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# **STANDARD OPERATING PROCEDURES FOR POLICY FORMULATION**

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## 1. DEFINITIONS AND ACRONYMS

### 1.1 Definitions

<b>Client</b>	Sometimes referred to as <b><i>requesting unit</i></b> who has been identified by the Human Settlements Planning, Policy and Research Directorate through due process as being instrumental in driving policy implementation
<b>Multi party government</b>	A multi-party coalition government governing the City of Johannesburg
<b>Policy Owner</b>	Responsible Directorate tasked with the mandate of implementing the policy. Initially classified as the requesting unit or client in the phase of policy formulation and now officially tasked with policy implementation
<b>Requesting unit</b>	Sometimes referred to as <b><i>the client</i></b> who would have made a request for the development of a particular policy and identified as being instrumental in driving policy implementation
<b>Senior Management Team</b>	All Directors including the Executive Director in the Department
<b>SoP's</b>	Standard Operating Procedures
<b>Stakeholders</b>	person with an interest or concern in something who either affect or is likely to be affected by the implementation of these SoP's
<b>Standard Operating Procedures</b>	a set of step-by-step instructions compiled to assist stakeholders in achieving efficiency, quality output and building uniformity, while reducing miscommunication and failure to comply with established standards of output

## 1.2 Acronyms

<b>ED</b>	Executive Director
<b>MMC</b>	Member of the Mayoral Committee
<b>PMEIC</b>	Policy Monitoring, Evaluation, Impact and Change
<b>SEIAS</b>	Socio-Economic Impact Assessment System
<b>SMT</b>	Senior Management Team
<b>SoP's</b>	Standard Operating Procedures
<b>MPG</b>	Multi-Party Government

## 2. INTRODUCTION

The Human Settlements Planning, Policy and Research Directorate exists in the Department to render support relating to human settlements planning, policy development, research, and benchmarking on cases of best practice to enable the Department to delivery on its legislated mandate, promotion of access to adequate housing. The Standard Operating Procedures (SoP's) sets out processes and outlines various phases that guides the Directorate in its interaction with stakeholders, that is other business units when it comes to initiating the development and review of Departmental policies. These procedures are benchmarked against standard of best practices applicable in the public policy space and how various government departments in the three spheres have sought to approach the process of managing policy requests and initiatives.

Notwithstanding a thin line that exists between the following documents: Policy, Standard Operating Procedures (SoP's) and Implementation guidelines a distinction needs to be made whether a particular course requires which instrument to respond to the actual situation. It therefore becomes imperative that an attempt is made to draw that division/distinction moving from theory to practice.

### *Policy*

A set of ideas or plans pursued as a course or principle of action adopted or proposed to be used as a foundation or starting point for making decisions considered with reference to carefulness, practicality, or suitability.

### *Standard Operating Procedures (SoP's)*

Formalized processes or programmed sequences of actions that organizations have in place to handle the routine matters they face.

### *Implementation Guidelines*

Written instructions, rules, procedures on how an organization (business unit) is expected to conduct its business and this translated into more specific prescriptions for administrative action.

***This document, Standard Operating Procedures therefore outlines a step-by-step process to be considered when dealing with policy requests and policy development leading to stakeholder engagement and policy approval.***

### **3. OBJECTIVES OF THE SOP'S**

- 3.1 To establish procedures for accepting requests for development of new policies and review of existing policies
- 3.2 To advise the Department's officials on various stages in the policy development process and contributions of stakeholders during at these various stages
- 3.3 To strive for consistency, coherence and integrated shared approach within the Department when dealing with policy development

### **4. APPLICABLE PRESCRIPTS**

The SoP's are developed in consideration of the following prescripts:

- 4.1 National and Provincial prescripts
  - 4.1.1 Constitution of the Republic of South Africa (Act 108 of 1996)
  - 4.1.2 Gauteng Provincial Languages Act (Act 3 of 2016)
  - 4.1.3 National Languages Policy Framework
  - 4.1.4 Local Government: Municipal Structures Act (Act 117 of 1998)
  - 4.1.5 Pan South African Language Board Act (Act 59 of 1995)
  - 4.1.6 Promotion of Access to Information Act (Act 2 of 2000)
  - 4.1.7 Promotion of Administrative Justice Act (Act 3 of 2000)
  - 4.1.8 Millennium Development Goals
  - 4.1.9 National Spatial Development Perspective
  - 4.1.10 National Development Plan (NDP 2030)

#### **4.2 2021-2025 Mayoral Priorities**

##### ***4.2.1 A city that gets the basics right***

Ensure there is clean water and a sanitary environment for every community by offering a hygienic environment where people can live, work and play. This is a step in the direction of giving the people of Johannesburg their power back by creating and maintaining a public spaces for all to enjoy.

#### *4.2.2 A safe and secure city*

Safety is another non-negotiable aspect for our people. Every person craves it and this is equally necessary towards improved quality life and strong economic growth. The role of partnering with all sectors of the society as such remains pivotal and this can be achieved through dedicated partnerships, modern and up to standard technology, and investment in our safety and emergency services. The city therefore needs to be tough on crime and its effects.

#### *4.2.3 A caring city*

A society can be judged on how it takes care of its most vulnerable such as the LGBTQA+ community, women, children and persons living with disabilities. It therefore becomes pivotal that the City is able to demonstrate care to its citizens and this is realized in our housing programmes; fully subsidized free give away houses, subsidized gap housing market and rental housing.

#### *4.2.4 A business-friendly city*

Government must do everything possible to create an environment for economic growth, so that entrepreneurs and businesses can invest and create the jobs that will continue to make Joburg the City of Opportunities. Bring jobs and investment to the local economy. The support and investment in Small, Medium and Micro Enterprises should find expression in our business transacting. This speaks strongly to the support of local economy where our people are not only the beneficiaries of houses but also as service providers through supported entrepreneurship initiative.

#### *4.2.5 An inclusive city*

We need to make every corner of Joburg a place where residents have all the amenities, they need to live a quality life, with access to housing and job opportunities. Our housing projects should strive to build integrated human settlements which are not only focused on the provision of top structures but the inclusion of social amenities.

#### 4.2.6 *A well-run city*

Joburg must become a center of clean, honest government that puts residents first, spends money wisely and is a pleasure to deal with. We must improve customer service and providing customers with services that meet their individual needs and circumstances must be prioritised. This speak well to our housing demand driven approach, build houses that meet the needs and expectations of our people, not only in feel but accessibility and affordability.

#### 4.2.7 *A smart city*

A truly successful city makes the most of the talent and innovation available. We need to maximise our use of technology to empower residents and find solutions to our most pressing challenges.

### 4.3 MPG Objectives to the Mayoral Priorities

#### 4.3.1 *A city that gets the basics right*

4.3.1.1 Access to reliable and clean water

4.3.1.2 Ensure hygienic environment

4.3.1.3 Access to electricity

4.3.1.4 Holistic infrastructure strategy

4.3.1.5 Water provision

4.3.1.6 Waste management

4.3.1.7 Sewerage management

4.3.1.8 Electricity provision

4.3.1.9 Infrastructure basics

4.3.1.10 Roads and Transport

#### 4.3.2 *A safe and secure city*

4.3.2.1 Ensure hygienic environment

4.3.2.2 Reclaim public spaces

4.3.2.3 Tough on crime

4.3.2.4 Water provision

4.3.2.5 Waste management

4.3.2.6 Sewerage management

- 4.3.2.7 Electricity provision
- 4.3.2.8 Infrastructure basics
- 4.3.2.9 Roads and Transport

#### 4.3.3 *A caring city*

- 4.3.3.1 Sustainable Housing
- 4.3.3.2 Keeping communities in good health
- 4.3.3.3 Multilingualism and heritage

#### 4.3.4 *A business-friendly city*

- 4.3.4.1 Job Creation and Investment in local economy

#### 4.3.5 *An inclusive city*

- 4.3.5.1 Reclaiming public spaces
- 4.3.5.2 Safe, affordable, and reliable public transport
- 4.3.5.3 Combat illegal immigration
- 4.3.5.4 Sustainable Housing
- 4.3.5.5 Public and recreational spaces
- 4.3.5.6 Inner-city rejuvenation

#### 4.3.6 *A well-run city*

- 4.3.6.1 Governance in the interest of people and reduce corruption
- 4.3.6.2 Devolution of power
- 4.3.6.3 Institutional reconfiguration
- 4.3.6.4 Affordable services and tariffs
- 4.3.6.5 Good governance
- 4.3.6.6 Financial sustainability
- 4.3.6.7 Devolution of power
- 4.3.6.8 Public participation
- 4.3.6.9 Labour relations and labour insourcing

#### 4.3.7 *A smart city*

##### 4.3.7.1 Access to technology

## 5. **GUIDING PRINCIPLES IN POLICY FORMULATION**

- 5.1 Language use: Policy documents should be drafted with a simple understandable language. Every effort should be considered to eliminate ambiguity in language use.
- 5.2 Content should be straight to the point avoiding long sentences and paragraphs
- 5.3 Ambiguity: The policy document should be easily understood without compromising its legality. The use of words and language commonly used should be encouraged.
- 5.4 Gender inclusive language: The use of titles such as Chairperson rather than Chairman. Where gender is to be used both genders should be used.
- 5.5 Each bullet should carry a single viewpoint directing or pointing to a particular course of action
- 5.6 As best as possible eliminate long sentence Content flow should be concise

## 6. **APPROVING AUTHORITY**

- 6.1 All Housing policies are approved by Council with a signature of the MMC as the Political Principal
- 6.2 Implementation Guidelines are approved by the Executive Director: Housing as the Principal Officer

## 7. **HOW ARE POLICIES INITIATED**

- 7.1 A policy gap or problem statement is understood to be a condition or situation that exists and require some form of remedy to bring it to consistent to the proviso of the enabling policy and legislative prescripts promoting access to affordable, descent and habitable neighbourhoods. This condition is understood to bring a dissatisfaction among the people and as such the need for relief or redress in government action is necessary.
- 7.2 Any Directorate may identify the need for new policy, enhancement of existing policy or termination of a policy in existence. Whoever identifies a need for policy

must provide a written request via the Office of the Executive Director: Housing identifying the policy gap and providing a problem statement.

- 7.3 The request is then formally forwarded to the Director: Human Settlement Policy, Planning & Research

## **8. PROCESS OUTLINE**

### **8.1 Stage One: Setting the Policy Agenda**

- 8.1.1 There are various policy decisions made at both national and provincial governments which have an impact on the local sphere of government. The local government therefore has a responsibility to make these responsive to the needs of the local communities and in consideration of the available resources and capabilities be able to present a tailor-made responsive intervention.
- 8.1.2 The MMC as the political principal has the entrusted responsibility to give a policy direction emanating from the political commitments, declarations and pronouncements made to the citizenry. This should tell what the political administration is seeking to achieve during a particular term of office guided and aligned to the legislative imperatives governing the sector.
- 8.1.3 Driven by the above factors the Principal Officer, being the Executive Director shall advice on what should be prioritised in terms of immediate or postponed policy requirements coming from the Policy Agenda and broader policy requirements; a policy proposal identifying the need for a policy. A policy proposal should be accompanied or be driven by a problem statement outlining the problem which needs to be addressed.
- 8.1.4 The Human Settlements Planning, Policy and Research Directorate would therefore receive a policy consideration emanating from the Policy Agenda or as a request from a particular directorate to develop a policy that addresses the identified issue. The requesting directorate would provide a problem statement as a request for policy before the Human Settlements Planning, Policy and Research Directorate can commence with the drafting of the policy.

- 8.1.5 Where this comes as a policy request the requesting directorate will provide background information and any documentation that may assist in conceptualising the draft policy document. This will help to ascertain whether the identified problem is only for the Department has cross cutting issues which may require inputs and have aspects of policy implementation affecting other departments.
- 8.1.6 The Human Settlements Planning, Policy and Research Directorate will then convene a mandatory briefing session with the requesting directorate to establish a common understanding of the problem statement. Where this may demonstrate to be necessary the Directorate will assist the requesting directorate in reformulating/contextualizing the problem statement for the purpose of scoping and value proposition. The value proposition would be a promise of quality and quantity to be delivered, communicated, and acknowledged demonstrating the value add in resolving the stated problem. The project can then be added to the Scorecard/deliverables of the Directorate.
- 8.1.7 The Directorate will then allocate a project leader on the part of the Directorate, who shall oversee the operational aspect of the policy development. The first responsible official who is also the process owner shall be the Director: Human Settlements Planning, Policy and Research Directorate and secondary the Deputy Director: Policy and Guidelines.
- 8.1.8 The Directorate shall see to it that preliminary research or baseline study is undertaken to support policy proposition. This will support the development of a draft document for consultation with the requesting unit and any relevant stakeholder to the policy formulation.
- 8.2 Phase Two: Policy Formulation
- 8.2.1 Policy formulation constitutes the entire process of drafting a policy and putting it in a form of an organised document or structure. This is the development of effective and acceptable courses of action for addressing what has been

placed on the policy agenda. This is pulling applicable resources and supporting information to convert ideas into proposed solutions that are practically implementable to deal with the identified problem/challenge.

8.2.2 The delegated official, project leader will continuously meet with the requesting unit, now the client and engage on the progress made on the development of the policy. The project leader shall see to it that the presented documents to the client are of acceptable standard in terms of technical and professional representation.

8.2.3 Where both the Directorate and the client are satisfied with the first draft both shall agree on consultative workshop convening identified stakeholders for further inputs and engagements. The client is also free to advocate for a certain policy approach and views which may not necessarily be in line with what the Directorate advocates for.

8.2.4 The following stakeholders shall be consulted and engaged with the draft policy document:

8.2.4.1 The requesting directorate identified as the client and who will be the policy owner

8.2.4.2 Senior Management Team

8.2.4.3 Council Cluster Committees/Section 79 Committee

8.2.4.4 Interested parties (*where this may have been identified as necessary*)

(i) Ward committees

(ii) Community Based Organisations/Non-Government Organisations

(iii) Communities

(iv) Institutions of Higher Learning

8.2.4.5 Council

8.2.5 All received comments should be recorded and documented as evidence of consultations together with the attendance register or appropriate evidence for consultations.

8.3.5 Once the policy is adopted and signed off as ready for implementation it must be communicated to the affected parties and the public in line with set Council processes for information dissemination. This shall follow set due processes as defined by law or policies of the legislating body.

#### 8.4 Phase Four: Policy Implementation

8.4.1 Once the policy is adopted and signed off as approved it shall be forwarded to the implementing unit as the policy owner for implementation

8.4.2 Implementing units may be given latitude to develop administrative rules, procedures or guidelines in order to streamline implementation

8.4.3 Where necessary and deemed appropriate the provision should be made for the policy owner to manage policy deviation and variations. The implementing unit should record such deviations and provide motivation for this. Deviations should be managed within the provision of the legal and legislative provisions. This should be motivated and aligned to the applicable policy prescripts. *(The Extended Public Works Programme is an example of possible variation on whether to use manual labour or high technology in the building construction. This should be noted that such a decision may have both financial and political consequences)*

8.4.4 The relevant oversight committee (Housing Section 79 Committee) shall be trusted to exercise oversight on policy implementation in line with the applicable legislative rules

#### 8.5 Policy Monitoring, Evaluation, Impact and Change (PMEIC)

8.5.1 Monitoring and evaluation helps with identifying the most valuable and efficient use of resources. It provides an early warning system to detect problems or inconsistencies in performance and identifying the factors which contribute to service delivery outcomes. This is evidence base for public resource allocation, decision making and helps identify how challenges should be addressed and successes replicated.

- 8.5.2 Policy monitoring, evaluation, impact and change (PMEIC) should ensure that every policy is delivering the desired results to the clients, both implementing units or beneficiaries. At the set interval of every individual policy PMEIC should be undertaken to ascertain if the policy is still responding to the evolving conditions in which it was set to respond to.
- 8.5.3 On an annual basis the implementing unit should undertake own internal analysis of policy implementation and advise the Human Settlements Planning, Policy and Research Directorate on any progress, challenges or enhancement which may be necessary to the policy. This exercise should take into consideration of any assistance which the implementing unit may require in relation to policy or legal opinion as it relates to implementation.
- 8.5.4 The implementing agent may elect to have a study group or case. This may be a targeted group or community in which over a dedicated period of time this shall serve as a test case to assess policy implementation. On the basis of this the implementing agent is able to make a qualified case on the effects of the policy.
- 8.5.5 It is important to note that the policy impact may have intended and unintended consequences and this consideration should be at the centre of the whole PMEIC exercise.
- 8.5.6 PMEIC should be formalised and due process be in place on how this should be done. As a baseline the Department of Planning, Monitoring and Evaluation has set up the Socio-Economic Impact Assessment System (SEIAS). With SEIAS two goals should be pursued; consistent assessment of the socio-economic impact of policy initiatives, legislation and regulations on core government priorities. Secondly to support greater alignment across various spectrums of government-initiated interventions.

## **9. FINANCIAL IMPLICATIONS**

Policy development shall to a greater extent be undertaken internally within the Department. Where the need to sought external expertise is identified the City of Johannesburg supply chain management processes should be adhered to. The Department's directorate responsible for financial management thus should assist and direct in the procurement of such services.

## **10. COMMUNICATIONS IMPLICATIONS**

Stakeholder engagement becomes a critical factor in policy advocacy. It is therefore prudent that the internal business units understand the process in requesting the development of new policies and review of existing ones. Once concluded the SoP's should therefore be brought to the attention of all employees of the Department.

## **11. DOCUMENT SCOPE**

This SoP's are intended to be applied in all areas of policy formulation as applicable to the CoJ: Housing Department.

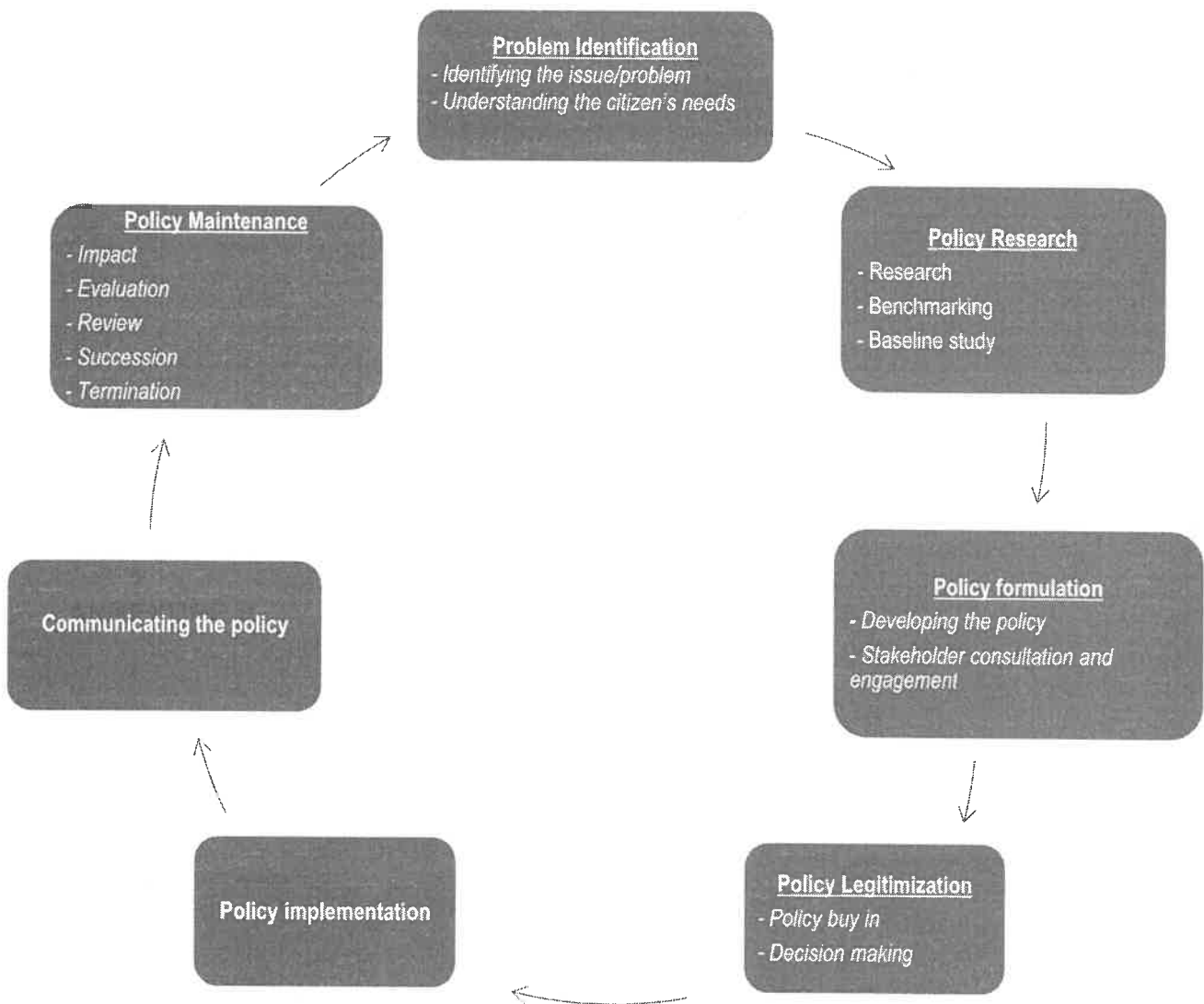
***CoJ: Housing Department***

***March 2022***

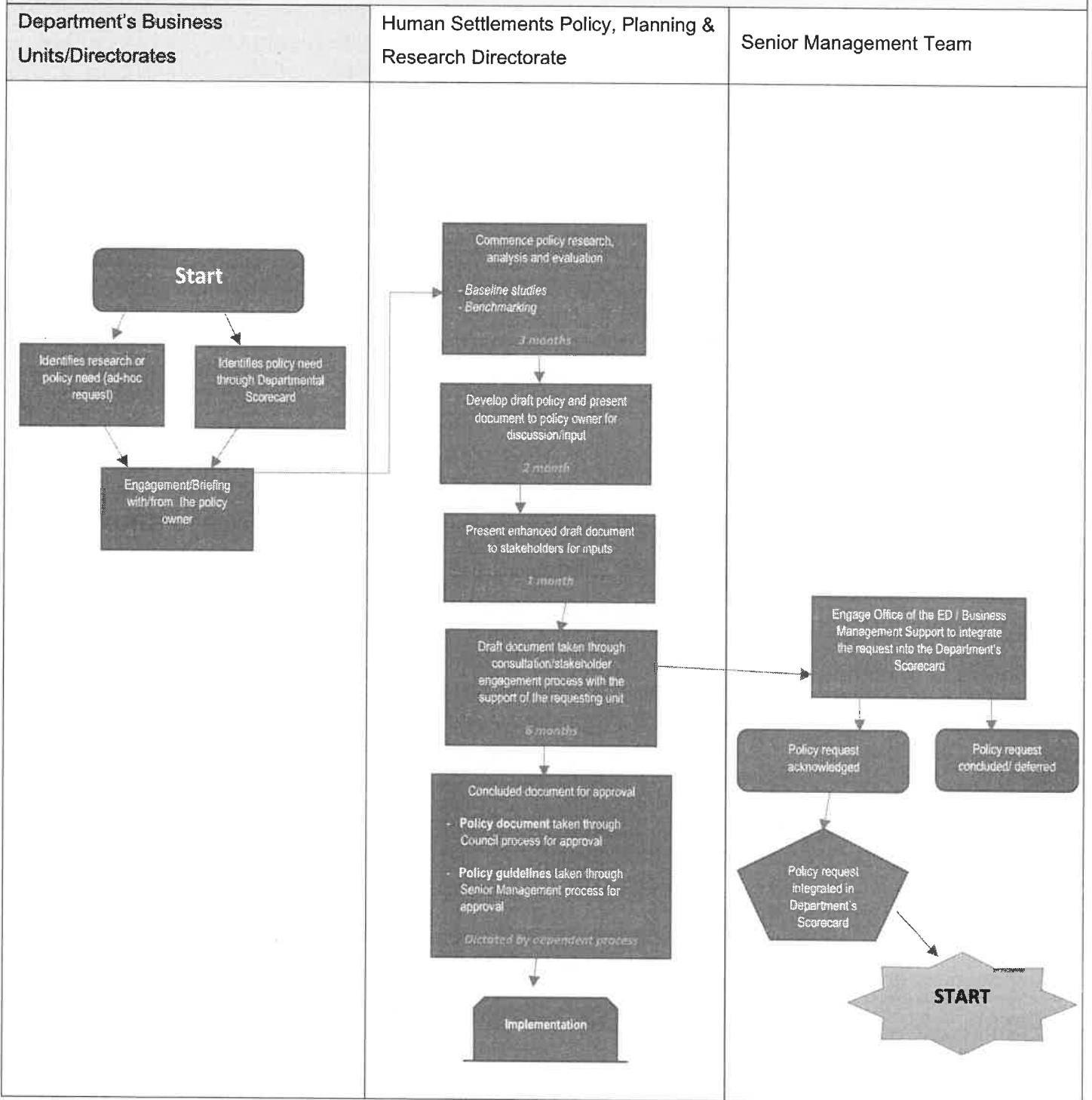
## ANNEXURE A Roles and Responsibilities of Various Stakeholders

Authority	Area of contribution	Champion
Setting the Policy Agenda	Accepting the political commitment and declaration/pronouncement and the need for development of applicable policy	<ul style="list-style-type: none"> <li>Office of the MMC</li> <li>Office of the ED</li> </ul>
Policy Formulation	Development of effective and acceptable courses of action for addressing what has been placed on the policy agenda.	<ul style="list-style-type: none"> <li>Human Settlements Planning, Policy and Research Directorate</li> <li>Requesting Unit</li> </ul>
Policy Adoption/ amendment/ withdrawal	Presentation and advocate of rules, regulations and laws laid down to guide policy implementation	<ul style="list-style-type: none"> <li>Human Settlements Planning, Policy and Research Directorate</li> <li>SMT</li> <li>ED: Housing</li> <li>MMC: Housing</li> </ul>
Policy Implementation	Drive policy implementation and application of policy prescripts	<ul style="list-style-type: none"> <li>Policy owner</li> <li>CoJ Housing Officials</li> </ul>
Formulation of Administrative rules and Procedures	Development of supporting administrative procedures and rules enabling a step-by-step process towards policy implementation	<ul style="list-style-type: none"> <li>Policy owner</li> </ul>
Policy monitoring	Monitor the efficiency of the policy through implementation	<ul style="list-style-type: none"> <li>Policy owner</li> </ul>
Policy analysis	Assess the impact of the policy as it is being rolled out	<ul style="list-style-type: none"> <li>Human Settlements Planning, Policy &amp; Research</li> <li>SMT</li> </ul>
	Exercise oversight in the implementation of the policy and its effectiveness	<ul style="list-style-type: none"> <li>MMC: Housing</li> <li>Section 79 Housing</li> </ul>
Policy budget	Allocation of financial resources to support sourcing of necessary subject expertise, where necessary	<ul style="list-style-type: none"> <li>Director: Finance</li> </ul>

**ANNEXURE B**      **Process Flow for Policy Development**



**ANNEXURE C: Policy & Guidelines:- Development of a Process**



**ANNEXURE D: Policy and Guidelines:- Request for a Policy Development/ Enhancement/ Review**

