



## **THE CITY OF JOHANNESBURG TRANSPORT DEPARTMENT POLICY FOR COLLABORATION WITH NON GOVERNMENTAL ORGANISATIONS TO FURTHER TRANSPORT OBJECTIVES**

### **1. PURPOSE**

The purpose of this policy is to:

- Define the principles and terms of engagement governing the City of Johannesburg's collaborations with non-governmental, not-for-profit entities to realise transport objectives especially road safety, bike promotion and training and capacity building of transport stakeholders; and
- Outline and specify the processes and procedures for the City and non-governmental and non-profit entities to follow to be able to collaborate to support each other where there are common objectives.

### **2. PROBLEM STATEMENT AND POLICY CONTEXT**

The Transport Department is guided by a Strategic Integrated Transport Plan Framework (SITPF) with the following strategic thrusts:

- 1: Restructure and integrate the city
- 2: Improve and expand provision of quality public transport and use of non-motorised transport
- 3: Maintain, improve, extend and integrate transport infrastructure
- 4: Support economic growth through improving freight mobility
- 5: Manage congestion, travel demand and parking
- 6: Improve transport safety through active, engaged citizenry
- 7: Transform the transport sector and encourage new, efficient and profitable transport enterprises and green jobs
- 8: Plan and regulate the transport system
- 9: Resource and finance the transport plan

For this policy, Strategic Thrust 6 to "improve transport safety through active, engaged citizenry" is most relevant.

The Transport Department also believes that the provision of infrastructure and services on their own will not lead to a better transport system. Behavioural change is also required. So for example, tarring of roads on its own will not lead to greater road safety. It also requires education and awareness raising for people to change the behaviour as road users.

Further often City officials are not best place to do these behavioural change interventions. They are often better carried out by non-governmental organisations which

are closer to the ground, are able to mobilise at a local level and can assist in facilitating resolutions for community based challenges.

In particular the Transport Department wants to seek collaborations with non-governmental and non-profit organisations in the following areas:

- Community based road safety;
- Safety of women passengers especially in taxi ranks;
- Cycle promotion through community based and regional social rides;
- Bike distribution to learners, community health workers, community patrollers, CPF's and other identified target groups doing similar work;
- Training and capacity building of public transport operators and drivers including in the learner transport sector;
- Conflict resolution in the public transport sector especially by faith based groups; and
- Beautification and improvements of public transport facilities.

### **3. LEGISLATIVE FRAMEWORK**

The following laws and policies have been considered in the drafting of this policy:

#### **3.1. The Constitution**

Local government is constitutionally charged in terms of the Constitution ( Chapter 7) and Bill of Rights (Chapter 2)) with the commitment to improve the quality of the life and promote the potential of each citizen through initiatives premised on the supreme values of democracy, social justice and fundamental human rights.

#### **3.2. The Municipal Structures Act 117 of 1998 and the Municipal Systems Act 32 2000**

These laws articulate the constitutional competency of local government to enable development at the local level and encourage the involvement of communities and organizations in terms of socio –economic development, community participation and participatory governance.

#### **3.3. The Municipal Finance Management Act 56 of 2003**

This law ensures sound and sustainable management of the financial affairs of the City. Section 67 makes provision for the transfer of funds to organizations and bodies outside government subject to the City's accounting officer being satisfied that certain requirements as set out have been met.

#### **3.4 Income Tax Act of 1965 (read with all subsequent updates and amendments)**

Section 18 of this Act outlines the principles governing Public Benefit Organisations (PBO's) and Schedule 9 of the Act defines the range and categories of activities that can be legitimately used to describe acting in the public and /or social interest.

#### **3.5. City of Johannesburg delegation framework**

Members of the Mayoral Committee are delegated in terms of the City of Johannesburg delegations framework to make donations, grants and sponsorships

to any organisation or institution to which the City of Johannesburg is lawfully empowered to make grants or which promote and contribute to the purposes and duties of local government falling within the area of their responsibility to an amount not exceeding R5 million, annually and subject to budgetary provisions.

#### **4. AREAS OF COLLABORATION**

The following are the proposed areas of collaboration with NGOs and NPO's:

##### 4.1 Safety of women passengers especially in taxi ranks.

There is significant evidence that women passengers are harassed in public transport, especially in taxi ranks and taxis by taxi drivers and queue marshalls. Incidents including verbally harrassing about their clothing such as mini skirts, taking pictures of women and physically groping women's clothing. In March 2017, a mother was gang raped for hours in a taxi in Johannesburg, in the presence of her 10-year old son.

In 2017, an NGO called Sonke Gender Justice started a campaign focusing on women safety at taxi ranks and was funded by USAID to do awareness raising within the taxi industry, in partnership with the taxi industry leadership

The City would like to work with this and other relevant NGO's to raise awareness and educate taxi roleplayers on their responsibilities and passengers on their rights. The objective is to eradicate such behaviours and restore the dignity, safety and respect for women.

##### 4.2 Bike distribution to community health workers, CPF's, community patrollers, learners and other identified target groups.

Over the last four years, the Transport Department has been partnering with Qhubeka to distribute bikes in a sustainable way to learners and then also to health workers and community patrollers. Going forward the Department would want to expand and extend this programme to these target groups.

Bikes donated to learners focus on those who have to travel more than five kilometres to school, The bikes assist learners to arrive at school on time, reduce tiredness due to walking long distances and improve their health status. Learners and their parents are also required to contribute something in exchange for a bike.

Home based community health Workers are a project of the Gauteng Provincial Government where volunteers facilitate the distribution of medication to patients who are confined to their homes due to chronic illnesses. These workers also provide frail care services such as washing of patients, cleaning of their bedding, rooms and also feed them. The bike donations will assist the health workers to more quickly access patients including in informal settlements where roads are poor.

In respect of Community Police Forums and community patrollers, the donations of bikes support them to safely escort commuters to train station and taxi ranks in the early morning and late evening. They also assist in patrolling the streets and areas around schools and often support learners who have been given bikes.

#### 4.3. Community based road safety

The City receives the most number of petitions from residents requesting traffic calming measures to make their roads safer. Road safety can be significantly enhanced by community based education and awareness initiatives.

The Transport Department would want to partner with community based organisations to enhance and expand our road safety education outreach especially at hotspots. Over the years the City has been approached by many community based organisations such as iKasi Road Safety requesting partnerships in order to address their road safety challenges through awareness campaigns, prayer events and awareness amongst children.

Through the forging of these partnerships, the City can contribute positively to the National Road Safety Strategy of reducing the number of accidents and injuries.

#### 4.4 Cycle promotion through community based and regional social rides

To address ever increasing traffic congestion and improve the health status of our residents, the City encourages the use of cycling as an alternative mode of transport.

The Department has in the past supported and partnered with non-governmental organisations such as Freedom Ride and Retlagamoga to arrange rides such as Freedom Ride and Heritage Ride and to include cycling activations in Open Street Events. The Department has also partnered with clubs and societies at Wits and UJ to promote cycling at universities.

The success and growth of such activations depends mainly on partnership with local NGOs.

#### 4.5 Training and capacity building of public transport operators and drivers including in the learner transport sector

A key part of road safety relates to the capacity of public transport drivers to drive safely and the owners of the vehicles to maintain their vehicles well. The Transport Department would like to explore partnerships with taxi associations and other NGOs to introduce defensive and advanced driving skills programmes as well as awareness of the importance of maintenance amongst drivers.

#### 4.6 Conflict resolution in the public transport sector especially by faith based groups

Particularly in the mini bus taxi sector there are a number of conflicts which can lead to violence and sometimes passengers and residents get caught in the fray. The City or the associations themselves have found value in faith based groups in mediating these conflicts. However they do not have resources to facilitate extended challenges and to sustain healthy relationships. The Transport Department may want to tap into the wisdom of these faith based groups to facilitate conflict resolutions or ask NGOs to assist with capacity building of the taxi industry to resolve conflicts.

#### 4.7 Beautification and improvements of public transport facilities

The Transport Department has been approached in the past by community based groups who would like to beautify and improve public transport facilities through public art, landscaping etc.

The Transport Department would like to be able to partner with these community based NGO's to achieve this. It should be stressed that the beautification efforts should not be in non-compliance with the City's policy and bylaws on outdoor advertising.

## **5 PROCESS OF COLLABORATION**

The following is proposed:

- 5.1. The Transport Department will budget an amount of R5 million per annum for collaboration with NGOs which will be distributed to them in terms of Section 67 of the MFMA and by the MMC in terms of her delegation to donate up to R5 million per annum.
- 5.2. The Transport Department by May of each year will put an advert in the newspaper calling for NGO's to submit proposals for funding in line with the above themes. NGO's will have until the end of June to submit their proposals together with required supporting documents which shall include:
  - (a) Founding documents such as Constitution;
  - (b) Certified copy of Certificate of Incorporation as a Section 21 Company/ Non Profit Organisation/Public Benefit Organisation;
  - (c) Certified copy of a valid tax clearance certificate (less than six months old) if VAT registered;
  - (d) Certified copy of Public Benefit Organisation if applicable;
  - (e) Proof of PAVE Registration if applicable;
  - (f) Unemployment Insurance Fund (UIF) Certificate if applicable;
  - (g) Banking details;
  - (h) Audited annual financial statements, preferably for the last three years; and
  - (i) Registration with regulatory bodies if applicable.
- 5.3. The MMC for Transport will establish a panel of five officials which shall also include an official from CoJ Legal to firstly verify the required supporting documents and then evaluate the proposals in terms of the following criteria:
  - (a) Extent to which the organisation and their proposal will take forward identified Transport Department objectives;
  - (b) Value for money of the proposal;
  - (c) Capacity of the organisation to implement their proposal;
  - (d) Extent to which the organisation comes from and/or has a history of working with the community/residents/bodies which they seek to partner with or support.
- 5.4. The panel will make recommendations to the MMC who will approve which NGO's will get funds up until an amount of R5 million per annum.
- 5.4 The successful NGO's will be contacted by the Transport Department and SLA's will be negotiated and signed with them in terms of Section 67 of the MFMA. The SLA's will include the following:
  - (a) Key performance indicators that the NGO is required to achieve;
  - (b) Financial management requirements;

- (c) Internal control requirements; and
- (d) Monthly reporting to the Transport Department on actual expenditure.

5.5 At the end of the project, the NGO will be required to provide the following:

- (a) Close out report;
- (b) Annual report if applicable;
- (c) Detailed financial statements of the project;
- (d) Annual financial statements including the statements of the project;
- (e) Proof of payment of VAT and PAYE if applicable.
- (f) Pictorial evidence for use by the Transport Department.

5.6 NGO's which do not comply with the SLA will not be eligible for funding for a further three year period.

## **6. CONCLUSION AND REVIEW**

This policy document builds on the current experiences of the Transport Department and hopes to take the partnership experiences further. It would however be important to review the policy as it is implemented to further enhance and strengthen community based and stakeholder partnerships to achieve transport objectives.