disrepair or disuse soon after commission started to appear. The tensions this generated started to show internally. A prime example was a 1997 workshop to discuss the external evaluation commissioned after three years of RDP. With the evidence to hand, some participants argued for a period of consolidation and evaluation to ensure progress was not undermined. However, the political message from the Minister and senior officials was clear: the need to accelerate progress was paramount (Colvin & Gotz).

The BoTT programme in the four provinces of greatest backlog (now Limpopo, Mpumalanga, Kwa-Zulu Natal and Eastern Cape) was DWAF's immediate response to this directive – a framework whereby consortia of private sector firms and NGOs would deliver a call-down 'package' of infrastructure delivery accompanied by consultation and training of communities, to be followed by handover of schemes.⁵ In a sense this was a programme of formalised collaboration driven by national government spending.

However the pressure seemed such that DWAF and others appeared to be racing merely to stand still. The Department of Finance (now the Treasury) was beginning to look askance at budget under spend and as RDP came to an end, rather than fold these monies into DWAF's budget, they slashed the capital funding going to DWAF from above R1bn in 1998/99 to around half that in 1999/2000 (Colvin & Gotz). The capital funding was thus abruptly shifted from DWAF towards municipalities through a growing system of direct grant funding (which in hindsight can be seen as a pattern in Treasury behaviour of using the budget to force institutional change).⁶

Sanitation: fundamentally collaborative?

As early as June 1995 the multi-disciplinary nature of sanitation was formally recognised with the setting up of an inter-departmental National Sanitation Task Team (NSTT). Led by DWAF it brought together other departments such as Health and Education and included the Mvula Trust. A separate white paper on a national sanitation policy came about through a highly consultative process in 1996, during which a National Sanitation Co-ordination Office (NaSCO) was created and housed within DWAF alongside the department's sanitation sub-directorate. They together helped establish Provincial Sanitation Task Teams (PSTT). DFID was a major supporter of sanitation throughout this period.

NaSCO has since been absorbed into the Municipal Infrastructure Task Team (more of which later), and in the Eastern Cape at least, the PSTT absorbed into the IWSMF collaborative structure.

Local government has long been implicated via its environmental health practitioners who take responsibility for health and hygiene awareness (and who considerably predated the legislation around Water Services Authorities). Provincial level politicians also (nominally) have a stronger role than in water, as environment, local government, education, health and housing all have Provincial Departments and MECs, whereas DWAF does not.

(Colvin & Gotz and DWAF, 2002)

⁵ "There was nothing in the BoTT contracts that specified when and how to transfer completed schemes to community structures or local government". (Colvin & Gotz)

⁶ Currently DWAF are under "substantial pressure to speed up the transfer process ... (Treasury) ... is the driving force ... in particular through its capacity to change funding relationships. It has announced ... that DWAF's overall water budget will be reduced by 20% per annum. The danger of this approach is that DWAF is essentially forced to implement an exit strategy, whether or not this results in a reliable service after the transfer". (Galvin & Habib)

The view from local government

In the period preceding the 2000 elections and the final distribution of powers and functions, local government was not idle. The focus of their efforts was the urban milieu, where capacity was stronger, the mandate clearer and DWAF less active. Thus in the 1997/98 financial year the six Transitional Metropolitan Councils, and more than 55 Transitional Local Councils, spent roughly the same as DWAF on developing water services infrastructure (Colvin & Gotz). The principal source of finance came from the Consolidated Municipal Infrastructure Programme (CMIP), set up following discussions between DWAF, DPLG⁷ and the Department of Housing in 1997. Between 1997 and 2003 the sector thus benefited from R4.9 billion of a total R8 billion CMIP funding disbursed by DPLG.

Levels of expenditure aside though, the contrast between CMIP and CWSS was a stark one. CMIP neither had the same focus on community-driven processes, nor on the role of NGOs (partly explained by its urban nature, partly by the differing backgrounds of those managing the programme). Nor were the levels of service and subsidy, nor the financial rules governing the programmes, similar – a source of some tension between DWAF and DPLG, and of some confusion for municipalities on the ground (especially once ‘wall-to-wall’ municipalities were introduced in 2000 and many local governments assumed both an urban and rural mandate).

Tensions also arose concerning the role of water committees which DPLG “saw bypassing and therefore potentially undermining politically fragile rural local government structures” (Colvin & Gotz). It also worried about high running costs of new (and occasionally over-designed) DWAF schemes burdening weak and under-resourced municipalities once transfer took place.⁸ Lack of clarity between roles and responsibilities (and the informal accountability engendered by several years of implementing schemes) saw communities looking to DWAF for assistance and guidance over issues that were fast becoming the rightful purview of local councils. Thus tension between local councils and DWAF was also an issue, especially where councils perceived water committees as undermining their role and challenging their authority (in some cases that formally and informally vested in ‘traditional leaders’, who were being incorporated into the lower spheres of local government). Nor did they always appreciate being told what to do by DWAF, whose capacity and technical skills may have lent it a certain arrogance, despite (or sometimes because of) their receding mandate for delivery.

Tensions on the ground were in part being addressed by, part created by, developments at national level. DWAF’s 1997 Water Services Act brought with it some crucial shifts in roles and responsibilities especially relating to local government. While formally recognising local government’s ‘responsibility’ for ensuring access to water services, it introduced the twin concepts of Water Services Authority (WSA – always vested in local government) and Water Services Provider (WSP – a function that could be retained in-house or delegated to external providers).

⁷ Known then as the Department of Constitutional Development.

⁸ “In recent years the Department of Water Affairs and Forestry has pursued a multibillion rand programme of supplying water directly to communities. The programme is beginning to have a significant and positive impact on the quality of life of rural people. However, largely due to the transitional process in local government, this programme has often bypassed municipalities in the past. The Department of Water Affairs and Forestry has committed itself to a systematic institution-building programme at the local government level to ensure local government involvement in the programme”. (DPLG as noted in Colvin & Gotz)

Furthermore the Act required all WSAs to develop Water Services Development Plans (WSDPs) – holistic and integrated planning tools requiring consultation with communities and supposedly aligned with the more macro Integrated Development Plans (IDPs) being promoted by DPLG.⁹

The Water Services Act also laid the groundwork for DWAF to start addressing the hitherto neglected issue of regulation, developing norms and standards, tariff guidelines, and model contracts and guidelines for WSAs.¹⁰ In doing so it also provided a framework within which DWAF could work constructively with municipalities to help them assume their WSA responsibilities and to prepare the new WSDPs.¹¹

Supporting municipalities

The role of supporting municipalities intimated by the '97 Act was not wholly new to DWAF, nor importantly, for the various donors present in the sector since the early '90s. Early donor support within the sector had been primarily channelled through DWAF (with only 2% going to NGOs) and was mostly controlled via DWAF nationally. The vast majority of this was not for hardware but for software aspects, including institutional and policy aspects and pilot projects. The funding was mostly project-based and donor/DWAF relations mostly bilateral. Although DWAF did disperse these projects regionally, observers have found limited evidence of donor co-ordination. (Galvin & Habib)

DFID, the EU and others had for several years been running programmes that tried to build capacity within municipalities to tackle water and sanitation issues – GTZ had been working within DPLG on similar topics. Shortly after the Water Services Act came into force DANIDA embarked on a programme to investigate the implications of the new legislation and to support nascent WSAs – this grew in Kwa-Zulu Natal into a DWAF programme called ISWIP (Implementing Sustainable Water Services Institutions Programme).

Overview of legislation

Key roles of national, provincial and local government for water and sanitation provision are allocated in the Constitution. It tasks local government with the responsibility for provision of sustainable services to communities, with the support of provincial and national government.

The Water Services Act (Act 108 of 1997) aims to assist municipalities to undertake their role as water services authorities and to look after the interests of the consumer. It also clarifies the role of other water services institutions; especially water services providers and water boards.

The Municipal Structures Act (Act 33 of 2000) provides for the establishment of municipalities in accordance with the requirements relating to categories and types of municipality and to provide for an appropriate division of functions and powers between categories of municipality. The Act allocates the responsibility for water services to the district municipality or the local municipality if authorised by the Minister of provincial and local government.

The Municipal Systems Act (Act 32 of 2000) focuses on the internal systems and administration of a municipality. The Act introduces the differentiation between the function of an authority and that of a provider. It also identifies the importance of alternative mechanisms for providing municipal services and sets out certain requirements for entering into partnerships. Particularly pertinent here is Section 78 of the Act, discussed in more detail later.

The Municipal Demarcation Act (Act 27 of 1998) created 'wall-to-wall' municipalities and was important in that rural and urban areas were consolidated, which allowed for cross-subsidisation and a more effective use of resources. It also meant later WSAs have to cope with both urban and rural water and sanitation.

The Division of Revenue Act, which is enacted annually, gives effect to Section 214(1) of the Constitution that provides for the equitable division of nationally raised revenue among the three spheres of government. The Act for 2002 makes provision for the CWSS as an 'Indirect Conditional Grant' to fund a basic level of water services and the implementation of infrastructure projects where municipalities lack the capacity to do so.

The White Paper on Basic Household Sanitation (DWAF, 2001) emphasises the provision of a basic level of household sanitation to those areas with the greatest need. It focuses on the safe disposal of human waste in conjunction with appropriate health and hygiene practices. The key to this White Paper is that provision of sanitation services should be demand driven and community-based with a focus on community participation and household choice. (Amended from DWAF, 2002)

⁹ The Municipal Systems Act of 2000 required interim IDPs as "comprehensive and strategic management tools" for local government's new jurisdictions. Project Implementation and Management Support System Centres to assist were launched and housed within some district municipalities. In practice however, IDPs have been criticised for not being as consultative as originally hoped, as well as encouraging some planning and funding parallel to the formal process. Moreover the process of preparing them is a laborious one, and they are often not being used as the strategic management tools foreseen. Similar criticisms have been levelled against DWAF's WSDP process.

¹⁰ This was apparently a consultative process involving 12 nationwide workshops with municipalities.

¹¹ Who exactly had this responsibility remained unclear for a number of years, thanks to a lack of clarity from DPLG etc., with the Minister retaining discretion over allocation of powers and functions between district and local municipalities. Eventually 155 WSAs were decided upon, many more than the foreseen 54 district municipalities. In the Eastern Cape a mix of district and local municipalities are now the appointed WSAs.

Three very different provinces

The three provinces in which the Masibambane programme (discussed later) was rolled out, Kwa-Zulu Natal, the Eastern Cape and Limpopo, are very different on several levels. These contextual differences are very important for how collaboration has developed in each province and for the strategies adopted.

In **Kwa-Zulu Natal** regional councils had more experience in water services than the nascent regional DWAF and this has had an important impact on the relationship between municipalities and DWAF. It also benefited early from the ISWIP and thus municipal capacity is generally stronger here. The regional fora, WATSAN, had been up and running for some time before the advent of the Masibambane programme.

The highly contested political nature of the province and the important role played by traditional leaders has also impacted the water services sector, and in particular the attitudes to water users committees and the like. National directives tend to be received more circumspectly in the province and this will influence the national/provincial linkages looked at later.

SALGA, which started as a loose association of provincial associations, has charted a different course in Kwa-Zulu Natal, which initially resisted the national amalgamation. National SALGA's role in the province has thus been of a different calibre than elsewhere.

In the **Eastern Cape** DWAF has been a stronger presence, partly as it benefited from strong staff transferring from the former homelands of Transkei and Ciskei. Municipalities have generally been weaker than in Kwa-Zulu Natal and this has led to a different set of relationships between DWAF and local government. The presence of Amatole Water Board has also been important for the province.

Donors and other actors took many different approaches before 2000 to establishing water services in the province. Thus the issue of fragmentation was especially strong in this province.

Limpopo had (and still has) perhaps the lowest capacity of all. The relationship between politicians and technocrats has historically been fairly poor, as has been that between DWAF and local government. Regional DWAF has perhaps been slower to transform itself than elsewhere and these and other factors have influenced the tone of the collaboration. Progress in reducing backlog has been the least impressive and issues such as transfers even more of a headache.

Importantly none of the three provinces have an MEC (provincial minister) for Water and Forestry – this has not improved the liaison with provincial politicians and made it harder for technocratic and political spheres to work together.

To begin with ISWIP was somewhat stop-start as regional councils (the Kwa-Zulu Natal equivalent to district municipalities) were in the midst of transition and focussed on trying to recover costs on their existing schemes. The promise of financial support from DWAF helped get them round the table to begin with, allied to the placement of DWAF-funded support staff directly within local government. As momentum gathered, ISWIP piloted various institutional support models for WSAs and let the regional councils decide themselves on their most appropriate arrangements.¹² Across the country new WSDP regional co-ordinators were also helping municipalities prepare these plans and tie them in with IDPs, thus complementing early DPLG support for the latter.

In contrast the EU was involved primarily in the Eastern Cape and in Limpopo. In the former, R100-120 million was going towards a programme of infrastructure development in which it worked with Mvula and other implementing agents. This programme, while not dissimilar from CWS, remained outside the DWAF programme and also had few links to local government (although it did support some restructuring of provincial DWAF). By contrast, in Limpopo R250 million over three years was effectively being provided as direct budget support to DWAF – this was channelled via BoTT, which in lieu of provincial DWAF capacity proceeded to build its own. (Galvin & Habib)

¹² Although some local governments felt that the WSA / WSP distinction was somewhat abstract (in Kwa-Zulu Natal many had been providing water services long before 1994) a concurrent DWAF support programme, BoTT, used DWAF 'sustainability' funds to 'retrofit' schemes to prepare for their transfer to local government.

DFID had chosen yet another route, focusing on local government. Its main project, named the Water Service Support Unit (WSSU), assisted in the transfer of water services responsibility to rural local councils. It worked in Limpopo and Mpumalanga via a co-ordinator based within SALGA, with the Terms of Reference established and consultants chosen by DWAF, DPLG and SALGA (despite the focus being on local government, DPLG did not take up an offer of staff support hence the location within SALGA). (Galvin & Habib).

Masibambane: 'let's work together'

All these various strands came together in 2000. Within the 'international' water sector the notion of a sector-wide approach was gaining ground, and in keeping with this the member states of the European Union decided to pool their support to the South African water sector.¹³ This meant they would need to integrate the existing programmes into one macro programme of 'sector support'. Accordingly the donors sat down with the South African government to discuss what a multi-donor support initiative would look like.

The result was Masibambane; a programme of co-ordinated 'sector support'. The purpose was to 'support and strengthen the water and sanitation services sector in South Africa as a whole and in three targeted provinces in particular, and to support the proper functioning of local government in terms of the current policy and legislative framework'.¹⁴ Thus not only did the new programme bring under one roof much of the previous donor funding, but it combined elements of those previous programmes, including the experience of ISWIP, the EU in Limpopo and DFID's approach to supporting local government via SALGA. Importantly for this particular review, the '*functioning of the water services sector*' (emphasis added) now became a target for support in and of itself (Colvin & Gotz).

The first phase of Masibambane provided direct budgetary support channelled through DWAF. The effect of this was that R800 million was added to DWAF's R3.4 billion budget as a lump sum rather than split into separate projects (it is not currently clear to the review whether the aggregate total also went up). These monies therefore essentially 'topped up' all DWAF line items, with the primary decisions about how this took place and where the money went being made by DWAF (although this may have been in conjunction with donors: more light on how donors came together to discuss such issues with DWAF could be helpful). It was also decided that the programme would require dedicated co-ordination, providing it with the leverage necessary to introduce programmes and processes outside of DWAF's normal approach (Galvin & Habib). While the management of the programme resided within DWAF, initially a programme co-ordinator was placed within SALGA (presumably building on the experience of the DFID programme), although soon thereafter this was superseded by a 'Programme Management Unit' created within DWAF itself. This was felt necessary in order to better leverage the Department's involvement.¹⁵

The case for focusing on building WSAs: 1999

"Apart from a growing concern over the need for sustainability, are there other influences which could or should be shaping the future RWSS programme? The first is the declining budgets for DWAF programmes. There are plans to reduce the capital expenditure budget in favour of an integrated, single window CMIP (Consolidated Municipal Infrastructure Programme) approach, administered by DCD. Likewise, the recurrent cost budget is due to be phased out and replaced by the Equitable Share of National Revenue going straight to local authorities.

The second influence is a clear commitment, within the Constitution and subsequent white papers, to decentralization ... The important point is that ultimately water services are clearly a local government responsibility. Therefore the various central government agencies which may have had a role in service delivery, one way or another, need to shift their approach towards facilitating the success of others, principally local government. An important part of this is to identify the Water Services Authorities ... and empowering them to fulfil their roles. The WSA should be helped to identify appropriate WSPs and to conclude fair contracts with them. For this they need a sustained period of technical support and mentoring. At this point it is important to stress that this empowering is essential and non-negotiable if sustainable, accountable service provision is to be achieved. And a lack of present capacity in a WSA is no excuse to dictate to or ignore them." (Jackson)

¹³ This shift was bolstered by a move towards budget support for Poverty Reduction Strategy Papers (PRSPs), which were a requirement for Highly Indebted Poor Countries to get debt relief. This did not apply to South Africa though. As for SWAPs, definitions vary (see Kanda for more).

¹⁴ The three provinces were those that made up fully 80% of the national backlog, namely Limpopo, Kwa-Zulu Natal and the Eastern Cape. (Masibambane, 2003a)

¹⁵ The review could perhaps better understand the role and efficacy of the PMU (see SS1.1 of Masibambane, 2003a).

While DWAF at the national level was the recipient - via the Treasury - of the Masibambane support money, the bulk of the initial activity intended to be at provincial level.

The logical framework divided the programme into three main thematic areas:

1. *Sector orientation*, including: developing a clear policy framework; the strategic orientation of recent policy and legislation; a 'services' provision approach rather than 'project' approach (cited as 'dominating the sector to date').
2. *Service delivery*, including: implementation of a sustainable water services programme; integration of planning (reliant on the MAAPs – see below), formulated through 'an extensive process of consultation'.
3. *Institutional support*, including: strengthening the capacity and skills of each sphere of government and other role-players ... to fulfil respective water services functions; improving technical, managerial and administration skills; bolstering the institutional capacity of WSAs; supporting ... transfer of functions from DWAF to local government.

The programme proposal also stated that, "interaction between institutions is critical, hence a significant element of the programme will be to strengthen integrated planning and co-ordinated management within the sector. Co-ordination will be of a horizontal and vertical nature ... in keeping with the national move towards a multi-sectoral or 'cluster' approach"¹⁶ and that "DWAF will implement the program. Wherever possible the provision of services will be implemented through District or Regional Councils where these institutions have a adequate capacity (for which capacity will be built up)"¹⁷. (DWAF, 2000b)

Tensions within DWAF

At the outset of the Masibambane programme, national DWAF had a planning department that was in the process of developing provincial-wide plans for water services. The process was fairly rigorous and had been underway for some time.

The development of the MAAPs, which was a very participatory yet rough-and-ready process, done quickly and partly as a basis for funding proposals, therefore overlapped somewhat with this national process. This caused some tension within DWAF as Masibambane was run out of a different department – Project Development Support.

This was not the only instance of the Masibambane programme, which cut across several operational responsibilities within DWAF (and thus across ongoing programmes, such as planning), raising hackles at head office.

This issue, which is explored later, is an example of the importance of where those who engage in, or in this case drive, collaborative processes, sit within their own organisation and how the organisation itself manages its 'partnership interface'.

Gearing up collaboration

The tools for getting Masibambane rolling in the provinces were what were known as MAAPs, or Multi-Annual Action Plans. The 'Gearing Up' team, rapidly established to get things rolling, saw it as "a necessity to involve all the stakeholders" in developing these plans.¹⁸ This was fundamental for two reasons; firstly the MAAP was meant to be a 'living document', which would span several years and require the active involvement of all the stakeholders to implement the objectives there in. Secondly, an inclusive and open process from the outset would be key to achieving this given that "relations between some of the key role-players were somewhat strained" (the reasons for which have already been alluded to). (DWAF, 2000a)

Accordingly the team made a deliberate effort to set up new and informal structures rather than 'squeeze' into existing ones (structures that could have discouraged some stakeholders and set a less collaborative tone at the outset). In the Eastern Cape two 'strategy workshops' were held and apparently well attended by a broad cross-section of stakeholders. Consensus on the future vision and direction of water services in the region was sought, with high-level goals and strategies the output. This fed into the first draft of the MAAP, which was discussed at the second workshop.

¹⁶ In a bid to improve cohesion across National Departments they have been 'clustered' together (on the initiative of the Presidency) with DWAF in the social cluster alongside the Departments of Health and of Social Development.

¹⁷ This document predated the final powers and functions decision between district and local municipalities and thus local municipalities are not mentioned.

¹⁸ The role of the Gearing Up team may be worth exploring further. The consultants employed were from outside DWAF (but familiar with it) and were felt by others to be neutral and independent enough to act as an 'honest broker'.

Importantly, it was here that time was “devoted to discussing and developing recommendations with respect to important ‘cross-cutting’ or theme strategies such as gender issues, environmental impacts, PPP’s and the use of the NGO sector”. (DWAF, 2000a)¹⁹

Fortuitously, the seeds of this formal structure sought by Masibambane (see quote) were already taking root. DWAF had been worried for some time about the duplication of programmes and approaches, something remarked upon by several external evaluations during that period. The Director of Planning and Implementation in the Eastern Cape had taken special note and had started to convene a forum aimed at better co-ordinating the diverse activities. This coincided nicely with the development of the provincial MAAP, which acted as a basis for the initial funding proposal to the donors. Thus a plan with no inherent structure (the MAAP) found a welcome home in a structure that to all extents and purposes still lacked a plan, and importantly, no obvious source of financing

Thus was the Integrated Water Services Management Forum (IWSMF) born and a Terms of Reference developed. The structure remained informal and outside the realm of formal legislation (unlike WATSAN in Kwa-Zulu Natal, which has sought to formalise itself in the provincial legislation) but thanks to a champion within DWAF, and the services and support of the nascent Masibambane programme, IWSMF was off to a good start.

According to several informants, the fact that from the outset there was money on the table for infrastructure (apart from that for software issues such as training), was important for getting and holding people’s attention.²⁰ The collaborative nature of the first MAAP’s strategic workshops in the Eastern Cape had also persuaded people that through attending they could influence how and where this money was to be spent (and as the box on page 16 shows, the amounts were not insignificant).

“The role of the Steering Committee at the regional level was in effect played by the two strategy workshops, although a more formal structure may have to be set up in the next phase. The Working Group has proved to be a particularly effective structure and was very well attended by all six of the District Councils, the Department of Local Government and Housing and DWAF.”

(DWAF, 2000a)

Masibambane’s capacity building efforts

Masibambane has helped fund staff within DWAF, who could support the collaborative processes themselves, whilst also providing institutional support to municipalities. The importance of this contribution cannot be underestimated. Despite this valuable support, Masibambane staff and activities have not always been integrated well into line functions and this has created a degree of resentment within DWAF. A number within DWAF still consider Masibambane as just another ‘donor programme’.

As well as funding staff in DWAF Masibambane has been unusual in taking the step of funding (significant numbers of) individuals within different partner organisations. In the Eastern Cape, this took the form of funding staff within the Water Services Authorities. After a period of three years municipalities were required to pay these staff in full or terminate their contracts. This simultaneously ensured that municipalities had minimum levels of functional capacity, and had staff that could also engage in the collaboration process. It also presented a clear signal that the programme, and hence DWAF, was serious about supporting municipalities to establish capacity in their new roles. It also ‘placed’ people within both SALGA and DPLG – a tactic that so far can be said to have worked within SALGA and not within DPLG. Whatever the reasons for this, the practice certainly has important implications for how the partnership interface is created within organisations and how this function becomes mainstreamed or not. While staff placements in WSAs using Masibambane funding have been important in building the capacity of municipalities, the future rate of absorption of these staff within municipal structures will be an indicator of institutionalisation by municipalities.

¹⁹ This is interesting when considering the effectiveness from a donor standpoint of Masibambane. Clearly none of these issues were coming through strongly in the ‘vision and direction’ and had to be worked in somewhat artificially at a later stage. The various reviews of Masibambane find that these cross-cutting issues did not fare particularly well.

²⁰ The pace of change over the previous 10 years had apparently contributed to a very operational mindset, and that, combined with the pressure on the ground for delivery, made the availability of finance for hardware a crucial lever for attendance.

From a provincial programme to national strategy

One of the issues that the IWSMF and other Masibambane fora faced in the early days was that they often found themselves operating in somewhat of a policy vacuum. All stakeholders were struggling with the ongoing transformation of local government and at provincial level there was frustration with a lack of clarity from national level about certain key issues (free basic water was one, see section three for more). The mid-term review of the programme found, for instance, that “there was little guidance from DWAF Head Office at the start-up and implementation of Masibambane in terms of policy related to a wide range of factors” (Masibambane, 2003a). While this left officials within DWAF responsible for the programme feeling “cut-off from management” and generated frustration for non-DWAF stakeholders, the message did slowly work its way upward, helped in part by Masibambane itself.

Where frustrations at implementation level, stemming from policy incoherence, poor guidance or other issues with their roots at national level, used to take their time to ‘trickle up’ to national level, and did so in a rather ad hoc way, Masibambane was beginning to provide a more solid platform for this dialogue and transmission. National officials closely involved in operations attended provincial fora meetings and were able to hear at first hand some of the challenges. Moreover, by providing a forum where these could be tabled and discussed between different stakeholders, the potency and strength of these provincial messages was greatly enhanced. Furthermore, whereas regional DWAF had previously found itself hamstrung by playing a ‘relaying’ role between stakeholders (e.g. between DWAF national and WSAs) increasingly open and multi-lateral dialogue was possible, reducing the scope for confusion, mistrust and distortions via ‘translation’.

At national level reporting mechanisms (of which more later), such as the Masibambane Co-ordinating Committee, felt a need to move beyond strict ‘reporting’ to discuss and compare notes from provincial level on the development and impact of national level decisions. This enhanced collaboration at provincial level, sparked in part by the development of MAAPs and nurtured by the collaborative fora, was starting to trickle

Brokers and champions

Partnership analysts and practitioners are increasingly paying attention to the role of internal and external brokers. In Masibambane, the broker role has been important, shifting around over time between different individuals and different organisations.

Examples include the current role that the EC plays in discussion between various stakeholders and the honest broker role of consultants in getting Masibambane off the ground.

Partnership brokers (who facilitate, cajole and encourage) should be distinguished from the often complementary role of partnership champions (who provide access and enthusiasm).

In light of the replication and scaling up of Masibambane in phase two and the creation of various MIG fora, the various roles required to deliver a partnership of this scale require further unpacking.

Transmission mechanisms

It is interesting to note how collaboration in one arena (in this case at provincial level) can prompt co-operation in another (national level). The transmission mechanisms for this could be better understood but it is clear that individuals play an important role.

In the South African water sector early collaboration benefited from the fact that key individuals knew and trusted each other (many had worked together in DWAF in the early days) and that they moved round the system, taking their ideas and approaches with them.

Thus the approaches being pioneered in the ISWIP were transmitted from Kwa-Zulu Natal to the Eastern Cape and up to national level partly due to good relationships between individual early champions and the movement of staff from regional DWAF to head office. Similarly the early Masibambane co-ordinators within SALGA had worked previously in DWAF and knew many of the key role-players personally.

However, this transmission would not have been as successful had the enabling framework for collaboration not been in place, and as collaboration matures and is broadened we need to make sure that we have mechanisms that do not rely solely on good relationships between individuals and personal champions.

upwards, bringing pressures at national level for a similar move towards open and collaborative discussion and decision-making.

The table below shows the rates of delivery in the three Masibambane provinces. As the final evaluation of Masibambane phase one notes, “Limpopo was also on target and serving roughly equal numbers to Kwa-Zulu Natal during 2001/02 and 2002/03 but delivery in Limpopo collapsed from a quoted 430,000 people served with RDP water in 2001/02 to only 26,000 served with water in 2003/04. The apparent collapse in delivery in Limpopo coincides with funds being transferred to municipalities and municipalities taking over responsibility for implementation. It is clear in retrospect that Limpopo Province must have been ill prepared for decentralization.”

Delivery on Masibambane targets in original three provinces

Province	MSB target: people served with water	Actual people served with RDP water	MSB target: households served with sanitation	Actual toilets built	MSB target: health and hygiene education	Actual health and hygiene education
Eastern Cape	800,000	998,018	30 000	37,298	800,000	586,260
Kwa-Zulu Natal	804,000	889,166	55,000	73,611	800,000	317,091
Limpopo	890,000	600,311	57,000	26,899	890,000	282,217

(Source: Masibambane, 2003a)

A note on sector spending

The table below is taken from the final evaluation of Masibambane phase one. It reports on budgeted and actual expenditure across the various KFAs (key focus areas) Masibambane is meant to act upon. These are disaggregated by province.

Budget and actual expenditure by KFA for the three Masibambane provinces										
Province <i>(figures in millions of SA Rand)</i>	KFA 11		KFA 10		KFA 12		KFA 13		KFA 18 Cross-cutting/management support	
	Theme 1: Sector orientation		Theme 2: Service delivery		Theme 3: Inst. support		Theme 4: Transfers			
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Eastern Cape	15	17	226	505	20	22	8	14	30	16
Kwa-Zulu Natal	4	3	718	285	15	15	5	5	40	38
Limpopo	7	4	561	226	24	23	34	31	2	0
National total	50	34	2184	1032	81	78	97	73	136	112

(Source: Table 4C by Deloitte Consortium in Masibambane Final Evaluation Report, 2004)

Two things are of particular interest. One is that 80% or more of the budget is being spent on ‘service delivery’ (theme two) – this is predominantly capital funding for infrastructure (although it is not very clear how existing CWSS and CMIP funding is

being counted relative to the Masibambane budget). This observation tallies with the finding that the opportunity to influence significant decisions around financial allocations got people to come to the collaborative table at the outset.

The second observation is that often 25% or more of the budget for each theme is being allocated outside the original three Masibambane provinces. Here it appears that Masibambane was spending money without the 'collaborative structures' necessarily being in place.

What the table does not show is that Masibambane money went from donors to the Treasury to DWAF. The Treasury, in keeping with its normal practice regarding donor money, insisted that this be 'tagged' as 'donor money'. Thus, from the outset, Masibambane money appeared labeled as such in the DWAF budget. One important consequence of this was that Masibambane funding and its allocation within the DWAF programme of action became immediately visible. This reinforced the perceptions both of Masibambane as a donor-funded programme and as one that, although managed from a specific part of DWAF, cut across several other line functions and areas of responsibility.

While this visibility may have helped Masibambane and the concept of 'one sector' gain ground in the early days, it probably contributed to a certain ambivalence towards the programme and its managers within DWAF in general (who may have resented both the size of budgets involved and its intrusion into 'their line function'). It may also hamper institutionalisation of the collaborative approach into standard departmental practice.

Treasury and decentralisation

The National Treasury is heavily committed to the overall thrust of decentralisation and has in many cases been driving this through the Division of Revenue Act and other tools.

Reforms to the system of intergovernmental fiscal relations and the finances of those of municipal structures and systems have been designed to be "mutually supporting". From 2000 growth in downward transfers has been significant, rising at a nominal average of 25% per year from R5.5 billion in 2000/01 to around R10.8 billion in 2004/05. Thus the share of nationally raised revenue going to local government has risen by around 18% per year over this period. Between 1995/96 and 2005/06 local government's share of national revenue will have risen by over 90% in real terms. (Savage)

Section Two: Assessing collaboration in the sector today

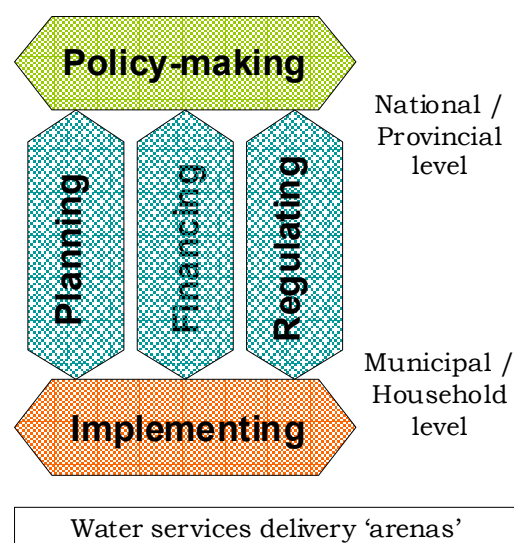
Chapter 2 – The subjects of collaboration

In unpacking collaboration we first look at those subjects that collaboration has dealt with and those it has not. The water services sector is essentially composed of five inter-related 'arenas'. Implementation takes place at ground level, within municipalities, whilst policymaking is typically more of a national affair. Planning, budgeting and regulating link the two, and thus bring together the different spheres of government.



Policy-making

As a reaction to the changes to the institutional landscape, DWAF started work on a new water policy some time in 2001/02. This was not a particularly multi-lateral process, and began around the same time as the Mini Lekgotlas and WSSLG were being established (see page 23). In 2002 a first draft was presented by DWAF at WSSLG. The other sector stakeholders, relishing the new space for dialogue that the forum provided, did not receive the draft particularly well, on grounds relating both to its substance and the process of its preparation. In the face of this opposition DWAF decided that it was better to engage with these sector partners, developing a new policy that was acceptable to all. This was a crucial moment for the national collaboration. The consultative process that ensued, involving all major national and local partners, resulted in a policy, the Strategic Framework for Water Services, which had the buy in of all major national players, including SALGA.



Several advantages were cited by interviewees to having a collectively-owned water policy. Most simply put, a policy prepared collaboratively is owned more widely and therefore easier to implement. Opponents to reform can be made part of the process. Moreover, at the time the policy is promulgated there is likely to be greater understanding of the implications and coherence in interpretation. One key factor in the subsequent buy-in from local authorities was that SALGA disseminated the policy to its members rather than DWAF. The process surrounding the strategic framework also increased the credibility and respect for DWAF as an institution amongst sector partners.

Policy-making – sometimes collaborative, sometimes not

The framework of the WSSLG and MCC provided the opportunity for greater collective involvement in the development of policies and strategies but this was by no means automatic. Neither the water policy nor the local government legislation prior to 2000 had formalised in particularly collaborative ways, and the announcement of free basic water as a policy in 2001, was gestated predominantly within Cabinet, and was not an initiative emanating particularly from DWAF or any other sector partner. Both WSSLG and MCC are facilitated by donor funding, which purports to support and follow government policy rather than seek to make it (the South African government itself is very sensitive to suggestions of donor influence over national policy). One can surmise, however, that the relationship is not entirely straightforward.

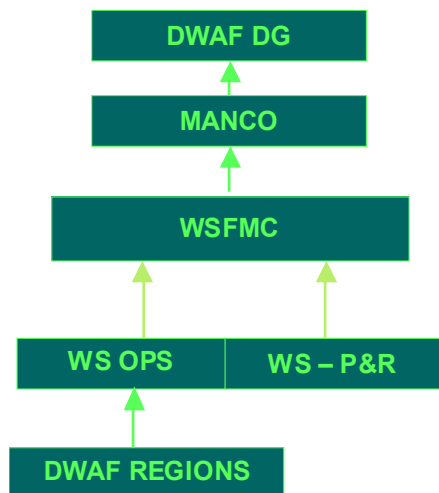
Planning

Water Services Development Plans and IDPs: At the municipal level, WSAs needed support in developing their Water Services Development Plans. The institutional support, both in terms of consultants and staff support provided by Masibambane, has helped significantly in enabling municipalities to prepare their WSDPs. However the preparation appears fairly technocratic and draws significant time and effort from staff.

The impact of Masibambane within DWAF

Masibambane played a key role in developing more robust regional/national relationships within DWAF, and the sector in those provinces. It has contributed to improvements in the managerial relationship between regional and national DWAF offices, and Masibambane reporting is now being used as a prompt for an internal management meeting within DWAF before presenting to the forum (Masibambane was the first arena for quarterly reporting in the sector, now widespread). Previously DWAF's internal reporting structures were less effective. DWAF now has far better information on the state of implementation of water services budgets and problems being faced, and therefore is in a far better position to respond to the needs of the regions and municipalities.

DWAF Reporting Structures



As long technical documents, it is unclear how effective WSDPs are in informing council decision-making. While on paper the WSDP is a chapter of the IDP, some at municipal level see them as two distinct processes – ensuring consistency between the two is a challenge. The demands thus being made by the sector on municipalities, while understandable, maybe imbalanced in comparison to other sectors. Importantly, the IDP process, if followed as envisaged, is a transparent and participatory one (although criticism regarding the depth and quality of participation in IDPs is widespread).

Some regional DWAF offices seem to have been slow to change to a role of support, rather than control, and WSDPs may be playing a role in this inertia. Legally WSDPs only need to be approved by council, however there are reports in some parts of the country that regional DWAF offices insist on vetting these plans, as well as instances of plans being 'rejected' for technical reasons (with limited support given to WSAs to rectify this).²¹

At national level: The strategic framework set out a sound platform for the development of strategies and plans for actors within the sector by establishing

- clear national priorities for the water services sector;
- the institutional framework that embraced fiscal and administrative decentralisation; and
- clear ownership by the major players in the sector.

Significant improvements have been made in the quality of strategies, plans and budgets. With the introduction of Key Focus Areas in the 2003/04 DWAF strategic plans, the sector is now more aligned with the cabinet's medium-term objectives, and are performance-oriented, setting out clear objectives for the sector as a whole. This is discussed more below.

Budgeting

Initially it was unclear how the DWAF strategic plans and KFAs were linked to national DWAF or local government budget allocations. However, the KFAs have increasingly been influencing resource allocation, even though the MTEF documentation does not take into account the DWAF KFAs specifically.

An elaborate sector work-planning process has been developed for Masibambane, linking budget allocations and activities to these KFAs at a national, regional, and even WSA level. Municipal WSDPs are also increasingly taking into account the KFAs.

Central to the Masibambane programme has been this concept of 'one work-plan' for the sector, and this is a key element of good practice in sectoral approaches. The corollary of this is a collectively agreed sector-wide medium-term budget to match these plans.

²¹ This type of resistance to change is common at the outset of decentralisation and overcoming it will require strong management links between regional and national DWAF. Some change and improvement is apparent though, for instance in the Eastern Cape.

Thus, as for policy formulation, strategic planning and budgeting processes at the national, regional, and local government level need to be transparent to help increase ownership, accountability and the likelihood of implementation. If planning is to be participatory there is a case to be made for budgeting to also be – this allows those responsible for implementing (municipalities) to be engaged in both planning and budgeting that feeds up to a national level. Involving local government representatives in sector budgets, and in the strategic planning and budgeting for DWAF, may make sense.

However the water sector is some way from this good practice. Although budget allocations are made public, it was unclear how allocation decisions were made within DWAF. Sector stakeholders are concerned that the DWAF budget process is not particularly transparent. Moreover, the annual sector work-planning process appears to have evolved somewhat outside the core DWAF strategic planning and budgeting process, reacting to the outcomes of those processes, rather than being part of them. There was disappointment about the DWAF budget in 2004/05, where Masibambane funds were moved out of collaborative areas into infrastructure provision by DWAF, without significant consultation taking place. This undermined the credibility of DWAF in terms of the partnership.

Regulation

The Strategic Framework sets out the basic principles for water services regulation, however there has been little movement on this until recently. Two important sets of initiatives are underway that will contribute towards this. Firstly, a regulatory framework is being drafted by DWAF, putting meat onto the bones of what is proposed in the Strategic Framework.²² Secondly, various benchmarking initiatives were recently launched by different institutions in the water services sector. These include initiatives by the South African Association of Water Utilities and by SALGA. Although currently these benchmarking initiatives are being used as internal tools to improve performance, they also provide an opportunity for improving accountability to the public (more of which later). A recent development has seen these various initiatives merged (via a Memorandum of Understanding between DWAF and the various parties) and DWAF will rely on these as it takes benchmarking forward. This may be therefore a good example of collaborators, initially working separately, coming together and melding their efforts into a standard tool for the sector.

Implementing

At the regional level, provincial fora and their technical committees have been the focus for practical problem solving. Early on in the collaboration provincial structures were left to sort out their implementation problems, but as the linkages between provincial and national improved, so did the responsiveness of national DWAF in providing appropriate policies and guidance to solve local issues. The Section 78 and transfer

Transfers and Section 78

The transfer of powers and functions for water services delivery to local authorities meant that DWAF had to withdraw from delivering services directly. This proved to be more than just a simple exercise of handing over schemes. Municipalities did not want schemes loaded with excess personnel that required ongoing subsidies to run. Staff working for DWAF were not comfortable moving to work for municipalities. Section 78 threw up a different set of problems. WSAs were largely institutions with weak capacity, however they were being asked to go through a very complex process to select service providers.

It was clear that there were a series of issues that needed resolution at the national level in both cases before consistent implementation could take place. An Inter-departmental Transfer Committee was established including DWAF, DPLG, SALGA and importantly National Treasury. A similar interdepartmental committee was established for Section 78. Interestingly these processes were not part of the formal national level sector collaborative process, although the Masibambane programme has facilitated the committees. The MCC and WSSLG are informed of progress, and the issues arising out of the implementation are discussed.

²² It has not been clear how much of a consultative process this has been. Regulation can be perceived as an intrusive and confrontational topic, thereby upsetting relations between the centre and WSAs – it seems that with this in mind DWAF has to date seemed reticent to introduce it explicitly and open it up for collaborative discussion.

processes were rolled out to the provinces, with regional task teams established replicating their national counterparts. Unlike the national collaboration, in Eastern Cape these groups became part of the collaborative structures. Provincial stakeholders in Eastern Cape felt that national DWAF had become more in touch with local issues, and that communication had improved. An initial confrontational relationship has been replaced by a more constructive collaborative approach.

At the local level, when it comes to actual implementation, much policy is implemented bilaterally. For instance individual transfer agreements are reached between DWAF and the concerned WSA. Section 78 processes are carried out within local governments. Municipalities themselves manage infrastructure provision.

Collaboration across sectors proves more difficult

As we shall see, not all implementation problems that have needed collaboration have actually been solved. Capacity building and sanitation represent examples where collaborative policies have been developed, but implementation has proved far from easy or automatic. These two areas have one common feature – they are both cross-sectoral issues, and therefore by necessity involve more than one department. The nature of collaboration over 'water issues' is that it has been easier for DWAF to take the lead and plough on in spite of others' actions. The fact that DPLG has been a relatively inactive partner has not hindered progress.

Both these issues almost inherently require collaboration, but struggle to move forwards decisively, whilst a further problem facing both sanitation and capacity building is that they are often not a political priority (although both have risen up the agenda recently). In terms of sanitation, replacing buckets with latrines (VIPs) is not a politically popular move, whilst waterborne sanitation is very hard to afford (certainly not without national assistance). Actors in the health sector tend to be more interested in curative services rather than preventative measures. Capacity building is often not a local political priority, because there are few visible results. Therefore councils have little incentive to address capacity gaps, or confront sanitation. Strategies in these fields have not been able to address these fundamental concerns and this may explain in part their lack of progress.

For the purposes of reviewing 'sector collaboration', contrasting these two issues with more successful examples of collaboration would be interesting, and more analysis should be fruitful.

Chapter 3 – The structures of collaboration

Within the Masibambane framework there are three principal structures: the provincial fora (such as IWSMF), the Masibambane Co-ordinating Committee and the Water Services Sector Leadership Group. These have been the three most important structures for sector collaboration generally, although others within and outside the water sector are also relevant.

Structuring provincial collaboration

A major initial impetus for stakeholders to collaborate in the three Masibambane provinces was the prospect of being able to influence the provincial MAAPS, and hence benefit from the new donor funding. The provincial collaborative structures that developed the MAAPS, such as the Integrated Water and Sanitation Management Forum (IWSMF) in the Eastern Cape and the WATSAN in Kwa-Zulu Natal, were subsequently made responsible for co-ordinating and supporting the Masibambane programme as well, as it was felt that it naturally fell within their mandates. It also became clear that the IWSMF could become an umbrella for ongoing sectoral initiatives, including Sanitation and the Provincial Sanitation Task Teams. The IWSMF, aided by the Masibambane sector-wide ethos, therefore helped consolidate and co-ordinate existing collaborative structures within the sector.

The IWSMF brought together representatives from the key actors in the water services sector: regional DWAF, the provincial DHLGTA, councillors, Water Services Authorities, the Department of Health and civil society organisations. Technical working groups

Era Two: Transition	
Subjects	Structures

were established to assist and inform the IWSMF (which became the decision-making forum). These groups dealt with issues relating to various aspects of the implementation of the MAAPs, including institutional development, operational sustainability, planning and delivery, and sanitation.

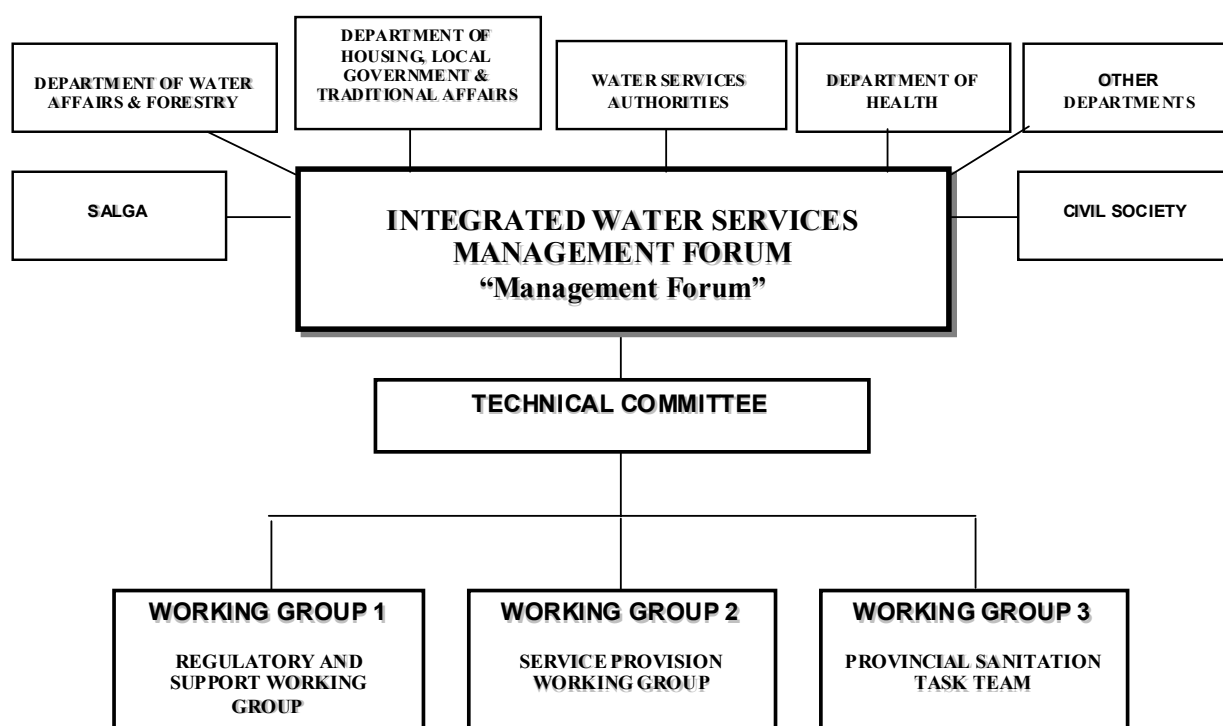
The IWSMF's explicit aim was to provide strategic direction to the sector, improve co-ordination and integration, and oversee the implementation of the MAAPs. The focus of the forum moved quickly towards practical sector implementation problems. Although there was a significant hardware component in the MAAPs, much of their substance was focused on institutional development and sustainability, areas which were particularly important to the EU. Therefore once the MAAPs were finished, the collaborative structures including the IWSMF in Eastern Cape returned to their original agendas of supporting the new WSAs in taking on their roles and responsibilities under the Water Services Act.

National DWAF had a reputation of issuing seemingly erratic or random directives with little consultation. Regional DWAF support to municipalities ran along similar lines. Initially the Eastern Cape forum was a somewhat top-down affair – regional DWAF merely reporting to the municipalities on reforms and initiatives. Nevertheless, with DWAF as one of the many players, the process was convened by consultants who were able to play an 'honest broker' role between the parties, giving the process credibility. (The dynamics also changed over time, as discussed later.)

Evolving drivers and barriers to provincial collaboration

A cross-section of stakeholders in the Eastern Cape were asked what their individual or organisational motivations for collaboration were in 2000 and then now. They were also asked what barriers or constraints to collaboration existed then and now. Although a clear driver in 2000, as decisions about allocation of significant capital funding were being made, since the advent of MIG money no longer drives the participation of stakeholders at IWSMF. Lesson learning, an aspect of Masibambane much appreciated by the WSAs, has since come strongly to the fore. Developing 'delivery capacity' and delivering results on the ground both remain significant challenges and thereby drivers in the province. 'Turf wars' and some confusion as to what collaboration involved were significant barriers in 2000. Discussion and learning over the last few years have reduced these, but a lack of commitment to actually collaborating remains a barrier (ie. people understand what it is about but are still not always interested). Despite strong efforts to resolve this, capacity to take part in collaboration remains a big challenge.

Eastern Cape Collaborative Structures, 2005



In each of the three original Masibambane provinces the collaboration structures were slightly different depending on what existed previously. Like the Eastern Cape, Kwa-Zulu Natal already had a provincial collaborative forum (WATSAN, which was also legislated for by the provincial government). Limpopo created a forum called Collacom.

Structuring national collaboration

The MCC and sector reporting

The Masibambane Co-ordinating Committee was originally formed as the mechanism for oversight and review of progress against regional MAAPs nationally. The MCC met (and still meets) quarterly.²³ The MCC was formed to play an operational monitoring, reporting and co-ordination role for sector players, and it has largely stayed that way. A secondary objective was to fulfil requirements of reporting to donors collectively, replacing individual donor reporting requirements.²⁴ The Committee involved a spectrum of sector partners including DPLG, SALGA, civil society, representatives from the provincial fora and donors.

In the context of a sector-wide approach, such reporting should be on a sector-wide basis, and MAAPs were originally a foundation for this. However, having only three Masibambane provinces reinforced the initial perception of Masibambane as a donor programme covering a small part of the country. However, now that the second Masibambane programme has been scaled up countrywide, the process can be described as truly sector-wide.

Structural Flexibility: Allowing for Evolution

Collaborative initiatives need to evolve in order to remain relevant and effective. Importantly the collaborative fora have allowed themselves to evolve and adapt over time, and have avoided being too rigid in their approach. The partners have been prepared to be introspective, discussing how both internal and external change is affecting their relationships, and whether the structures and mechanisms they have put in place remain relevant. This is nowhere more evident than in the Eastern Cape where the forum has gone through several bouts of discussion – the upshot being that recently it has decided to amend the terms of reference of the IWSMF – rationalising the number of working groups, updating the terms of engagement (for instance to reflect the role of local as well as district municipalities) and amending the arrangements relating to the forum chair. Clearly the ongoing role of the honest broker and of supporting resources from Masibambane has been helpful in this regard, as well as the conscious emphasis on the processes as well as the outcomes of collaboration. The mid-term review and final evaluation have been invaluable as both an excuse for and a guide to ‘mid-course’ corrections.

The WSSLG

The MCC was not conceived as a policymaking forum, however after the raft of municipal legislation at the turn of the millennium, and the introduction of free basic services, there was a glaring need for the sector to look at its policy in the light of new local government legislation. As the provinces developed their MAAPs, DWAF's strategic plans continued to be of relatively poor quality. The increased coherence in the three Masibambane provinces was not being matched at the national level.

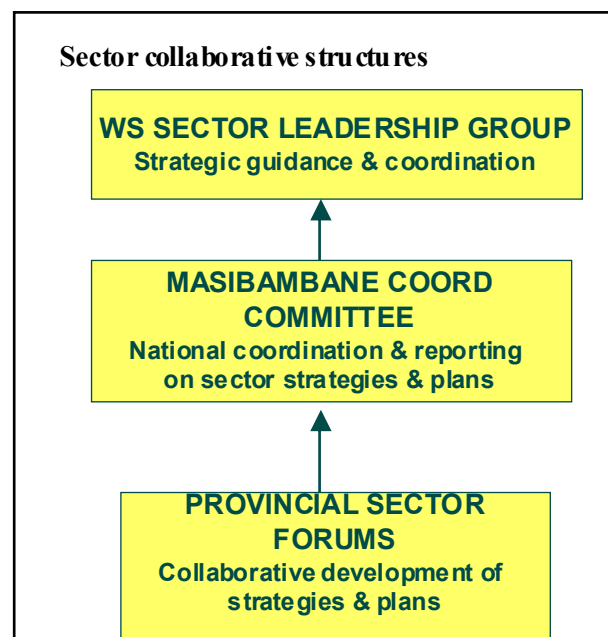
This was realised by stakeholders within DWAF, and in 2001 a series of Mini Lekgotlas were held, involving key stakeholders in the water services sector to look at the gaps in the strategic thinking in the sector. In these Lekgotlas a series of good bilateral discussions were held on core policy issues. This process was very much the initiative

²³ It has recently changed its name to Water Services Sector Quarterly Meeting: signs perhaps of the institutionalisation of Masibambane processes.

²⁴ Although in a traditional SWAP this is intended to streamline reporting there was a feeling in some quarters that the MCC had originally greatly increased the reporting burden. Some of this may however be explained by a certain lack of rigour in DWAF internal reporting at the time.

of the DWAF leadership, but was supported by the Masibambane secretariat. However it became apparent if the 'one work-plan' approach advocated at the provincial level was to work at the national level some kind of high level forum would be needed to discuss these ideas. This led to the formation of the Water Services Sector Leadership Group.

The purpose of the WSSLG was for the leaders of sector partners to share a common vision and work in alignment to meet national objectives and sector goals. The WSSLG would enable partners to provide policy and strategic input whilst aligning their approaches to each other. Sharing information (which was emerging as a central benefit of the provincial fora) was also at the core of the group's functions. Unlike the MCC with its operational decision-making mandate, the WSSLG was not set up as a formal decision-making forum, but more to influence policy and obtain consensus. All the role players, including DWAF, retain their policymaking autonomy, and are under no obligation to adhere to the resolutions of the WSSLG – it is through peer pressure that that occurs. The WSSLG's mandate has remained informal, although its existence was formalised in the Strategic Framework for water services.²⁵



The Masibambane sector work-plan and budget

The Masibambane sector work-plan and budget is an important element of the sector collaboration. Combining regional and DWAF water services sector work-plans, it takes into account the majority of the funding for the water services sector from different sources. The work-plan is structured by KFAs, making it possible to correlate water sector allocations to the sector's strategic objectives. The annual work-plan and budget is endorsed by the MCC and provides the focus of quarterly sector reporting to the MCC during the financial year. (Note: this is not yet a 'sector budget' as there are some central government funds – housing, health and education etc. – not included, as well as funds raised by municipalities themselves.)

²⁵ The WSSLG benefits directly from Masibambane support: Masibambane provides resources for WSSLG's secretariat which prepares the agenda for meetings and helps follow up on action points.

Institutionalising collaboration

There are some good examples of systems and practices, first developed within or as a response to the collaborative fora, being mainstreamed within the partner organisations. Introduced by the MCC, quarterly reporting, for example, is now finding a home in many of the sector organisations including DWAF. Overall sector reporting is another; previously DWAF used to report on infrastructure spending and backlog targets merely in respect of its own budget and efforts. Since then it has interpreted its role as 'sector leader' to collate and report on the internal efforts of municipalities, water boards and other departments, for which the MCC is a primary outlet. DWAF has also moved its entire trading account within the Masibambane budget, thus opening it up for collaborative discussion (although this has generated tensions within DWAF with some feeling that as the collaborative approach has grown, the interface should be better mainstreamed within DWAF. It remains, as at the outset, as a single unit within one directorate - formerly responsible for local institutional support and now for water services support). At the provincial level, the motivation for collaborating has shifted; among municipalities the importance of lesson learning and informal benchmarking is now very pronounced, having been entirely absent at the outset.

Should structures be formal or informal?

In South Africa there are several interesting contrasts here that merit further investigation. One is between the Provincial Liaison Committees (PLCs) and structures such as IWSMF. The PLCs are formal (legislative?) fora designed to bring together a wide group of stakeholders – however, they are not regarded as particularly functional and in the Eastern Cape the IWSMF fulfils some of its functions. In the Eastern Cape the two are not strongly linked which may reduce the buy-in and understanding of politicians to the IWSMF. In contrast, the stakeholders in Kwa-Zulu Natal have sought to enshrine WATSAN, IWSMF's equivalent, in the provincial legislation. The NSTT, set up early on and approved by cabinet as a multi-stakeholder forum to work on sanitation, and the sanitation 'core group' recently founded under the auspices of the WSSLG in part as a response to a moribund NSTT, remain informal.

Decisions on the level of 'formality' are best taken by the partners rather than outsiders / donors; it is generally good practice however for any decisions to be strategic, forward looking and regularly reviewed so as to adapt as circumstances change. The table below (amended from work on 'partnerships') provides some pros and cons to formalising collaboration.

Arguments for and against formalising collaboration (amended from Tennyson)	
FOR formalising collaboration	AGAINST formalising collaboration
More stability and security of financial flows	More flexibility and freedom of operation
More mainstreamed into the sector	More risk-taking
Less dependency on individuals	Less buck-passing and deflecting of responsibility
More conventional administration and management systems in place	More innovative administration and management systems
More access to conventional resources	More creativity in locating new resources
Potential for impact based on existing partner profiles and networks	Potential for impact based on the fact that it is different from existing institutions
More 'checks and balances' and greater accountability built into the working relationships	More opportunity for appropriate governance systems to be developed by partners – more tailored to the circumstances
Greater influence with policy and decision-makers because it is considered part of the 'system'	Greater influence with NGOs and CBOs because outside the 'system'
Able to build on existing reputations and networks of partner institutions	Free from many negative reputation or 'baggage' of partner institutions

How is the water services sector defined?

The Strategic Framework for Water Services of 2003 discusses what is meant by ‘water services’ and ‘sector’. The first refers to “water supply and sanitation services and include regional water schemes, local water schemes, on-site sanitation and the collection and treatment of wastewater”. The sector is not as clearly defined, but those currently ‘involved in water services’ are listed, and include DWAF, DPLG, WSAs, municipalities, water boards, community-based organisations, publicly or privately-owned companies that provide water services and various others, including consumers, training institutions, professional bodies, contractors, NGOs etc. DWAF, water board and municipalities are estimated to employ 56 000 water services related staff and manage R102 billion in assets (US\$17 billion).

The term ‘sector leader’, used to refer to DWAF’s current role in the water services sector, is commonly heard. It is perhaps first mentioned in the Strategic Framework, but a definition is hard to come by, and in South Africa the term seems to be unique to the water sector.

Although many within DWAF insist that the role is clearly understood and agreed upon, it is not at all clear that a common understanding exists, either within DWAF or amongst other stakeholders, of what ‘sector leader’ actually means. Perhaps in response to this, recent effort has been made within DWAF to define what the term means and then to ‘communicate’ this both internally and externally (it does not seem that a collaborative definition is being sought!).

Chapter 4 – The stakeholders in collaboration

Understanding the various stakeholders is crucial to analysing how collaboration functions within the sector. In this chapter we take a look at the framework of incentives and disincentives to collaborate that shape their actions. We also discuss issues particular to each actor that impact their general involvement in sector structures and on particular topics.

Stakeholder incentives and disincentives to collaborate	
DWAF	<p>DWAF is largely driving the collaboration. Given the changed institutional landscape, collaboration allows it to draw others into its vision of how the water services sector should function and provides a vehicle for moulding WSAs within this.</p> <p>It aims, via collaboration, to get the buy-in of the other actors it needs in order to fulfil its ‘sector leader’ role – generating goodwill and improving communications between a legislatively fragmented sector is in its long-term interests.</p> <p>As for disincentives to collaborate – these stem from the pressure on DWAF that the backlog targets bring to bear, principally because these focus on infrastructure, which can arguably be faster implemented unilaterally as opposed to a sustainable service.</p> <p>Moreover, collaboration sees technocrats within DWAF cede some of their decision-making authority to politicians and others. While they may feel this compromises some of their own objectives, they are unlikely to be able to see these realised over the long run by acting more unilaterally.</p>

The internal workings of DWAF

The collaborative structures for the sector did not replace or change DWAF’s own decision-making structures. The DWAF Water Services Functional Management Committee is the highest body dealing with water services exclusively, and reports to the DWAF ManCo, which in turn reports to the minister. The WSMFC’s purpose is to direct and coordinate water services functions across branches and regions to ensure DWAF’s water services strategic objectives and outputs are met. The WSMFC’s functions include the preparation of water services strategy, work-plan and budgets, and the monitoring and evaluation of progress of water services implementation. In many ways the WSMFC plays, within DWAF, the role that WSSLG and the MCC play for sector partners – with the notable distinction that the WSMFC has real decision-making powers.

The elements of DWAF responsible for water services – the policy and regulation directorate and the operations directorate – report to the WSMFC on water services-

related issues. The DWAF regions are supposed to report to the DDG Operations (since renamed DDG Regions). In fact DWAF regions have historically acted as fairly independent entities, and there is little institutional coherence across them, whilst their responsiveness to the changing policy environment under decentralisation has varied significantly. The Masibambane reporting also now is the focus of managerial reporting between DWAF national and DWAF regional. This is an important element of generating coherence between the different arms of DWAF.

<p>DPLG also has incentives to collaborate with the other role players, however they are expressed differently. Its first points of contact are with municipalities and then SALGA, with which it engages over a range of issues. It is concerned with the functioning of municipal government as a whole, with a primary focus on financial management and the relationships between municipal staff and elected councillors.</p> <p>The water services sector is clearly very important to municipalities (a source of revenue as well as the majority of their infrastructure spending) and is the first to undergo significant transformation.</p> <p>DPLG's participation within sector structures has been inconsistent – this reflects a lack of capacity but perhaps also a desire to engage on its terms, rather than DWAF's. Its viewpoint is therefore akin to the municipal manager who has to balance the needs of the water sector with other considerations, including the internal structure and financial management of the municipality.</p> <p>One view from DPLG may be to force DWAF to engage as an equal partner (alongside other departments) in co-ordination structures such as MITT, and conserve its resources rather than engage more fully in Masibambane and other sector structures.</p>	<p>DPLG</p>
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How DPLG and National Treasury relate to sector collaboration

With transfers and Section 78, both DPLG and the National Treasury have been involved in implementation issues, but their participation in the regular water services sector collaborative structures is apparently much less active. This is probably because both of the former issues have potential macro fiscal implications as well as implications for the nature of the local government system (transfers in terms of the national Division of Revenue Act, and Section 78 in terms of overall policy and framework for service delivery). SALGA's involvement in such collaboration has also helped to arrive at compromises acceptable to local governments.

Poorly understood and yet interesting for the review is the root causes of this differing level of participation. One characterisation was that the issues above are for 'doers' and fora such as WSSLG for 'thinkers', which while certainly not the whole truth, may capture a substantive difference between the more transitional implementation issues of preparing Section 78 and transfers from the more strategic issues raised at WSSLG.²⁶

<p>SALGA</p>	<p>SALGA is newer to the institutional landscape and as a non-departmental body, needs to constantly carve out and maintain its niche. The water sector has been valuable in this respect, as it has allowed SALGA to engage with newly formed or restructured municipalities over a specific topic that has significant implications for their role.</p> <p>DWAF has been willing to support SALGA 'cut its teeth' in this manner, and thus reduce the transaction costs of dealing with a 155 newly created WSAs.</p> <p>As a relatively young and small organisation SALGA does however need to build credibility both within municipalities and within the sector (a relationship that DWAF has on occasion found challenging) and has chosen to adopt an 'aggressive' approach to this. In the long run though SALGA may come under pressure to scale back its attention to a single sector, given its broad remit that mirrors more closely that of DPLG.</p>
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²⁶ Whereas first the strategic framework and then sanitation were dealt with as 'core groups' of WSSLG, neither transfers nor Section 78 has followed that route, with the driving forces here choosing to set up separate fora which are much more loosely related to WSSLG etc. Again interesting is that in the Eastern Cape all these issues fall under the remit of the IWSMF. Exactly how all these different fora are structured and have evolved differently could do with more analysis, but maybe helpful in trying to understand where collaboration works and where it does not, and what motivates different types of stakeholders to get and stay involved. It may also point to how these affairs need to be funded and by whom, which is important in arenas benefiting from less flexible donor funding than that available through Masibambane (which supports both types of fora).

Differing perceptions of a bilateral relationship

Bilateral relationships between stakeholders often have significant implications for more wide ranging collaboration. The relationship between DPLG and DWAF is no exception to this rule. Within DPLG there is a sentiment that DWAF has not yet fully come to terms with the reality that infrastructure funding (in the form of MIG) is now coming from DPLG. They cite instances of more junior DWAF officials being somewhat dismissive of municipalities and SALGA, retaining an 'old-style' tone of directives and compliance. Disbursement issues add to the tension, as the DORA determines that DWAF funds must be spent prior to MIG funding being drawn down, and thus delays with one knock on to the other. Furthermore, DPLG would like to see Masibambane funds earmarked for capacity building directed towards PMUs within municipalities – in consultation with the relevant municipal managers. In this way they hope that Masibambane funding would also flow across other sectors (such as the Expanded Public Works Programme as serviced by the PMUs) instead of only concentrating on water services.

For their part DWAF have been frustrated at high staff turnover within DPLG, a lack of capacity to follow up actions and a perceived disinterest in sector dialogue (engagement in Masibambane being a good example). Donors have in the past seemingly shared some of these frustrations. Tensions between different government departments are a fact of life, but overall it seems that there is a need now for some key strategic decisions to be made at the senior levels (incorporating perhaps those heading MIG, SALGA and the DWAF DDG responsible for policy and regulation).

Bringing organised local government 'on board'

The mainstreaming of collaboration within SALGA can be illustrated best by the Eastern Cape and national office experiences. In the Eastern Cape, the Masibambane co-ordinator (funded by the programme) has been taken up in the Municipal Services Directorate, which is responsible for SALGA input in the areas of housing energy and electricity, transport water and sanitation, and health. Although the co-ordinator is notionally only responsible for issues relating to water supply and sanitation as well as water sector transformation, the reality is that the staff member has been drawn into working across the spectrum of municipal service issues and the resource is thus thinly stretched over a wide area of responsibility. At national level, Masibambane funded a staff member who, as Director of Water Services, sat as part of the top management team within the national Municipal Services and Infrastructure Directorate. Her brief was to strengthen the profile of SALGA in the water sector at the national level, as well as developing a strong relationship between the central water services department and the provincial water services units of SALGA. The political impetus for this water-related activity stemmed from various SALGA resolutions relating to water (including the Water Summit Declaration signed between the SALGA Chair and the DWAF Minister in 2003). Having successfully incorporated the resources from Masibambane into its operation, SALGA is challenged to sustain the impetus created now that the staff member has moved on.

Relations between the sector, politicians and local government departments

In much of sector collaboration to date there has generally been limited political involvement – the Eastern Cape is a part exception to this and the feeling is that here involvement of infrastructure or water portfolio councillors has added greatly to the impact of Masibambane and sector collaboration. At provincial and national level there has been virtually no political involvement, something now recognised as a significant problem, and one that has probably restricted the impact of Masibambane as a programme.

As for officials, rather than politicians, at provincial level it seems their involvement has also been limited. This may be partly a reflection of the water sector not having MECs at provincial level and thus no political backer. The backdrop to this is that communications between different spheres of government have been a concern for some time, with some of the more trenchant criticism of DPLG coming from the local government departments in the provinces, who themselves are often unpopular with municipalities.

<p>The legislative environment means that both NGOs and the private sector are very 'weak' players, whose choice is either to collaborate or withdraw. Broad representative fora allow them to retain a voice at the table, from where they can try to influence policy decisions that assist them or their constituents.</p> <p>NGOs currently face a dilemma between service provision and advocacy, where the need to find funding has some influence. They also hope that the emerging regulatory environment will allow them some space to play a watchdog role.</p> <p>As DPLG sponsored fora emerge, the private sector (which is inherently less collaborative) may have to make decisions over where to direct their resources. DPLG legislation has tended to be more hostile to their involvement than that of DWAF.</p>	<p>NGOs and the private sector</p>
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Not everyone is welcome ...

Civil society groups and non-governmental organisations, although present, are relatively subdued members of the partnership given the preponderance of government approaches to service delivery, the limited space for genuine civil society participation, and the dominance of the ANC throughout government structures which makes it difficult for civil society to compete for ideas. Donors are probably most responsible for creating channels for civil society participation, creating a need to reconcile the potential conflict between state-centric decentralisation and accountability to the public.

This hostility to civil society in general (including NGOs and CBOs) extends beyond the advocacy and 'watchdog' roles to the service and 'software' delivery functions that they have played in the past. Section 78 legislation makes it very difficult not only to engage the private sector, but any external provider including NGOs. CBOs, in particular, are prohibited from registering as formal bodies (Section 21 non-profit firms) and thereby face difficulties competing in open tender processes.

Civil society itself is not particularly organised and is divided between taking up a service provision function or a stronger advocacy and watchdog role. A perceived lack of 'professionalism' and low capacity also make them look bad (compared to professional 'service providers') in the eyes of municipalities.

The private sector is not as large a player as one would expect, neither in service delivery nor in a support function to municipalities. Apparently 'service providers' have been banned from several of the provincial fora largely as WSAs are hostile to their presence. Some NGOs have had to seek national intervention in order not to meet the same fate.

Thus the scope of the 'sector' is in fact much narrower than one would expect and heavily dominated by government or parastatals. This has several consequences, most significantly in reinforcing a top-down centralised approach and placing priority on expenditure and planning over the *efficient* and *sustainable* delivery of services. (see Galvin & Habib for more)

<p>WSAs are relatively recently created and have inherited the sometimes fraught relationships between DWAF and local government.</p> <p>Demands on their time and skills are very heavy and they have a large burden of reporting for DWAF, DPLG and internally. These delivery pressures pose immediate disincentives to collaborate in 'dialogue'.</p> <p>At first their involvement in Masibambane fora was partly prompted by the opportunity to influence decisions on significant financial outlays (in the Eastern Cape their motivation has since shifted). WSAs now appreciate the opportunity to share experiences with colleagues and to engage in constructive dialogue with DWAF.</p>	<p>WSAs</p>
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Institutionalisation undermined?

Though short-term technical assistance has facilitated progress, some fear an over-reliance on consultants is undermining the process of institutionalisation. To be sustainable in the long term, collaboration cannot be consultant driven and needs to move beyond individuals to encompass their organisations. The 'partnership interface' should facilitate collaborative decisions and discussions that are well integrated into internal decision-making and communicating. One (far from isolated) example can be found within municipalities, where the 'contact point' for collaboration is nearly always the person responsible for 'water services'. Capacity building within municipalities requires the active involvement of the human resources department – and yet they are usually unfamiliar with 'water sector' collaboration and the opportunities or risks it offers. The same can be said for sanitation, where municipalities are typically represented solely by the Environmental Health Co-ordinator, who is often at the wrong level and with the wrong specialism for many of the discussions. In both these instances the would-be 'gateway' to the organisation is more often a 'gate-keeper', and thus collaboration remains fairly shallow and dependent on the capacity, willingness and longevity of the individual in that post.

Donors	<p>Donors are sometimes criticised elsewhere for not collaborating amongst themselves and for following their own agendas. In South Africa the strong role taken by government has seen them engage more on DWAF's terms, over time disengaging from direct project work and moving to institutional and other support.</p> <p>By getting diverse actors working together collaboration has allowed them to have more influence than isolated and diminishing project work would have allowed, as well as alternative routes for championing policy and other messages. In lieu of funding work on the ground this allows them to still contribute to the delivery of services.</p> <p>Through influencing the structures and terms of collaboration they have also been able to table more broadly cross-cutting issues of concern to them, such as gender, the role of civil society or the environment.</p> <p>One disincentive is that by pooling their resources they lose direct control over where and how the money is spent (and find it harder to 'brand' support) – however they would risk their remaining legitimacy were they to choose to try and do otherwise. In the longer term donors aspire to withdraw from South Africa although programme inertia remains an issue.</p>
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Using collaboration to resist decentralisation

Although collaboration has generally run in line with decentralisation, there are suggestions that it can work in reverse. With the advent of MIG, municipalities now consult with DWAF but report to DPLG first and foremost for approval of spending plans. As DWAF has historically approved WSDPs and received reports on backlog reduction, municipalities may still perceive DWAF's role as to 'sanction' WSDPs even though the legislation suggests otherwise.

Equally, as a response to slow handover of information from MIG, DWAF has been approaching municipalities directly and in the Eastern Cape they have found municipalities obliging (again partly due to the good relationships engendered through Masibambane).

DWAF justifies its role in spending on infrastructure (which under the new legislation it should no longer do) by citing a need to complete contracted work, the definition of which is unclear. One reading of the current situation is that DWAF is using its (flexible) donor money to continue to implement infrastructure in spite of overall policy. For instance, in the first year of Masibambane II DWAF unilaterally altered the budget (collaboratively planned via a reference group spun out of WSSLG) and diverted capacity building funds to infrastructure (citing DPLG underspend on capacity building as the rationale).

In all three cases, while DWAF's actions may be understandable, it may in fact slow down some of the change that policy originally intended. And while not entirely clear-cut, here collaboration may in fact be helping a partner de facto to resist macro-level change rather than adapt more smoothly to it.

Era Two: Transition
Balance Sheet

Chapter 5 – Assessing collaboration to date: a ‘balance sheet’

This chapter suggests a ‘balance sheet’ of collaboration, looking at the positives and negatives, alongside some of the factors that are aiding or holding back progress.

Collaboration over policy and its implementation, but selectively...

Collaboration has undoubtedly contributed to decentralisation and a water services policy framework that is more balanced, coherent and consistent for the sector. It is thus more likely to be implemented by actors in the sector. Largely understood and owned by all major stakeholders, the Strategic Framework was a key output of collaborative policymaking. It is beginning to influence resource allocations, which is a key indicator of ownership. It is also very evident that DWAF has seen the benefit of collaborating on policy and that future water services policies are likely to be developed collaboratively.

By no means all policies that impact on the water services sector have been formed collaboratively. For example, the free basic services policy and a significant share of municipal legislation came from the Presidency and the Executive, bypassing the collaboration process around water services. Many policies remain disjointed and direction from national and provincial governments can still be inconsistent. Therefore, although coherence has improved, it is often obtained ex-post, with collaborative structures reacting to external changes rather than influencing them. This highlights a need for greater political engagement in future.

Collaboration has enabled parties to reach pragmatic compromises around real implementation issues, and made progress smoother and less confrontational. Focused on improving and clarifying inter-governmental relationships, throughout the collaboration there has been an emphasis on provision of new infrastructure, understandable given the political prerogative to fill infrastructure gaps. However softer issues, although on the agenda, are still not given sufficient priority (although some improvement has been made, partly thanks to Masibambane). This is undermining efforts to ensure the sustainability of existing infrastructure. There are also significant challenges in implementing policy made collaboratively across sectors in the areas of sanitation and capacity building.

Strategic planning and reporting, but WSA performance?

The initial approach in the provinces was of sector-wide strategy formulation, work-planning and reporting, which represents good practice. National strategic planning for the sector improved within DWAF, clarifying the priority interventions for DWAF in implementing the Strategic Framework, and the sector through emphasising Key Focus Areas. The fact that all water services activities, and the entire budget, were presented to the MCC by DWAF at the outset meant that the process was comprehensive from the beginning. These interventions have helped move the sector from a situation where fragmented interventions, based on individual programmes with separate sources of funding created islands of success and inefficiency to one that is more coherent and comprehensive.

Again the Strategic Framework and national strategic plans have begun to influence resource allocations across the whole sector, including municipalities. However, the opaque process by which DWAF reaches its allocation decisions has not always followed the spirit of collaborative decision-making. The preparation of and reporting against activity-based sector work-plans within the context of the MCC has been strong and is being internalised, promoting accountability between actors within the sector. There does, however, appear to be a disjoint between high-level government performance management systems, the MTEF submissions made to the National Treasury, and practical work-planning and reporting.

As a result of collaboration there is a widely-owned, more coherent policy framework for water services, and implementation issues are being solved pragmatically...

...but not everywhere.

Sector-wide strategy, work-plans and reporting have improved the coherence of interventions....

...but there is little information on WSA performance.

The donor perspective

From a donor perspective, collaboration may have allowed donors to have a wider impact, but perhaps at the cost of a greater integration of cross-cutting issues like gender, the environment, the inclusion of civil society, etc. (This is the finding of both the mid-term review and the final evaluation of Masibambane and has also been cited elsewhere.) Influencing the Masibambane agenda to table these issues has not led to local ownership or to the desired outcomes on the ground. Trying to force the agenda in this manner may even be counter-productive – one review found that “the resultant limited role and impact of civil society groups has led municipalities to be of the opinion that NGOs and CBOs are not an appropriate means by which to implement the programme, but that the role for civil society is an “imposition from national level structures””. (Delay et al)

A major gap in the focus of early collaboration was an inadequate focus on measuring the performance of municipalities in terms of ongoing service delivery. Understandably the issue given most attention was the pressing need to deliver against infrastructure targets, however early neglect of this issue has meant a missed opportunity and growing problem. Three years into the collaboration, little information is available or discussed regarding the state of services and their sustainability in WSAs.

During the preparation of any strategic policy or plan it is important to consider how progress is going to be measured. Although the Strategic Framework set out a regulatory and monitoring framework, DWAF has only recently begun to grapple with how to measure municipality performance and how to regulate the implementation of water services by WSAs. Whilst reporting to the MCC focuses on high-level expenditure against budget, infrastructure and implementation of policy initiatives, no clear performance measurement framework for the quantity and quality of water services being delivered by WSAs has been developed.

Accountability to whom?

The MCC and WSSLG have been important mechanisms for including municipalities in the policy debate nationally. However, a feature of the collaborative relationships emerging in the water services sector appears to be a weak focus on consumer and citizen. The collaborative processes tend to focus on sorting out relationships between the different spheres of government and between institutions within each sphere. It is understandable that the government actors would want to give priority to sorting out relations between themselves, however much of the early Masibambane collaboration focused on the slightly nebulous concept of accountability to the sector.

Very little of the collaborative process involves trying to enhance accountability to consumers. This is confirmed by the low profile of civil society involvement and the late focus on performance measurement. Even at the lowest level – that of the water service provider – there is little or no provision for community involvement in the management or supervision. Avenues for citizens to express their voice in the delivery of public services are not being emphasised. The IDP process does provide for some community consultation, however, IDPs focus on the provision of new infrastructure and not the sustainability of existing infrastructure.

Holistic, but still not sector-wide or cross-sectoral

The collaboration has definitely helped build a new more holistic approach to the water services sector and the achievements have been substantial. However, the collaboration is not yet truly sector-wide.

1. Firstly, the collaboration does not involve water resources and within DWAF the two ‘sub-sectors’ within the water sector have been moving on a somewhat parallel track – water resources actors adopt a more traditional, less consultative approach to policymaking and implementation.

Collaboration has improved intra government relations, and accountability to peers within the sector...

...but where are the consumers?

Collaboration has made great strides... but is still not truly ‘sector-wide’

2. Secondly, the collaboration reviewed here only started in a few provinces and is not national. Only recently has there been a move, with the onset of the Masibambane II programme, to scale up collaboration countrywide.
3. And finally consumers are not engaged in the process and civil society organisations have had a low profile.

Also collaboration that requires significant co-ordination across multiple disciplines, as is the case for sanitation or for capacity building has been less successful than within the 'pure' water services sector. Water professionals have yet to face the challenges that arise when one sector acts more or less unilaterally, causing incoherence and duplication across sectors. The overlaps and incongruity between Water Services Development planning and the IDP process are one example – something that significantly multiplies the load borne by municipalities. A further example is found in the capacity strengthening of WSAs, which virtually bypasses those responsible for overall human resource development in a municipality.²⁷

Collaboration in the sanitation sector

Sanitation is at somewhat of a crossroads. The NSTT, if not moribund, has certainly been dysfunctional recently and finds its functions being more or less usurped by the core group set up under the auspices of the WSSLG. The informality of the latter is proving useful at present (and provides an interesting contrast to the formality of NSTT), but while collaboration between the various role-players seems even more necessary than in water, the quality of existing co-operation can be questioned.

The backdrop to this is the large and increasing amounts of money being poured into sanitation, as reflected in sanitation's heavy share of MIG. Sanitation is very much on the political radar in South Africa, thanks in part to 1) the cholera outbreaks of 2000, 2) the size and stubbornness of the backlog, and 3) the social history of South Africa, where the bucket system is associated with apartheid and thus its removal a political imperative.

Thanks to DWAF's current focus on supporting municipalities to assume their new powers and functions, SALGA and DWAF often see eye-to-eye on many issues. The relationship over sanitation is not as smooth – one reason being that urban councillors refuse to accept pit latrines as an acceptable level of service for their poorer voters (while neighbouring richer, often white, citizens enjoy waterborne sewerage). DWAF seems to have reconciled itself to this situation, despite the frightening financial outlay that it implies, but is torn between having a separate unit dedicated to sanitation and trying to mainstream it within its overall structure. Meanwhile health and education have their own worries, with sanitation not foremost amongst them. DWAF has not attempted the trick of placing staff within these institutions in order to smooth collaboration, as has been done with SALGA, DWAF and various municipalities (which is itself an unsatisfactory solution).

Sanitation is proving altogether more challenging....

...and collaboration has made much less progress.

Collaboration has facilitated institutional change

The collaboration process has facilitated less confrontational institutional change. In the Eastern Cape, where provincial collaboration has worked well, the improved DWAF / municipal relationships are very evident. The dynamics of the fora themselves have changed from ones where DWAF lectured the municipalities, to more of a municipality-to-municipality lesson-learning platform. DWAF is now taking on a supportive role and relationships with municipalities are less confrontational. The collaboration has drawn councillors into discussions and increased their ability to understand and engage in sectoral issues. Even national DWAF officials appear more in touch with implementation issues on the ground, and there is an element of trust that did not exist

There is better communication, stronger mutual accountability, and greater trust between stakeholders

...but not in all provinces.

²⁷ DPLG's and the National Treasury's inconsistent collaboration in water sector-specific structures has perhaps not helped promote greater coherence across different sectors. All the same, their participation in Section 78 and Transfer Teams shows that they are willing to participate on certain issues.

before. Therefore, as the collaboration has evolved, communication and trust between different stakeholders has improved and the nature of collaboration has become increasingly practical, assisting in solving operational issues.

Collaboration in other provinces has not always been as successful as in the Eastern Cape. There are several explanations, though one suggestion is that some regional DWAF offices are disinterested in collaboration and unwilling to take a lead role (perhaps reflecting a reluctance to accept the change that devolution implies). National DWAF has seemed somewhat reluctant to address this issue and enforce a more consistent approach at regional level. Soon national DWAF will need to confront those regional offices that have not embraced change.

Missing partners

Very important partners have been inactive or missing at the sector collaborative fora at both the provincial and national level. The National Treasury's absence, particularly from the WSSLG and MCC, means that there is limited pressure on the sector to ensure that its choice of policy and strategy is efficient and effective. Instead the National Treasury has been involved in specific issues that impact on the fiscal sustainability of local governments. To a degree the Treasury is right not to get involved in the micro-management of a sector; however, the Treasury should challenge the affordability and efficiency of expenditure choices. In addition, MTEF documentation is not strongly linked to the DWAF strategies, which means that it is difficult to see how the Treasury can perform this 'challenge' function. Involving the branches of Public Finance and Intergovernmental Relations would add legitimacy to the national collaborative processes. At a very practical level, municipalities had no mechanism to engage with the National Treasury – many did not know whom they should approach within that institution when they had funding-related issues.

DPLG's inconsistent participation is also problematic. DPLG has a new role under decentralisation. Only recently has it begun expanding its capacity to manage decentralisation, however, it has simultaneously been required to oversee the introduction of the Municipal Infrastructure Grant. The DPLG also complains that DWAF demands too much attention, and this distracts from its core functions. Greater participation of DPLG in water services collaboration would be desirable, however DWAF (which is a relatively strong and well-established department) should be careful not to be seen to be forcing the agenda on DPLG. That DPLG has been a more consistent partner in Section 78 and Transfer Teams also indicates that they are willing to participate on select issues as an equal partner. The challenge is compounded by DPLG's focus on establishing municipal systems and structures, at the expense of engaging in existing water services. These new municipal systems and structures have evolved in parallel, competing against DWAF's own programmes.

The absence of national level politicians, with SALGA being the only real route for political involvement at the national level, has contributed to inconsistencies in policymaking. Though involved more in implementation issues, provincial treasuries and departments responsible for local government have also not been strong parties to the collaboration.

The role of Masibambane in spurring sector collaboration

Although legislative reform was inspired by the concept of co-operative governance, the approach and support provided by the Masibambane programme was a major factor in sparking the collaboration processes.

Flexible funds to support and facilitate collaboration were important (ultimately collaboration is not 'free') but so were less tangible issues, such as the sector-wide ethos of Masibambane. Support from outside DWAF and the portrayal of Masibambane as a 'neutral' initiative may also have helped bring sceptical partners to the table (perceptions here could be better explored).

However, the programme is still perceived by many as a donor-funded initiative and this may increasingly become a problem in ensuring the institutionalisation of the existing collaboration – over the longer term it would be desirable for ownership and funding to be internalised by the local stakeholders.

DPLG, Treasury and politicians have all been weak partners....

...which undermines the effectiveness and sustainability of progress

Era Three: Municipal Service Delivery	
Subjects	Structures

Section Three: Looking to the future: where to now for water sector collaboration?

Chapter 6 – A new era for the water services sector

Section one looked back at the roots of collaboration and the first post-'94 era, notably the emergence of DWAF to deal with the backlog as new local government structures were put in place. Section Two looked at collaboration between 2000 and 2005, which was essentially a period of transition and a second era for the sector. As new municipalities found their feet, and the local government system bedded down, the focus was on helping them understand their roles and responsibilities, hand over infrastructure and systems, and build their capacity. The sector is now on the cusp of a third era: municipalities are now better established and many of the transitional elements characterising era two (for instance transfers and the preparation of Section 78s) will soon draw to a close. The emphasis will be on the municipalities themselves,

providing them with the tools and finances, but also making sure that they are the ones to actually deliver. The focus should shift ever closer to the ground, and as backlog is dealt with, from infrastructure delivery to actual *service delivery*.

This chapter looks at some of the major changes both within and outside the sector and then concludes by suggesting three principal directions in which we feel sector collaboration needs to move in order to remain relevant and effective in this third era of local service delivery.

Delivery of infrastructure or delivery of services?

Two trends are now coming to a head and bringing about a sea change in the landscape of the water service sector.

Outside the sector itself the ongoing political and fiscal decentralisation process is nearing its conclusion. The sector has been adapting to this dynamic, and in many ways was the leader in doing so, engaging before DPLG had begun to establish strong municipal-wide planning and delivery systems. Some progress has been made on this front, but in a bid to accelerate it the Treasury has recently taken the aggressive step of consolidating all infrastructure grants and moving them from separate line departments to the control of DPLG.

Inside the sector good progress has been made on reducing the backlog and the national targets are in sight. As more and more citizens take their place on the 'water ladder' the focus naturally swings from building infrastructure to its operation and maintenance – from backlog to service delivery. We look more closely below at the implications of these two factors.

MIG's 'big bang'

An event that has changed the dynamics of resource allocation at the national and regional levels has been the rapid introduction of the Municipal Infrastructure Grant (MIG) for 2004/05. All DWAF conditional grant funding for water services infrastructure was somewhat controversially transferred into the MIG in one go. Although DWAF and others favoured a staged introduction of the grant, fearing that service delivery could otherwise be undermined, the National Treasury and DPLG, concerned with foot dragging by central agencies, pushed through this big bang approach to its implementation.

The MIG has focussed the efforts of water sector actors in the municipalities on the Integrated Development Planning process, as it is a condition of accessing MIG funding. The WSDP no longer exerts such conditionality, and is rightly now a subsidiary of the IDP process.

However, the MIG has added further complication by having its own planning procedures for appraising and implementing investments. There is also concern that its focus is purely on infrastructure, which makes delivery on the softer issues of service delivery difficult.

Decentralisation moves forward

By the 2004/05 financial year the legal framework for decentralisation had been followed up with fiscal devolution and the introduction of Municipal Infrastructure Grant (see box). The Municipal Infrastructure Grant has consolidated all sector conditional grants for municipal infrastructure in different sectors, including water services (72% of funds are earmarked for water services in a formula defined at national level, making the relationship of the water services sector to MIG, and DWAF to DPLG particularly important). It is being used as the platform for introducing municipal-wide systems for infrastructure planning and delivery, and presents an important opportunity for the water services sector to contribute towards this.

As for municipal stakeholders, while they felt that the introduction of the MIG had been somewhat chaotic they felt it did present an opportunity for improved delivery in the long run.²⁸ In the context of MIG, a new set of collaborative structures has been established at the national and at the provincial level, cutting across sectors in an attempt to ensure greater coherence. These structures are relatively new and have added an extra dimension to the water services sector collaboration.

In the run up to this DPLG has been making a serious attempt to build its own institutional capacity (for instance through lots of recruitment), whilst simultaneously establishing municipal systems. It has also been involved in the development of a new parliamentary bill that will clarify the structure for intergovernmental relations. Given the importance of the grant to municipalities, and the changed tenor of relationships between DWAF and municipalities, these initiatives are all very close to the success of future collaboration.

The Intergovernmental Relations Bill (IGRB) mentioned above attempts to set out a formal framework for relations between the three spheres of government. The objectives of the Bill, *inter alia*, are “...to provide...an institutional framework for the national government, provincial governments and local governments and organs of the state within those governments to facilitate coherent government, coordinate the implementation of policy and legislation and provide for effective delivery of services, general realisation of national priorities, and the monitoring of implementation of policies and legislation.”

The box overleaf sets out the envisaged structure of intergovernmental fora and the framework for political discussions that are likely to influence the dynamics of future collaboration. Importantly fora are not given executive decision-making powers, and only have the power to make resolutions and recommendations that will not be binding. It is envisaged at a technical level that fora be supported by technical structures.

Collaboration rolls out

It is important to reiterate that Masibambane has recently been scaled up countrywide. Thus, whilst both the national collaborative processes and those in the three original provinces need to mature and evolve, in six more provinces new collaborative structures are finding their feet. An important consequence of the roll out is that the collaborative process is now a national one, and Masibambane can no longer be dismissed as a location-specific programme.

An important difference between Masibambane II and its predecessor is that there was no new money for infrastructure, which was an important incentive for collaborators to come together early on. Masibambane co-ordinators have been appointed in all nine provinces to help facilitate the collaboration process and also to attempt to mainstream

MIG structures

At the national level there is a Municipal Infrastructure Task Team that was established to co-ordinate municipal infrastructure policy and the activities of the different national departments to ensure there is a common approach to supporting local government. The MITT is chaired by DPLG, and includes representatives from the National Treasury and all the national line departments with an interest in municipal government, including DWAF. In the context of the MIG, sector ministries still retain their policy making powers but the MITT is supposed to act as a clearing house for those policies to ensure that they are consistent. The MITT is supported by the MIT3 (the Municipal Infrastructure Technical Task Team), which has the same representation as the MITT and provides specific technical support. A national MIG Management Unit, which sits within DPLG, manages the implementation of the Municipal Infrastructure Grant, and is intended to play a supportive and monitoring role with municipal governments.

Crucially, the water services collaborative structures need to align themselves with the national MIG collaborative structures, and ensure that there is effective interface with them. DWAF appears to have been relatively consistent in participating in the MIG collaborative structure, which contrasts with DPLG's lack of consistency in participating in water services collaboration structures. However, given the problems encountered to date with DPLG, it is important that DWAF is prepared not only to attend but also to take a step back and work on DPLG's terms, rather than attempt to dominate the agenda. This is important if trust is going to be built between DWAF and DPLG. Practical issues such as timing of events will need addressing so that WSSLG meetings precede the MIT3 meetings and enable their recommendations to be considered by a cross-sector body before being forwarded to the Water Sector IGR Forum. In addition, MCC meetings could be held at a time consistent with when DPLG has collated data from the MIG reporting process.

²⁸ Although MIG effectively has many of its roots within the CMIP programme, whose openness towards 'software' issues – so crucial to sanitation – has been questioned. Thus 'improved delivery' may not mean that the current imbalance towards hardware is automatically rectified.

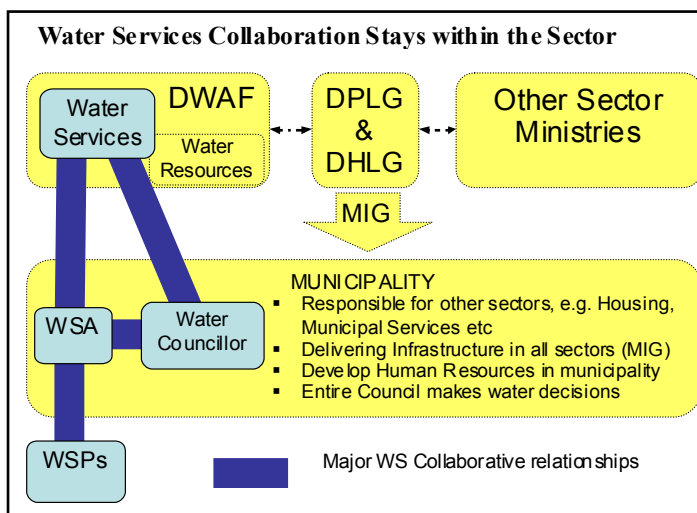
Fora envisaged by the Intergovernmental Relations Bill

The IGRB envisages a network of collaborative fora in the spirit of co-operative governance. The President's Coordinating Council will be at the apex, made up of national ministers of key cross-cutting ministries such as finance and public services, the Premiers from all nine provinces, and SALGA. At this high level forum key national policy and legislative issues will be discussed as will performance in the provision of services.

Below that sit a set of national intergovernmental fora that can be established by any cabinet minister. They will effectively replace MinmeCs that are the current fora for discussing sector issues with provincial governments. Importantly these fora will also have representation from SALGA, as well as provincial MECs. They will be responsible for discussing the development and implementation of sector policy and legislation, the co-ordination and alignment of priorities, objectives, and performance plans, and monitoring sector performance.

At the sub-national level premier, district and inter-municipal intergovernmental fora discuss sectoral issues and replace pre-existing structures. All have mandates to co-ordinate the implementation of policy and monitoring of services at their level. District mayors and administrators are represented in provincial fora, whilst district fora include all the mayors of local municipalities.

the cross-cutting issues, such as gender and appropriate technology that had been getting insufficient attention.



The need to move from water service to municipal-focused collaboration

The first issue that is important to highlight is the need for the mechanisms for water delivery, and the collaboration itself, to be more integrated within municipal-wide systems, and the initiatives that support those systems.

To date the water services sector has been very demanding of municipalities' time. In the early days of collaboration this was perhaps necessary as well as justifiable given that the water services sector is the most important sector for municipalities. However as municipalities deal with several sectors and cannot devote all their time to a single issue, there is likely to be a need to somewhat rationalise water services collaboration. This could avoid duplication both within the

sector itself and across different municipal functions. Gradually DWAF should step back from driving collaboration, allowing the municipal managers to take control and dictate things on their terms.

Now municipal-wide systems are being established, DWAF is increasingly acknowledging the need to engage with DPLG, however it has found it very difficult to get DPLG to engage in the sector's collaborative structures. Rather than being frustrated at DPLG engaging in their own collaborative structures, DWAF will need to allow themselves to be co-ordinated by the DPLG, by engaging in cross-cutting collaborative frameworks, accepting the mandate of DPLG and ensuring that water specific systems reinforce the municipal systems.²⁹

²⁹ Within DWAF there is likely to be a natural fear that doing so will not only lessen the focus on water, a vital service, but also risk jeopardising the progress made to date by having to trust in someone else's capacity to make and take the 'right' decisions. However, resisting the macro-level change will likely not assist things in the long run and DWAF therefore needs to assist from the inside, rather than disengage.

Looking outwards – moving away from government-centred collaboration to a regime that emphasises performance

A second issue is the need to move away from a government-centred approach to collaboration. Early collaboration has focused on government and specific relationships within government, particularly the relationship between national and regional DWAF, municipalities (and WSAs), and councillors. There has also been some attention to the relationship of municipalities with service providers (although the process of selecting service providers under Section 78 of the Municipal Systems Act is loaded towards the choice of public rather than private).

Meanwhile the involvement of national politicians, civil society, the private sector and, most importantly, the consumer in the sector is very weak. Justifiably the focus has been on filling infrastructure gaps for those consumers that have nothing, rather than on how to improve the efficiency, effectiveness and sustainability of services to existing customers. Now the need to sustain services to the consumer, and move people up the water ladder, becomes increasingly important as does the need to enhance the accountability of service delivery to the consumer.

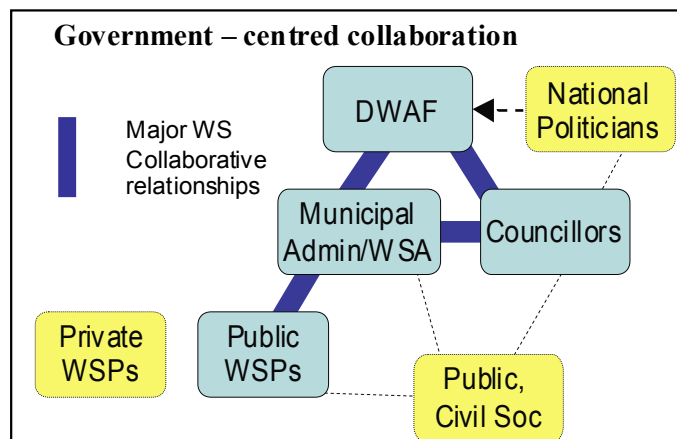
As the decentralisation process matures, an important element of ensuring that there is pressure on WSAs to improve is by monitoring how they perform in relation to their peers. In this context, there is a need for the centre to move towards regulation of municipalities and WSAs, increasing the focus on WSA performance internally within the sector and also as a means of enhancing public accountability of municipalities. Regulation will change the dynamics of the relationship between DWAF and municipalities, and potentially it could be more adversarial. There is a need to investigate how collaborative relationships can remain constructive, whilst implementing effective regulation that keeps the pressure on municipalities and their WSAs to perform.

Broadening and institutionalising sector collaboration

As we have seen, collaboration often relies on individuals to drive it forward at the outset. Whilst sector collaboration has been fairly good at adapting to the rapid changes within and outside the sector (although ongoing vigilance is required, especially in light of MIG and the need for the sector to move towards a paradigm of 'developmental regulation'), it has perhaps been less good at internalising collaboration – in other words "moving carefully and systematically beyond the individuals and into institutions" (Caplan et al, 2001). Over time however, to be sustained it is crucial that the collaboration moves beyond being about co-operation between a discrete group of individuals and becomes about co-operation between organisations as a whole. The broadening of the scope of collaboration to all regions in the country presents a further challenge. It is also crucial that collaboration moves away from being a donor financed activity and starts to rely on internal sources for the funds required to ensure the process runs smoothly.

Refocusing future collaboration

The water services sector is therefore trying to consolidate progress and broaden the collaboration to cover the whole country, whilst at the same time developing a regulatory framework for the sector. All of this within the new context posed by the



developing intergovernmental framework and the advent of MIG. In conclusion then, there are three key issues that sector collaboration needs to address in the future:

1. **Putting municipalities first in collaboration** The water services sector now needs to support broader strengthening of municipal systems across sectors, in a way which will facilitate the building of strong, autonomous local authorities. This means engaging with DPLG on their terms. Both the Municipal Infrastructure Grant and Intergovernmental Relations Bill represent concrete opportunities to improve municipal systems for delivering across sectors.
2. **Taking the customer's perspective** The water sector collaboration needs to move away from being government-centred, whilst the sector needs to be geared towards being more accountable to the consumer, and engage more proactively with civil society. In future this will mean that central government will need to move towards a more regulatory role which provides incentives for municipalities to perform.
3. **Ensuring the gains are sustainable** Now that collaboration is being rolled out countrywide (with support from Masibambane II) the sector needs to consider how it should be institutionalised, and how collaboration can rely less on a few key individuals and options for its support in future (beyond the lifespan of donor programmes).

The following chapter looks at some of the options for dealing with these issues.

<i>The collaborative interface, evolution and institutionalisation</i>	
DWAf	<p>The strong branding of collaboration (Masibambane) has had significant implications for DWAf's involvement. It (and the flexibility of donor funding) has allowed the creation of tailor-made collaboration mechanisms, and support for those mechanisms within and outside DWAf. The programme-based nature of donor support has also created natural windows for revisiting and evolving this engagement (for instance the replication of the programme to six new provinces).</p> <p>As collaboration has grown tensions between the Masibambane interface and the remainder of DWAf have waxed and waned. Going forward it will be important to resolve these and for each department to assess where and how it relates to the various collaborative fora. As MIG beds down this will be even more important – communications between those representing DWAf, and those driving Masibambane collaboration need to be strong.</p> <p>Holding internal DWAf meetings just prior to Masibambane meetings, and the use of MSB reporting internally, shows progress in improving managerial relations between regional and national DWAf.</p> <p>As a regulatory dynamic establishes itself and as DPLG grows into its role, strategic decisions about how collaboration develops need to be made. Without the buy-in of senior management and open discussion tensions are likely to emerge.</p>
<p>DWAf attempts to draw DPLG into Masibambane fora by appointing a MSB-funded staff member there have failed. The approach risks marginalising an individual within their own organisation and is unlikely to succeed without either buy-in of senior management or a strong dependent relationship between the organisations. Asking DPLG staff to co-chair Masibambane fora has had more success, although the development of MIG may undermine this.</p> <p>As DPLG develops stronger systems for municipal co-ordination, this will provide an opportunity for improving collaboration with DWAf, although both parties need to be prepared to compromise. There is a danger that the relationship will become more adversarial as DPLG now controls the purse strings of MIG, and DWAf moves towards regulation. To temper this it would help if an external party (perhaps the Treasury or SALGA) could play a more prominent broker role and if good working relationships could be built up over specific topics (such as capacity building).</p>	DPLG

The collaborative interface, evolution and institutionalisation	
SALGA	<p>An immediate challenge for SALGA is the recent departure of the water services co-ordinator and the appointment of a new CEO. It remains to be seen whether SALGA's commitment to collaboration in the water sector will continue at its current high level. For this to take place the CEO will need to see water as a strategic priority for the organisation, where it can both galvanise and appear useful to its members and influence the national agenda.</p> <p>DWAF's relationship with WSAs is currently quite good but may come under stress as regulation begins to develop teeth. SALGA could foreseeably continue to play the broker role that it has for the contentious issue of transfers. Is this viewed as a recognised and valued part of the overall mission of SALGA – either by the new CEO or by its members?</p>
	<p>The interface at WSA level is often the water services manager, or for sanitation, the environment health officer. Thus its level of engagement is quite technocratic, reflecting the tenor of discussion in the fora. This divorce of collaboration from the political arena may warrant further discussion especially as issues at WSAs move from their current transitional focus to address themes such as regulation.</p> <p>Moreover MIG fora are more likely to engage the municipal manager, who has a broader set of concerns. DWAF-led fora may need to assess therefore with whom they engage within a municipality and how.</p> <p>WSAs act as a natural 'bridging point' for water services into the wider world of municipal services and politics. As attention should increasingly come to focus on the consumer, for whom water and sanitation are one of many concerns, using WSAs to broaden the terms of collaboration may warrant consideration.</p>
Donors	<p>Donors are represented at two major points. One is within the collaborative fora itself, where they join as senior partners. Another is in negotiations with the Treasury and senior management of DWAF. In both these instances the donors' role is partly as a broker – which relies upon individual temperament, experience and background in the local sector.</p> <p>Donors have other interesting functions: to keep important cross-cutting issues on the table; to provide resources deliberately aimed at supporting the process (rather than outcomes) of collaboration; and lastly, by virtue of their 'programme-based support', to provide natural windows and resources for review and reorientation of sector collaboration.</p> <p>A key question for donors (both as individuals and organisations) is how important these five functions are and, should they depart the scene, who would continue to carry them out? How can these functions be institutionalised, either by a donor or external partner, or within the collaborating partners themselves?</p>
	<p>Two issues should concern this group: that of formalisation and of evolution. Firstly the Masibambane fora are not formal legislative fora – this allows them a certain flexibility and a window for these two actors to play a role. This may be a temporary situation and therefore if they desire to continue to play their current role they need (more than 'legislated actors') to review whether it can or should be formalised.</p> <p>The second is evolution: as the relationship between DWAF and WSAs changes, how will this affect them? As DPLG gains strength (an assumed result of its increased control over finance), where should they best direct their energies? If donor funding ceases, how will this impact them and how can they prepare for such an eventuality?</p>
National Treasury	<p>Aside from the budget process, which is on its own terms, the National Treasury is likely to maintain its current habit of collaborating on specific issues where it sees fit. In doing so, however, it is likely to miss two opportunities to improve the effectiveness of resource allocation within sectors, and ensure consistent policy for service delivery across sectors.</p> <p>First of all the apparent disconnects between policy, the MTEF process, strategic planning and operational planning needs addressing, if high level resource allocations are to be translated into actions on the ground. Although it is not the Treasury's role to micro-manage these processes, it has a role in ensuring consistency during the budget process, and monitoring results. Engagement in sector collaboration processes via the WSSLG and MCC would provide an important opportunity to do so, with minimum transaction costs.</p> <p>Secondly the Treasury has the potential for playing an honest broker role between sector ministries, including DWAF and DPLG. It could ensure that sector ministries activities are consistent with local government structures, and that DPLG engages with sector ministries on sector-specific issues.</p>

Era Three: Municipal Service Delivery	
Subjects	Structures

Chapter 7 – Planning for the future: ensuring collaboration moves with the times

The water services sector is not static – it therefore follows that collaboration between its role-players must and will not remain static either. Even if structures remain the same, the agenda will move on and new pressures will come to bear on those that sit around the table. In this chapter we look forward, hoping to shed some light on how collaboration can pro-actively react to the changes going on, in order to remain as effective and relevant as possible in the coming years.³⁰

Refocusing the substance of collaboration

As discussed, to be truly effective South Africa's decentralised service delivery model will require both functioning municipal services across the board (in lieu of an imbalance in favour of one sector or another) and the means to engage the consumer to ensure accountable delivery. Returning to our 'five arenas' model we look here at how the agenda of collaboration could change in support of these two requirements.

The table overleaf shows the types of alignment required, both across sectors and vertically within the sector, through the cycle of policy, planning and budgeting, implementation, and monitoring and evaluation. In the chapter we suggest how the water sector can better integrate itself within cross-sector national and municipal systems across the different arenas, as well as the potential role of collaborative structures. The last issue to be looked at is regulation and the involvement of customers and civil society to ensure better accountability to the public over service delivery.

Policy formulation

The collaboration was very successful in creating policy coherence within the sector. However cross-sector co-ordination of policy has not worked so well, especially in the context of municipal legislation and major politically-driven policy initiatives such as free basic services. Although cabinet and parliament are bound to continue to generate new policies that have not originated from technical ministries, the more they are involved in collaborative structures the more coherent policies and strategies are likely to be. Therefore, rather than discussing a change of substance of collaboration, as policies have tended to be aimed at the right issues, it is important to discuss a change in the terms of engagement of those involved in generating sector and cross-sector policies.

For a start, the technocrats who dominate institutions such as the WSSLG and the MITT need to ensure that their political masters are engaged in that debate. This would be the role of the National Intergovernmental Forum for Water Services, which would be headed by the Minister and other national sector fora. Furthermore, at some point in the future, DWAF should consider broadening the scope of collaboration over policy and its implementation to cover water resources (but probably only once water services' collaborative structures begin to become institutionalised in the new provinces).

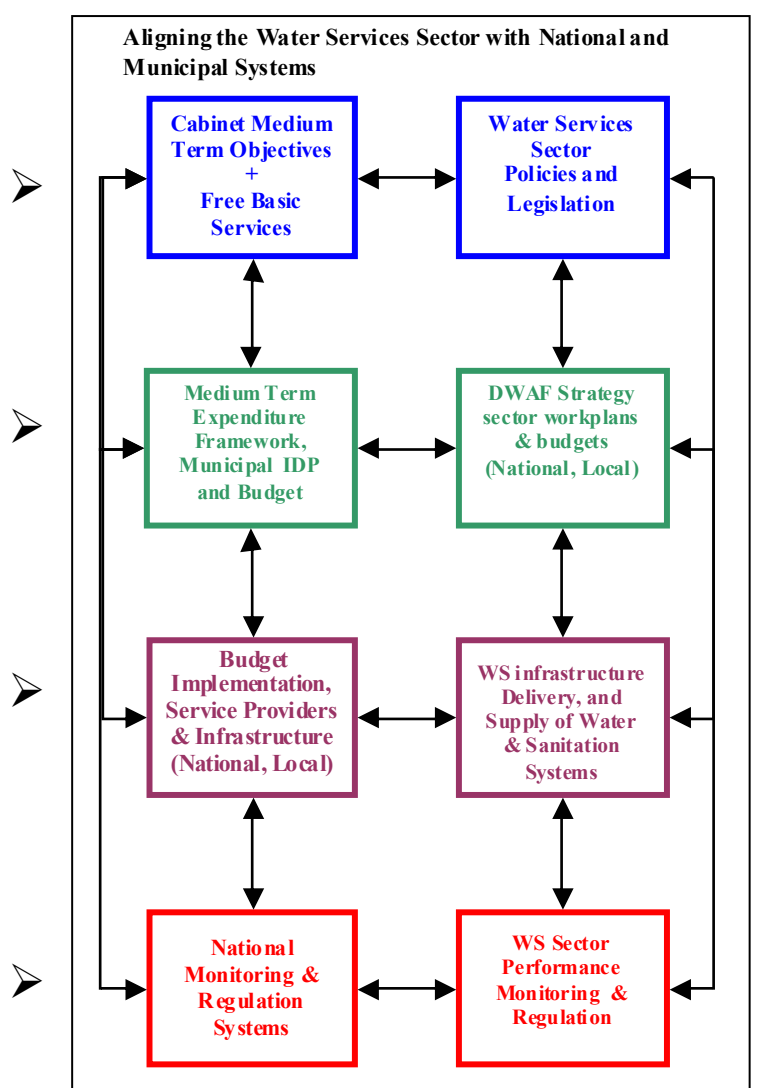
³⁰ This is not to exclude the fact that collaboration may be less relevant to some of the new landscapes the sector is creating; there is certainly little mileage in trying to force the issue, and where inappropriate collaboration should be helped to a natural end.

First of all the water services sector policies and plans need to be aligned with the cabinet medium term objectives and free basic services. At a macro level this has been largely achieved, however the water services sector needs to be able to adapt.

The second level is planning and resource allocation. There is a need to ensure that the DWAF strategic plan, sector work-plans and budgets at the national, regional and local government level are consistent with the national MTEF and the respective municipal IDPs and budgets, as well as national sector policies.

Thirdly, whilst local delivery mechanisms must be able to deliver on sector work-plans, they also need to be consistent with municipal systems.

Finally, water sector monitoring and benchmarking systems need to fit within the overall framework for monitoring the achievement of national and municipal progress, as well as being adequate for tackling water service sector issues.



National & Municipal

Water Services Sector

Integrated and responsive planning and budgeting

We have noted that planning and budgeting systems are not as integrated as they could be. Starting from the municipal level there seems to be a disjoint between water services planning and the wider municipal, provincial and national cross-sector planning and budgeting processes. Efforts at each of these levels need to be made either to integrate or better link sector specific planning and budgeting tools to cross-sector systems.

The focus of planning for MIG funding is rightly the municipal five-year IDP, however the water services sector has been focusing on its own five-year WSDP. The IDP is envisaged as, and should be, the main planning tool for the municipal government, and the instrument by which councils decide on which infrastructure investments they should make. In this context the role for a stand alone WSDP is limited, as the water services component of the IDP should present councils' investment decisions for the Water Services Authority.³¹ The water sector should therefore consider how to better integrate the WSDP with the IDP (perhaps by reducing the WSDP to a technical annex which supports the IDP and provides technical background to the chosen investments).

³¹ There is some debate over WSDPs: some perceive them as a mere chapter of the IDP whilst others see them as an almost separate exercise. It is always a challenge to combine a technical planning document with a participatory process and there is still some learning and refinement to be done.

This does not replace the need for annual business planning for the WSAs, but the process of business planning also needs to be integrated with the municipality budgeting process. There should be no separate decision-making process for water sector investments or resource allocation, beyond the IDP and budget process.

Engaging with MIG

In the 2004/05 financial year the regional and national Masibambane work-planning process has needed to be synchronised with the MIG systems that have been developed. This has lent urgency to the need for DWAF to collaborate with DPLG and municipalities in compiling sector work-plans. DWAF will, in future, need to earn credibility with local government sector partners during the resource allocation process, or risk being ignored. Increasingly DWAF will need to open up its own resource allocation process to collaborative decision-making, whilst providing support to local government planning processes without trying to control them. One hurdle in the process is the poor relations between DPLG and DWAF, and the fact that DPLG is not an active participant in the water services collaborative structures at both the national and provincial levels.

The planning and budgeting process at any level, including the municipality, is ultimately a political one. It is councillors who should make decisions on the investments that should take place in the municipality. However, planning and budgeting processes often become technocratic affairs. What is important is that investment and other resource allocation choices are presented to councils in a way that they can understand so that they facilitate a rational decision. A concern is that WSDPs and IDPs are overly technocratic documents, and do not facilitate political choices. Although the involvement of portfolio councillors in provincial collaboration is important, the rest of council need to be presented with information in an easily digestible form.

Under MIG provincial governments are responsible for ensuring that IDPs are properly prepared, build municipal capacity, and provide technical support to and monitoring of municipalities. Representatives of the provincial collaborative fora and regional DWAF offices need to engage with the Departments of Housing and Local Government to ensure that water services issues are adequately catered for in this process.

At the national level, work needs to be done to integrate better strategic planning with the DWAF MTEF process, collaborative annual workplan and reporting processes. Currently it is very difficult to ascertain how the DWAF budget is aligned to either the KFAs in the strategic plan or the MSB work-plan. DWAF and municipal budgets for water services programmes need to be more aligned with the KFAs. DWAF should open up its own

budget proposals for debate during the collaborative processes, and should not just present allocations to the MCC. Here the Treasury has a potentially important role in ensuring consistency, by looking deeper than MTEF submissions and by monitoring the consistency of high-level budget allocations with strategic plans and work-plans.

Consistent implementation mechanisms

In the past the water services sector has been concentrating on developing capacity, via WSAs and WSPs, to deliver on infrastructure targets. However under the MIG municipal governments are being encouraged to establish MIG project management units under the municipal manager. This has somewhat disrupted pre-existing water services implementation structures, however it does not make sense having two entities responsible for infrastructure delivery, so the inconsistency does need to be addressed. An option that would address this would be for WSAs to delegate responsibility for infrastructure delivery to the Municipal Infrastructure PMU.³²

This would also enable the WSAs to step back from implementation and to concentrate on its regulatory function over WSPs already providing services under them. They could then develop the collaborative relationships with WSPs and consumers as described earlier.³³

³² Some have expressed concerns about higher 'levels of service' under such an arrangement, MIG focussing on basic services. However this is resolved it makes more sense for there to be a single unit within a municipality that focuses on infrastructure hardware, rather than multiple units, and which can look at basic services in conjunction with higher levels of services. Without this, such concepts as the 'water and sanitation' ladder become operationally even more challenging.

³³ It is important to note that MIG and its associated fora deal first and foremost with infrastructure delivery, ie. hardware. As we have noted earlier, for the sector as a whole hardware has tended to

In areas like capacity building DWAF and other external water sector actors should perhaps start to work through the municipal manager and human resources sections of municipalities, rather than directly with WSAs.³⁴ In addition, hardware aspects of sanitation investments need to be handled in the context of the MIG PMU, and the software aspects by the relevant parts of the municipality. This will help with a shift of mindsets, encouraging WSAs to be seen to be part and parcel of a municipality, rather than as a separate entity receiving independent support.

Monitoring and regulation of water services performance

The development of the regulatory framework is crucial if we are to introduce strong incentives for municipalities to improve delivery of water services, both as regards effectiveness and sustainability. This involves both the WSAs regulating the WSPs under them, but also the national government monitoring the performance of municipalities as Water Service Authorities and the performance of the WSP, whichever this is. The strategic framework highlights the need for regulation against norms and standards, economic regulation and contract regulation.

Here we will not attempt to pre-empt the regulatory framework being developed by DWAF. However, as emphasised earlier it is important to highlight the fact that it is impossible to regulate against policies, norms and standards without a mechanism for performance measurement. An important element of this is developing mechanisms for performance assessment or benchmarking of municipalities. The initiatives introduced by SALGA and SAAWU provide valuable input, however they need to be brought together into a unified framework by DWAF. Importantly any benchmarking framework will also need to incorporate methodologies that enable WSAs to assess their own WSPs' performance.

In the spirit of collaboration, regulation should be accompanied by support to those being regulated, and this is the main way of avoiding regulation becoming an overly adversarial exercise.³⁵ Benchmarking is done in the spirit of assisting both WSAs and WSPs to identify their own problems and ways to solve them. Funds such as the capacity building grants should be available to enable municipalities to address identified institutional weaknesses and gaps.

Local Authority Benchmarking in the UK

The UK has introduced a system of performance planning and benchmarking of local government based on a common agreed set of performance measures.

Best value indicators – a set of indicators agreed between central and local government which were agreed as representing local government performance

Corporate Review – local authorities set visions and strategic priorities for action for each sector every five years.

Best value plans – local authorities review performance against other local authorities and set performance targets for improving services on an annual and long term basis, and the means for achieving them.

Corporate assessment – Annually local authorities' performance in a selection of key governance areas such as prioritisation, capacity, and learning is assessed.

Sector performance assessment – National Audit Office and sector ministries benchmark local government services by carrying out inspections and evaluate the quality of services and the likelihood they will improve. The results are discussed with the local government, and a rating of services agreed.

Scorecards – the results of the assessment of sector services are published, with star ratings given to each local government. As shown for West Sussex County council below:

How well is West Sussex County Council Run? 3 out of 4 (Corporate)

Service performance	1 (lowest)	4 (highest)
Education		4 out of 4
Social care – children		3 out of 4
Social care – adults		2 out of 4
Environment		3 out of 4
Libraries and leisure		3 out of 4
Use of resources		3 out of 4
Overall service performance		4 out of 4

dominate the sector, perhaps to the detriment of 'software' and other aspects crucial to efficient, effective and sustainable service delivery. There is a danger that this error risks being repeated with MIG and other DPLG sponsored fora – while we therefore advocate better alignment between Masibambane and DPLG fora, the former should certainly play a role in ensuring software issues remain on the agenda.

³⁴ This will perhaps complicate matters for those within the sector looking to support municipalities, but will facilitate water services becoming a mainstream function of municipalities, rather than a 'special' portfolio. Efforts to bring human resources and municipal managers 'on board' may be required, and could perhaps be facilitated by SALGA or DPLG, if not DWAF itself.

³⁵ Another way is to involve the municipalities in the design of the regulatory framework and thus develop it collaboratively. But this must be done without weakening its ability to bring about effective and sustainable delivery of services.

In addition, if one is attempting to support the building of strong municipal systems, there needs to be a framework to provide incentives for municipalities to upgrade their institutional capacities. This can be done through benchmarking the institutional capacity of municipalities as a whole alongside other sectors, as in the UK's Comprehensive Performance Assessment of local governments (see box). Again in the water sector will be developing its regulatory framework before such strong municipal-wide systems are developed, but DPLG should be encouraged to develop such benchmarking systems.

One problem that is always highlighted by non-DWAF actors when talking about regulation is that DWAF cannot be both a referee (i.e. a regulator) and a player (a collaborator) in regulation. Certainly a way to help ensure that collaboration between DWAF and municipalities is constructive is to have an independent regulator.³⁶ An interim measure would be to clearly delineate the role of regional DWAF offices and national DWAF, with national DWAF providing the regulatory function and regional DWAF offices dealing solely with institutional support to municipalities.

One of the major strong points of the collaboration has been the reporting against sector work-plans through the provincial fora and the MCC. However a recent problem has been that the MCC has had to rely on the MIG reporting systems for water service performance. The systems have yet to become functional and therefore data has not been forthcoming. When it becomes operational DWAF and other stakeholders will be relying on information processed by DPLG, rather than information directly from municipalities. A unified reporting system for all sectors is beneficial for the municipal manager and council as it reduces transaction costs therefore, rather than complain, DWAF should continue to engage in the process and assist DPLG to develop these systems. For its part, DPLG needs to co-operate fully with sector ministries (within a framework that encourages it to ensure that data is promptly available).

Making the sector publicly accountable for performance

A major focus of the collaboration in future should be ensuring that consumers are adequately represented. This should be in the minds of the collaborators at each level of collaboration. Ultimately municipalities, and eventually provincial and national government, need to be held to account for the delivery of services and consumers can play a very effective role in doing this.

We have already described consumer involvement in collaboration at the local level, as a means to entrench local accountability. Policies and guidelines need to be made to that effect, formally empowering consumers. First and foremost though, consumers need to be made publicly aware now only of their entitlement to water and sanitation services, but also of how they can hold their municipalities and their councils to account for delivery. Public information campaigns to this effect are crucial in creating public demand for accountability. This can be combined with requiring municipalities to publish summaries in the media of their budgets and investment choices for the financial year.

The operations of collaborative structures need to become publicly accountable, and reporting on performance against policy should not just be a technical, in-house affair. The National IGR Forum, if formed, would be the natural home for a public debate on water sector performance. The media, alongside civil society groups should be invited, and DWAF should actively market the event. The results of benchmarking municipality performance should be made public, and intergovernmental fora at the provincial and national level would represent an opportunity to publish municipality water services performance.

³⁶ There is some debate both within DWAF and internationally about the circumstances in which this is appropriate and the transaction costs of doing so. Roles, responsibilities and functions within DWAF itself certainly need to be clearly understood and delineated.

Chapter 8 – Building collaborative structures at the local level

In section two we looked at the structures being partly created by, and partly guiding, sector collaboration. We go through each of these in turn to see what future directions may be. First of all though we look at an area that was not given priority in the early collaboration and should now be emphasised – namely collaboration at the municipality level.

Era Three: Municipal Service Delivery	
Subjects	Structures

Municipal-level collaboration

Within a given district municipal managers need to take the lead in developing cross-sector relations and fostering co-ordination, regularly holding management meetings with the administrative heads of each sector as well as portfolio councillors. The IGRB provides for district intergovernmental fora, which would bring together all local municipalities within the district as a means of fostering integrated, cross-sector development.

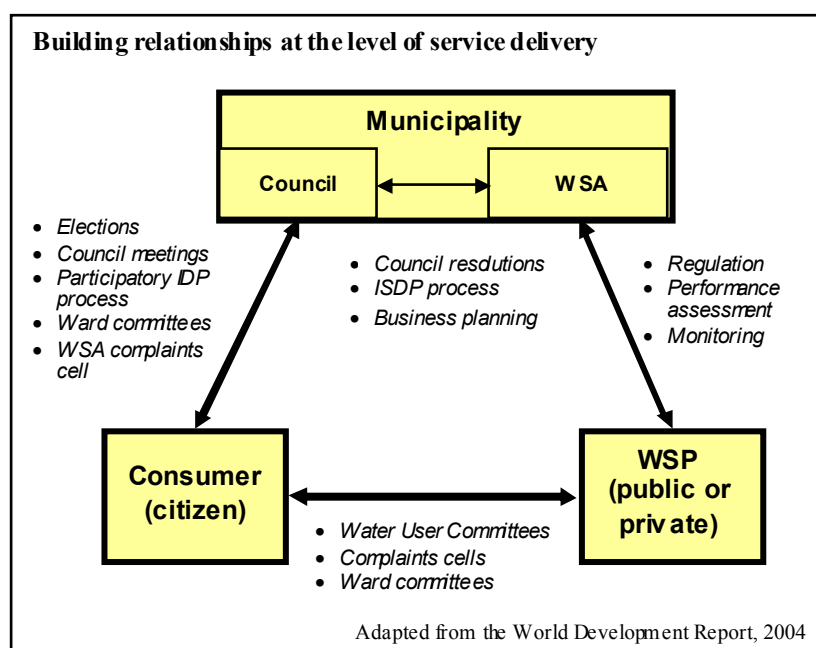
Another aspect that needs exploration is the role of local collaboration in the relations between local and district municipalities, their constituent WSAs and WSPs, and consumers. The dimensions of these relationships are set out in the accountability triangle above.

As municipalities complete their Section 78 processes, the relationship between the WSA and the WSP becomes important. Building partnerships at this level will be crucial for delivery. It is important that municipalities are given adequate guidance on how to conduct this relationship, and the balance between regulation and support. A district

intergovernmental forum would play a potentially important role in ensuring communication and co-operation between different WSPs in the district, and facilitating political as well as technical coherence where the WSA is at the district level.

There is a need to ensure that the consumer has adequate channels to express his or her views to councillors, the WSP and WSAs, (as the consumer *wice*), and is adequately involved in the delivery of services (having consumer *power*). This is important for generating accountability and trust in service delivery. It is especially important given the natural monopoly characteristics of the water sector and the reinforcement to top-down approaches that free basic services introduce.

Consumer *wice* could be enhanced in two main ways. Citizens could be more engaged in the planning process for the provision of water services (especially where they have little or no service currently). Although the IDP process is participatory to a degree, stakeholders feel that ward committees are an important potential entry point into the planning processes that are not properly being exploited. Participatory planning is one area where South Africa can learn from other African countries.³⁷ However it is important to note, in the spirit of supporting municipal systems and avoiding



³⁷ Tanzania has been making some strides in this direction, as has Uganda. There is also relevant experience in Brazil.

Involving consumer groups in the management of water supplies

In Bangalore consumers are involved in assessing the performance of public municipal services via an innovative system of report cards. These gauge the level of satisfaction with service delivery across the municipality, but differ from opinion polls in that they benchmark different municipal services against each other. Versions of this specific to the water sector have been introduced in Ethiopia and not only provide a powerful information tool for those responsible for assessing and improving the delivery of services, but bring pressure to bear on the service providers themselves.

In Maputo another approach is being investigated. It brings CBOs and NGOs to the support of the regulator by monitoring service delivery in 'at risk' areas and improving the level of information available to decision-makers as well as operational staff. In Zambia 'water watch' groups also work with the regulator and provide representatives that sit on the board of both public and private water providers. Such techniques could be brought to bear in South Africa to improve both the voice and power of consumers regarding the delivery of basic services.

duplication, that customer involvement in planning comes under the umbrella of the IDP process and not just for the WSDP alone.

Secondly, the consumer has a role in ensuring the effective delivery of services to local communities. In fact the consumer is explicitly recognised in the Strategic Framework: "A regulatory framework should recognise that consumers are in the best place to monitor the effectiveness of water services provision. Therefore *the most effective monitoring strategy for the sector is strengthening the voice of consumers*. It is the responsibility of water service authorities to put in place mechanisms to facilitate, listening and responding to consumer and citizen feedback on the quality of service delivery." (DWAF Strategic Framework, page 60).

Setting up of customer complaints units in WSAs and larger WSPs, or arranging regular customer consultations, are examples of how WSAs could institute such mechanisms.

In addition consumers need *power*, which is the shortest route to accountable services. It is possible to involve consumers directly in the oversight of service delivery, by encouraging their participation in the management decisions of Water Service Providers themselves. This type of collaborative arrangement would obviously vary for differing types of service provider, and could range from having consumer and

civil society groups represented on the board of a large municipal water corporation, to having a water user committee overseeing a small scale rural water supply system (akin to parents sitting on the board of governors in a school). Such groups need to have a real role in the delivery of services.

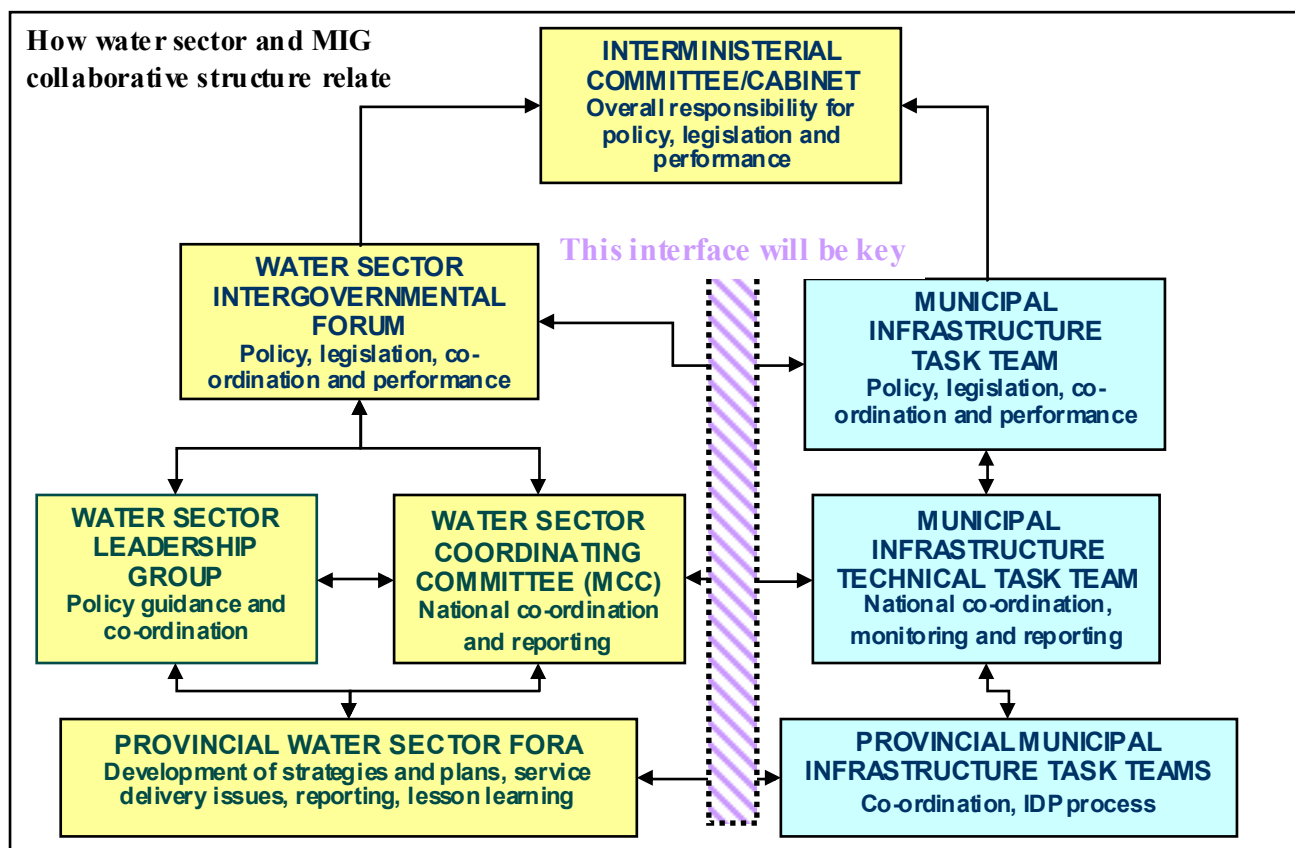
Grievance mechanisms are important to all collaborative exercises, and the South African water sector is no exception. Thus while providing consumers with a venue for complaints and feedback is necessary, so is involving them in planning decisions and in the oversight of services. However local collaborative structures and relationships along these lines will not happen automatically. They will need to be supported by the provincial-level structures for collaboration, with policy and institutional support and guidance from national DWAF. Ultimately, it will have to be in the interests of consumers to participate in these structures, and for that they need to be given a real stake in decision-making.

Flexible provincial structures

Collaborative structures at the provincial level have been allowed to evolve differently in different provinces. This is an important positive aspect of the experience to date, and DWAF should continue to allow such a flexible approach to collaboration. This next era will see the evolution of MIG structures, and perhaps other structures that aim to build municipal systems.

Provincial Municipal Infrastructure Task Teams are being established to oversee the implementation of MIG, bringing together sector departments from the province, as well as regional DWAF offices. It is important that water services structures should not attempt to compete with these new provincial MITTs, but rather engage with them. It may be appropriate for the water services collaboration to cede primary discussion of infrastructure delivery (i.e. hardware aspects) to such a forum. This would also provide space for the collaboration to deal with other aspects of delivery, which present a full enough agenda for future collaboration.

Whilst provincial collaborative structures should be allowed to evolve independently, it is important for DWAF regional offices to be engaged proactively in collaboration across the board. To date their involvement has been far from uniform throughout the provinces. Collaborative fora do need to be used by DWAF to communicate the national policy agenda, guidelines and basket of institutional support in a coherent manner. Moreover, DWAF needs to ensure that there is strong line management of regional DWAF offices to guarantee that there is a degree of institutional coherence in DWAF's engagement in the collaboration process. Although it is easier for regional DWAF to use the WSA as the point of contact within the municipality, it is important that DWAF starts to work through the Municipal Manager.



In this respect a degree of formalisation is required. Engagement in collaborative structures needs to be written into regional DWAF offices' job descriptions, and their performance appraised in terms of the success of regional collaboration as well as institutional support provided to municipalities.

The IGRB does not tackle one major issue. The lack of a provincial MEC means that there remains an inadequate political home for the water services sector. An option over the longer term, consistent with the devolution process, would be to devolve responsibility for water services to the provincial level and establish an MEC for water. This would allow national DWAF to concentrate on policy and regulation issues, whilst leaving provincial MECs to provide the support role to municipalities.

National Structures

An important implication of the IGR Bill will be that it opens up the potential for arguing for a national intergovernmental forum for the water sector, which would be headed by the Minister responsible for water. This would be the forum with overall responsibility for policy formulation, legislation and reviewing sector performance. It would provide a focus for reporting on performance from the MCC, and a decision-

Uganda's Local Development Grant

All local governments have access to a discretionary local government grant, however their access and level of funding is dependent on the annual local government assessment.

- Local governments are assessed on their corporate performance against minimum conditions and benchmarks related to areas such as planning, budgeting, financial management and engineering capacity.
- Those local governments that do not meet minimum conditions do not access the Local Development Grant. However they do continue to access a capacity building grant enabling them to upgrade their performance.
- The best scoring local governments in the assessment receive 10% greater allocation in the Local Development Grant.

This framework has provided a strong incentive for local governments to upgrade their corporate performance.

making forum for policy recommendations from the WSSLG. This would mean that the recommendations of those largely technical collaborative structures were actually considered by their political leaders and top management – current collaboration would thus be better linked into the political sphere. At the moment the top management of DWAF and the Minister appear somewhat separated from the operationally-minded WSSLG and MCC – such a step would help ensure political engagement. There may be examples in Uganda that would be of interest.

Some observers have expressed concerns about the politicisation of technocratic fora should the two spheres be drawn closer together. While a risk, there are many examples both within and outside South Africa of how this can be guarded against, including independent review mechanisms, cross-party committees etc. Overall it is better to rely on such safeguards and encourage and enforce productive dialogue between politicians and technocrats, rather than have them work in isolation, as this leads to poor decision-making and policy estranged from technical and operational realities. A second risk is having working fora suffer from association with discredited or ineffective existing political fora (such as the PLCs?). Clearly any decision will require careful thought in advance, debate between stakeholders, and perhaps several options considered.

In an agenda that is oriented towards regulation and performance, the role of the MCC will become more important as the custodian of reviewing sector performance, and coordinating the implementation of policy. The committee should not just focus on reporting against work-plans, but should also be the focus for discussion of municipality performance with respect to service delivery norms and benchmarks. Early in 2005 the MCC decided to change its name, proposing to stop using the term Masibambane. It is now called the Water Services Sector Co-ordinating Committee. As collaboration has now been rolled out countrywide this is a good move and helps institutionalise the role of the forum in the sector (many still perceive of Masibambane as a programme rather than an approach and thus the label, however well meaning, may hinder institutionalisation). In the scenario outlined above the WSSLG would continue to play its role as the custodian of collaborative policy formulation, providing policy recommendations to the Intergovernmental Forum. This would result in an explicit process for referring policy recommendations to policymakers and a void concerns of the WSSLG becoming a talk shop on policy issues.

Chapter 9 – Making the processes of collaboration work

Era Three:
Municipal Service Delivery
Processes

The preceding two chapters have dealt with future subjects and structures of collaboration. They have not, however, addressed important process issues – for the system to truly come to life the actors need to work together effectively, breathing substance into structure. Above all it needs to be in both individuals' and institutions' *interests* to be engaged in collaborative initiatives.

Creating demand for collaboration at a local level

In an era focused on municipal performance and delivery the foremost challenge will be to ensure that municipalities become and remain engaged. Ensuring collaboration is functional and effective at this local level will be no easy task. Municipalities will first of all need strong incentives to perform, and then recognise collaboration as being a step towards this.

These incentives to perform should ideally come from both below and above; from consumers and from provincial and national government. Moreover both these parties can play a role in encouraging municipalities to collaborate – from below by pushing to be involved, and from above by creating both an enabling framework and appropriate incentives.

If consumers are informed of their rights and their potential role in overseeing the delivery of service, then they are more likely to exert those rights. However, they will only be interested in exerting those rights if policy gives the consumer real power in the delivery of services. For example, consumers will only engage in water user committees if they know that they have influence on the running of water providers. Civil society groups will only engage with larger water utilities if they know those providers are going to be open to what they have to say.

Although from a municipality's point of view such engagement may be beneficial in the long term, in the short term it requires additional resources and brings additional pressure on them to perform. What is there then to stop water providers or authorities ignoring the voice of consumers? This is where performance benchmarking and regulation comes in. Through benchmarking of municipalities (both WSAs and WSPs) more than just the short-term performance as regards service delivery can be assessed. The extent to which collaborative processes are being followed can also be monitored. Through regulation, sanctions can be imposed on those that do not engage in collaborative forms of management and delivery, and who do not consider or respond to consumers' complaints. The adjoining box shows how an infrastructure grant in Uganda (similar to the MIG) has been used to provide incentives for local governments to adhere to various governance processes considered important for ensuring service delivery.³⁸

Allocating resources to collaboration and monitoring in Uganda

In 1998 the Government of Uganda established the Poverty Action Fund, which was the part of the national budget allocated towards pro-poor services such as primary education, basic healthcare and water and sanitation.

The Ministry of Finance set up a national cross-sector steering committee of national ministries, which it required to report quarterly on progress in programmes to the committee. The press, as well as civil society groups and donors, were invited to those meetings. Local governments were delivering the majority of PAF programmes, including those for water and sanitation.

The Ministry of Finance also allocated resources specifically for enhancing monitoring and accountability. This funded the cost of collaborative structures centrally, but also enabled national line ministries to monitor and support local government who were delivering programmes. Funds were later also allocated to local governments themselves to allow them to monitor and also facilitate participatory planning and budgeting.

Thus the Ministry of Finance played both an honest broker role, bringing sectoral ministries and local governments to the table, whilst also financing cross-sector collaboration.

³⁸ The juxtaposition between the long- and the short-term view is important here. In some regards it should be service delivery outcomes, and thus solely performance, which is monitored from above. However, good governance, which can include consumer participation, is increasingly considered invaluable in ensuring the long-term performance of utilities, as well as bringing to bear additional and more focussed pressure. Thus there may well be a legitimate role for higher-level players to monitor and encourage consumer participation.

Brokering collaboration across sectors at national and provincial levels

We earlier recommended deeper collaboration across sectors. Importantly though, several of the attempts currently being made in this direction are not working particularly well. For example in the Eastern Cape a team formed by DHLGTA to this end has failed to take off effectively, while MIG management nationally has been somewhat disheartened by the lack of interest from line departments in engaging with it. At provincial level, IWSMF has also had difficulty in engaging with the MIG management structures at the provincial level. Weak DPLG participation in water services collaborative structures has also been noted.

If there is to be coherence at national and provincial level, cross-sector collaboration needs to be made to work. But how? One option would be to look at the scope for an 'honest broker' (such as has worked at provincial level) to bring departments together and encourage more constructive co-operation. In other settings, such as Uganda (see box), the Treasury has been able to play this role – would something similar be possible in South Africa? The Presidency has also showed an interest in such cross-sector collaboration – could the water services sector benefit from more macro-engagement of such an actor?

As the box on Uganda shows, the Treasury has also financed collaboration between ministries. We observed earlier how important flexible funding specifically aimed at supporting the *process* of collaboration, has been. The ghost haunting the collaborative process in the water services sector is that donors finance it and there is a strong risk that if the donors pull out then this vital funding will cease. In the long run resources to fund sector and cross-sector collaboration will need to come from within departments' budgets at every level. However, this needs to be planned for explicitly by spending departments, who may not prioritise such soft activities.³⁹ In such circumstances, a possible role for the Treasury would be to ensure that departments budget adequately for collaborative activities.

Ownership and institutionalisation

"Differentiating between individuals and institutions – Without doubt, the nature of the individuals that come to the table is critical to the effectiveness of the partnership. Partnership projects need champions to carry the cause and sell the idea and process. Champions can reduce layers of management in order to propel projects into action. However, the challenge is that individuals can usually move faster than institutions. To ensure sustainability, partnerships need to move carefully and systematically beyond the individuals and into institutions.

Ownership cannot be vested in any one individual. As individuals also move on, mechanisms need to be put in place to ensure smooth transition. Induction programmes, frequent and structured reviews, rotating chairs and other mechanisms will enable greater ownership." (Caplan et al, 2001)

However, neither the National Treasury nor the Eastern Cape Provincial Treasury have been particularly active participants in collaboration, nor played a strong role in promoting or brokering it. A key issue for the sector is therefore to gauge how necessary such support is, and find ways to either engage the Treasury or others more actively, or seek alternative solutions.

From individuals to institutions

As mentioned before the sector is unusual as it has had resources to pay for consultants and to 'place' people within organisations, in order to help them collaborate. This has not always worked as envisioned and is certainly not commonplace, but definitely warrants a mention. Whether existing collaboration would have reached its current level without this is doubtful, but equally it does raise some concerns about the sustainability of current practice (for example, would finances be made available from partners' own budgets or from the Treasury if the current sources dried up?).

Moreover, collaboration has often relied on key individuals to drive it forward. To be sustained over time though collaboration needs to move beyond individuals into organisations.⁴⁰ This section concludes by looking at options for the sector on this front.

³⁹ Such support is akin to a 'public good', prone to the same problems of free riders and weak individual willingness to pay.

⁴⁰ SALGA, for instance, has a new CEO and the individual that has championed much of its involvement in collaboration in the water sector is soon to leave. DWAF has a new DDG for operations and regions,

Institutionalising is certainly not easy, and ways of tailoring it to the context of the water services sector need to be further explored, but there are good examples. Important features include creating and retaining institutional memory, planning for succession and rotating partnership ‘representatives’. Internal reflection about the benefits and risks of collaborating, how internal decision-making relates to collaborative decision-making and how well the ‘interface’ is developed are also useful. The ‘paperwork’ (Memorandums of Understanding, Terms of Reference etc) that underpins the collaboration (both between and specific to partners) is also important – more for the process of developing and reviewing it, than its mere existence.⁴¹

Is there an over-reliance on consultants?

There is legitimate concern that the water services sector has used consultants excessively during the reform process. Although initially they played an important honest broker role, if consultants rather than the institutions are those tasked with ‘reform’, this enables those institutions to continue doing business as usual.

This is pertinent to DWAF’s relationship with municipalities. Mainstream DWAF staff have not been forced to provide support supervision to local governments as the additional Masibambane money has enabled them to use consultants. DWAF therefore does not develop a reputation for having changed as an institution. Similarly at the national level consultants are used excessively in the reform process, where the work could and should be being carried out by staff in line positions.

and several other staff at various levels may soon be retiring or moving on. This pattern of change has been a constant backdrop to much of the collaboration described in this report, but is now coming to affect several of the key champions referred to in section two.

⁴¹ Several ‘partnership’ publications may be of help in this regard: a good start would be “Flexibility by Design”, “Institutionalising Partnerships” and “The Partnership Paperchase”, all of which are in the bibliography.

Era Three:
Municipal Service Delivery
Where do we start?

Chapter 10 – Where do we start?

We have set out several options that could help collaboration adjust to the new landscape. It may not be easy to know where to begin, but below we set out eight actions that, if initiated in the short term, could help shift both the agenda and substance of collaboration towards municipalities and the consumer.

1. Rapidly implement a unified system of WSA benchmarking, and ensure that all WSAs are benchmarked by mid-2006 and publish the results.
2. Disseminate information on sector performance through publicity campaigns and raise awareness of developments within the sector.
3. Establish a National Water Sector Intergovernmental Forum, to which the MCC and WSSLG should report, thus anchoring the sector deeper into the political realm.
4. Develop policies on consumer involvement and collaboration within municipalities and roll them out through provincial fora.
5. Lobby the National Treasury to take on a more proactive role as an honest broker in national cross-sector collaboration.
6. Develop guidelines to better integrate the WSDP with the IDP, and hand over primary responsibility for co-ordinating the delivery of water services infrastructure to MIG fora, clarifying the backstopping role of DWAF and how MIG will relate to the other aspects of service (rather than infrastructure) delivery.
7. Review how water sector support relates to the broader strengthening of municipal systems (and conduct a risk analysis of municipal systems from a sector standpoint).
8. Review how decision-making within key stakeholders relates to collaborative processes (across all five 'service arenas') and discuss strategies for better institutionalising the organisational 'interface'.

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General lessons regarding collaboration

<p>Enabling and disabling factors</p> <p>Collaboration does not occur in a vacuum and in seeking to draw lessons from the experience of the South African water sector it is important to recognise how the environment has shaped outcomes. Here we look at enabling and disabling factors and draw some lessons for those interested in supporting collaboration more broadly.</p>	
<p>Why collaboration has succeeded</p> <ul style="list-style-type: none"> ➤ It was built on solid foundations, such as ISWIP etc ➤ It concentrated on supporting municipalities ➤ It moved with the trend of legislation and was forward looking ➤ There were good relationships and understanding between key individuals at outset ➤ DWAF was able to build capacity within partner organisations allowing them to collaborate ➤ It was important to have honest brokers at the start of collaboration ➤ Assistance to SALGA enabled it to grow into its role as the organised voice of disparate municipalities, enabling a real dialogue in collaboration ➤ Considerable flexible funding was available from donors to support collaborative processes ➤ The collaboration concentrated on tangible issues and 'projects', such as the MAAPS, WSDP, transfers etc ➤ An effort was made to bring councillors into the collaboration, at least in Eastern Cape ➤ National DWAF was willing to compromise and see the benefits of collaboration on the ground ➤ Attention was paid to structures framing collaboration and there was a willingness to review and revisit these as well as other 'process' issues 	<p>What has not helped collaboration</p> <ul style="list-style-type: none"> ➤ DWAF's strong presence may be intimidating for others, discouraging them from participating in the collaboration ➤ The state of flux within municipalities and DPLG has made consistent participation difficult for those institutions ➤ The National Treasury and DPLG were absent from key collaborative fora ➤ There was a large turnover of staff and under-developed induction and succession mechanisms for those involved in collaboration ➤ Support from DWAF senior management was inconsistent, and turnover high at this level. ➤ There is a heavy reliance on consultants ➤ Too many new initiatives and demands on (municipal) time from national and other agencies, undermines the quality of collaboration ➤ There is an inconsistent approach to, and involvement of, the political sphere with a sometimes overly technical focus ➤ There is a heavy governmental and state-centric focus
<p>Lessons</p> <ul style="list-style-type: none"> ➤ Different types of collaboration are needed at different levels. Regular review of collaborative structures helps them stay relevant in a context of rapid change. ➤ Honest brokers can help get different parties together and can be very useful in recognising change and assisting the collaboration to evolve. ➤ Sometimes informality helps in building relationships. 'Mandating' an organisation's collaboration often does not get you very far. ➤ Collaboration and communication builds trust during a reform process, whilst transparency helps build your credibility. Regular region/national reporting has improved information flow within the sector, and built trust. ➤ Collaboration is not necessary all the time, as it can both hold-up as well as facilitate transformation. In addition, collaboration is no substitute for strong line management within departments (eg. national and regional DWAF). ➤ The absence of the National Treasury and DPLG from the collaboration undermines the process, but it needs to be in their interests to collaborate. ➤ Collaboration across sectors is more difficult than intra-sector collaboration, but equally important. ➤ Collaboration over the planning, budgeting and implementation is as important as collaboration over developing policy itself ➤ There is a need to measure performance of municipalities early on in a decentralised framework, as this promotes accountability. ➤ Both drivers for and barriers to collaboration will change over time, and this will impact on both structures and the involvement of certain stakeholders. One must be flexible enough to recognise and accommodate this change. ➤ We should not expect the same constellation of individuals or of partners to remain static over time – better to embrace and plan for turnover in advance. ➤ Collaboration costs money which needs to be budgeted for – it cannot always be a donor-funded activity. 	

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