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Department of  
Social Development

## NON-GOVERNMENT ORGANIZATION EMPOWERMENT POLICY DRAFT 2025

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Unit



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**THIS DOCUMENT IS NOT A POLICY INSTRUMENT OF THE CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY UNTIL A COUNCIL RESOLUTION ON ITS APPROVAL IS PASSED**

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## PREAMBLE

The Republic of South Africa is partisan to various international paradigms and discourses that seek to address poverty and inequality by fulfilling the Sustainable Development Goals (SDGs). The country also played a critical role in the development of Agenda 2063 (The Africa We Want) in the context of the African continent.

Whereas the Constitution of the Republic of South Africa's Sections 7 – 39 of Chapter 2 outlines the human rights which will be protected within the Republic's jurisdiction.

Whereas Section 153 of the Constitution stipulates that local government is obliged to ensure that sustainable services are provided to communities.

Whereas Section 151(3) of the Constitution stipulates that a municipality has the right to govern the local government affairs of the community, subject to and in terms of national and provincial legislation.

Whereas the Municipal Systems Act 4 (1) stipulates that the council of a municipality has the right to govern on its own initiative the local government affairs of the local community.

Whereas the City of Johannesburg is a category A Municipality according to the criteria applicable by Section 2 of the Municipal Structures Act; read with Section 155 (1) of the Constitution.

Therefore, the City of Johannesburg Department of Social Development, henceforth referred to as DSD, and all its units adopt the NGO Empowerment Policy as set out in this document.

## 1. ACRONYMS AND ABBREVIATIONS

In this Policy, unless the context indicates otherwise, the English text prevails in the event of a conflict in meaning with other texts.

<b>AC</b>	Appraisal Committee
<b>AGM</b>	Annual General Meeting
<b>CBOs</b>	Community Based Organizations
<b>CoJ</b>	City of Johannesburg
<b>CoJ-DSD</b>	City of Johannesburg Department of Social Development
<b>CSO</b>	Civil Society Organization
<b>CBO</b>	Community-Based Organizations
<b>DSD</b>	Department of Social development
<b>EH</b>	Executive Head
<b>FBOs</b>	Faith-Based Organisations
<b>KPI</b>	Key Performance Indicator
<b>GDS</b>	Growth Development Strategy
<b>IDP</b>	Integrated Development Plan
<b>NDSD</b>	National Department of Social Development
<b>NGO</b>	Non-Government Organisation
<b>NPO</b>	Non-Profit Organization
<b>NDSD</b>	National Department of Social Development
<b>MEs</b>	Municipal Entities
<b>MMC</b>	Member of Mayoral Committee
<b>MFMA</b>	Municipal Finance Management Act
<b>NDP</b>	National Development Plan
<b>SARS</b>	South African Revenue Service
<b>SDGs</b>	Sustainable Development Goals
<b>ToR</b>	Terms of Reference
<b>UN</b>	United Nations

## 2. GLOSSARY OF TERMINOLOGY

Concept	Definition
<b>Accounting Officer</b>	This means the City of Johannesburg Metropolitan Municipality's Municipal Manager, also known as "City Manager".
<b>City</b>	The City of Johannesburg Metropolitan Municipality as established by Provincial Notice 479 of 2000 in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and includes an employee or person authorized to perform any function in connection with this policy;
<b>Collaboration</b>	A relationship between the City and the organization is determined by the alignment between the council's priorities for the city and the organization's goals and objectives to impact the quality of life of the citizens of Johannesburg.
<b>Community Development Services</b>	This means a service with its primary objective to promote development programmes, primarily that of youth development, poverty alleviation, sustainable livelihood, and institutional capacity building for NPOs which facilitate the empowerment of communities. These services may from time to time be augmented in accordance with National Treasury instructions and when a budgetary allocation is assigned by the DSD.
<b>Emerging Organisations</b>	This means those organizations that are new in the field of social welfare services and do not yet have the capacity and resources to sustain themselves.
<b>Evaluation</b>	Means a systematic and objective examination of a project to determine its efficiency, effectiveness, outputs, impacts, sustainability, and relevance in terms of its objectives;
<b>Funding</b>	Means grants and financial assistance contemplated in the City Framework Funding is provided by the government or other organizations to support NGOs/ NPOs in their operations and programs, often awarded through a competitive application process.
<b>Monitoring</b>	Means the continuous or periodic surveillance of the physical implementation of a project during the life cycle of such a project to ensure that inputs, outputs, and external factors are proceeding according to plan.

Concept	Definition
<b>Municipality</b>	Means the City of Johannesburg Metropolitan Municipality established by General Notice 6770 in Provincial Gazette Extraordinary 141 of October 1, 2000, in terms of the Municipal Structures Act of 1998 (Act 117 of 1998)
<b>Non-Government Organisation</b>	<p>Means an organization that are independent of government, operates on a non-profit basis and rendering services associated with social welfare or community development services. These are organisations, institutions, and institutes that meet the basic requirements in terms of the NPO Act;</p> <p>i. Organisations that include, but are not limited to, Non-government Organisations (NGOs), Community-Based Organisations (CBOs), and Faith-Based Organisations (FBOs).</p> <p>The City is home to a variety of non-governmental organizations (NGOs) that address numerous social, environmental, and economic issues. In the context of this policy, the focus is on NGOs such as:</p> <p>Educational NGOs: These NGOs aim to improve access to education and enhance educational quality.</p> <p>Poverty Alleviation NGOs: Organizations that work to alleviate poverty and improve living conditions in disadvantaged communities.</p> <p>Youth and Empowerment NGOs: These focus on youth development, offering programs and services to empower young people.</p> <p>Women’s Rights NGOs: These organizations advocate for gender equality and women's empowerment.</p>
<b>Non-Profit Organization</b>	Means a trust, company, or other association of persons established for a public purpose, the income and property of which may not be distributed to its members or office-bearers except as reasonable compensation for services rendered;
<b>Organisation</b>	<p>The term “organization” shall apply in the policy as articulated in the Non-Profit Organizations (NPO) Act 71 of 1997 as “a trust, company or the other Association of the persons:</p> <p>a. Established for public purposes and</p>

Concept	Definition
	<p>b. The income and property of which are not distributable to its members or office bearers except as reasonable compensation for services rendered”</p> <p>Such organizations are expected to register as such and meet specific requirements laid out in the NPO Act. The Act provides for a registration facility for existing South African legal forms for non-profit organizations, under Section 21 of Companies, Trust and Voluntary and other non-profit associations. This is managed by the National Department of Social Development (NDSD).</p> <p>In the City context, Organisation on:</p> <p>Level 1: Organisations classified as NPOs that have been officially registered for a duration of less than two years. These organizations possess limited resource and lack requisite knowledge and expertise necessary to address complex social issues. These organizations encounter sustainability challenges, particularly pertaining to long-term financial support and organisational stability.</p> <p>Level 2: Organisations in this category, have been officially registered as NPOs for a duration exceeding 2 years. These organisations possess some expertise, resources, and networks but they may have challenges in securing funding due to intensified competition from larger organisations and well-established NGOs.</p> <p>Level 3: These are well-established organisation, with a long-standing history of accomplishments and successful endeavors. These organisations possess a wealth of experience and specialised knowledge, fostering robust connections with diverse stakeholders as well as greater trust and credibility. These organisations have fully audited financial statements and registered as a BPO for more than 2 years.</p>
<b>Policy</b>	<p>A policy translates the government’s political vision into programs and actions to deliver outcomes, i.e., desired changes in the real world. It outlines the government’s decision regarding a particular course of action that will be undertaken or an issue that needs to be addressed and provides a broad framework for decision-making and implementation.</p>

Concept	Definition
<b>Pay-Per-Service</b>	The municipality remunerates the NGO or NPO for each rendered service, in accordance with the mutually agreed-upon pricing structure. In the pay-per-service model, NGOs or NPOs issue invoices to the City for the services rendered, and the City remunerates upon receipt of the invoice. This approach has the potential to yield benefits for both the municipality and the NGO or NPO, since it establishes a well-defined and transparent payment structure, thereby facilitating equitable remuneration for the services rendered by the NPO.
<b>Public Benefit Organisation</b>	Means a Public Benefit organization as defined in Section 30(1) of the Income Tax Act. No 58 of 1962 as amended.
<b>Property</b>	Means: (a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person; or (b) a right registered against the immovable property in the name of a person, excluding a mortgage bond registered against the property; or (c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or (d) public service infrastructure
<b>Rates</b>	The Council collects rates on either an annual or monthly basis, which must be paid by the due date specified in the account provided to the ratepayer. If rates are not paid in full by the due date, interest will be charged on the outstanding amount. The Council determines the interest rate applicable to rates that are not paid on time. Regardless of whether an account has been received, the ratepayer remains responsible for paying the rates. If an account has not been received, it is the ratepayer's responsibility to determine the amount owed and make payment to the Council. The Act and the City's Credit Control and Debt Collection By-Laws and Policy govern the liability for and payment of rates. Section 27(1A) of the Act requires property owners who are liable for rates to provide the City with a correspondence address.
<b>Rates Rebate</b>	NGO property in this category shall be rated according to the prevailing nationally promulgated rates ratio based on the usage of the property.

Concept	Definition
<b>South African Revenue Service</b>	Is the tax collection agency of the South African government. It was established in 1997 to replace the previous tax collection system, which was fragmented and inefficient. The primary function of SARS is to ensure the collection of tax revenue in South Africa, which is used to fund government services and programs. SARS administers various taxes, including income tax, value-added tax (VAT), corporate tax, and customs duties. It also enforces tax regulations and investigates tax evasion and fraud.
<b>Tax Exemption</b>	Is a provision in tax law that allows certain entities or individuals to be exempt from paying taxes on certain income, activities, or transactions. Tax exemptions can apply to a broad range of activities and entities, including non-profit organizations, religious institutions, and certain types of income, such as municipal bond interest.

### 3. INTRODUCTION

The government has increasingly recognized the substantial impact of Non-Governmental Organisations (NGOs) as influential entities in advancing socio-economic development and facilitating the process of nation-building. According to Firdoos (2015), defines NGOs as voluntary associations of individuals or organizations that operate independently and are oriented toward the public interest, public development, or the improvement of socioeconomic conditions. These organizations function at various levels, including international, national, and local. Additionally, they are characterized by their not-for-profit nature and their non-state affiliation. NGOs are required to complete the process of registering as Non-profit organizations (NPOs) and Public Benefits organizations (PBOs), as mandated by the NPO Act 71 of 1997 and the Income Tax Act 58 of 1962. The purpose of these standards is to provide accessibility to financing opportunities, resources and provide exemption from income tax obligations. Moreover, the registration under these Acts serves as a sense of assurance for municipalities when engaging in partnerships with organizations, as the legislation requires the formulation of a written instrument or constitution upon the organization's inception. In addition, it entails continuous responsibilities pertaining to the submission of documentation and the administration of finances by NGOs to municipalities.

According to Lewis and Kanji (2009), there is a compelling argument that NGOs play a crucial role in development practice and are expected to continue being significant actors in the field of development. It is anticipated that NGOs will experience a growing level of diversification in the future. The potential for NGOs to grow in importance arises from the challenges faced by state government structures in effectively addressing the increasing political, socio-economic, environmental, and cultural demands of society. This phenomenon occurs amidst the backdrop of increasing public debt, budgetary deficits, and the broadening scope of government obligations at both the domestic and global levels. In the South African context, the persistent economic contractions and unforeseen natural events provide substantial economic challenges that necessitate a comprehensive approach including multiple sectors. Based on the findings of the National Department of Social Development (2023), there has been a notable rise in the number of registered NGOs throughout the specified period. Specifically, the expected count of registered NGOs has experienced a conservative increase to more than 270,000 in 2021. Additionally, the South African Revenue Service (SARS) website has identified more than 25,700 Public Benefit Organisations (PBOs) in the country. It is also worth noticing that some NGOs operate without registration, meaning they are non-compliant. National Department of Social Development has

estimated a total of more than 100, 000 unregistered NGOs in 2021. This indicates that some are formed or motivated by reactions to adverse economic conditions. Some are even incapable of carrying out their stated objectives, which are contrary to what they claim in their constitutions. Some are engaging in activities that are not within their authorized scope of conduct. Hence, a methodical and strategic approach is necessary to address non-compliant NGOs in the city in a way that ensures organizations contribute positively to the community in a lawful and accountable fashion. Thus, the City needs to adhere to specific National and Provincial regulations on NGOs.

Therefore, the increasing proliferation of NGOs and the wide range of their local development objectives necessitate the prompt establishment of a policy framework. This framework will focus on promoting transparent operations and implementing a funding structure that maximizes the utilization of public resources. Furthermore, it will facilitate the fulfillment of authentic and perceived community needs. Hence, it is imperative to provide a comprehensive policy to effectively control, empower, and facilitate the functioning of NGOs within the framework of sound governance principles and public transparency. The implementation of this policy framework would therefore represent a crucial measure in effectively utilizing and capitalizing on the influence and contributions of NGOs.

### **3.1. Context and Background**

The historical record extensively documents the collaborative efforts of the City of Johannesburg and NGOs in the provision of social development services. The city has been assigning specific responsibilities to non-governmental organizations (NGOs) that have specialized expertise and resources in the areas of empowerment-related activities, including youth development, skills development, homelessness, gender-based violence and femicide, substance abuse, social support packages for senior citizens, and persons with disabilities. The partnerships are often ad hoc and happen on a programme/project-to-program/ project basis. It has also facilitated the engagement of NGOs by establishing a conducive environment and providing comprehensive assistance through its diverse range of policies. The policies that can be identified include the CoJ Social Funding Policy of 2007, the Capacitation and Support Policy for NGOs, CBOs, and FBOs of 2009, and the NGO Empowerment Policy of 2012. By implementing these policies, the City has strengthened its ability and fostered greater cooperation in the provision of services. NGOs have played a crucial role in the socio-economic progress of the City, namely in the areas of poverty reduction, promotion of social equality, and facilitation of sustainable development.

In light of the financial limitations encountered in the execution of social development endeavours under its jurisdiction, the City has additionally embraced a pay-per-service, capacity building and rate rebates approaches as part of its policies. This compelled the City to enter into contractual arrangements with organisations that possess substantial resources and managerial expertise, in order to efficiently provide services through pay-per-services. The pay-per-service approach is often regarded as crucial due to its ability to optimise resource allocation towards the most efficacious programmes, ultimately helping individuals who use these services. The City's endorsement of NGOs thus functions as a means to foster openness and accountability, as NGOs are incentivized to exhibit concrete outcomes to ensure ongoing financial support. The City has been promoting the independence and self-sustainability of NGOs, with a particular emphasis on emergent and less experienced organizations, through its programs that include capacity development, training, resource access, advocacy, and support. Furthermore, the City has implemented a rate rebate system that has significantly contributed to the sustainability and expansion of NGOs by alleviating the financial burden associated with their property rates. Overall, these supports play a crucial role in the City's interventions since they promote innovation and creativity in the process of addressing problems. Additionally, it facilitates collaboration and partnerships among the City, NGOs, and other relevant stakeholders.

#### **4. STRATEGIC INTENT AND DESIRED OUTCOMES**

##### **4.1. Policy Problem Statement**

The City of Johannesburg, with a population of roughly 4.8 million, exhibits a significant proportion of its residents living below the poverty line, accounting for approximately 51% (City of Johannesburg IDP, 2022). Moreover, recent data from Statistics South Africa (2022) indicates a notable increase in the unemployment rate, reaching 32.7%. Hence, NGOs must continue to play a crucial role in addressing the deficiencies in the City by offering vital assistance to marginalized populations, thereby enhancing their standard of living, expanding employment prospects, and fostering individual empowerment to overcome the persistent cycle of poverty.

However, the fragmented and diversified nature of NGOs has become evident, posing issues related to the lack of coordination and collaboration between the City and NGOs. This hampers the efficiency of their endeavors to bring about enduring transformations within the City. The obstacles arise as a result of various concerns, inadequate funding, non-compliance, and duplications which are caused by among others, a lack of alignment between the City database

and the Provincial Social Development database. Consequently, this gives rise to accountability concerns, with the possibility of misallocation and squandering of resources. It has also been noted that some NGOs exhibit deficiencies in their institutional capacity to efficiently execute programs and projects. This lack of capability hinders their ability to effectively deliver services. Moreover, NGOs, particularly those operating in disadvantaged communities, have challenges in terms of limited knowledge, inadequate assistance, and a lack of guidance, which hinders their ability to secure support and compete with well-established organisations. This highlights the necessity of establishing a robust and supportive structure that empowers these groups to pursue their wide-ranging objective throughout the whole spectrum of the City.

The implementation of a comprehensive policy framework that is thorough and well-tailored to satisfy the needs of NGOs within the City is necessary to address the aforementioned flaws in the current policy. This policy will provide a regulatory framework that is not only enabling but also promotes effective governance, adapts to changing needs, comply with regulations, and enhance accountability, and transparency. This will reduce inefficiency, duplication of efforts, and prevention of missed opportunities for collaboration and the realization of mutual benefits. The policy framework will also serve as a point of reference for effective and efficient collaboration, communication, and information sharing between NGOs and the City. This is necessary to harness and leverage the NGOs in bringing about development for the people, given their grassroots position which can assist in addressing the genuine and felt community needs. Additionally, it will enhance the efficient utilization of resources to attain substantial and long-lasting impact, while avoiding the creation of dependency.

#### **4.2. Policy Purpose (Rationale)**

The purpose of the NGO Empowerment Policy is to create a framework that brings coordination, provides guidance, creates a platform for support, and empowers NGOs to be effective partners in building a stronger and more inclusive city.

The policy provides guidelines for the implementation of NGO Empowerment interventions. This policy:

- a) Serves as an overarching framework for NGO Empowerment services within the City of Johannesburg's regulated mandate.
- b) Seeks to ensure that support is granted based on merit and performance to NGOs that meet the established criteria.

- c) Encourage capacity building for NGOs through training, networking, and other forms of support.
- d) Foster greater collaboration and partnership with NGOs operating within the city's municipal jurisdictions.
- e) Facilitate access to information and resources for NGOs to enhance their effectiveness in addressing community needs.
- f) Promote accountability and transparency in the operations of NGOs, including reporting mechanisms and evaluation criteria.

#### **4.3. Policy Goals and Objectives**

The primary objective of this Policy is to:

- a) Establish clear guidelines, standards, and regulatory requirements to ensure that NGOs operating within the City adhere to ethical practices, legal framework, and quality standards in their service delivery.
- b) Provide a supportive and enabling environment for NGOs to operate in the city.
- c) Promote sustainability and capacity building of emerging and disadvantaged NGOs within the communities.
- d) Foster greater collaboration and partnerships with NGOs operating within the city's municipal jurisdictions.
- e) Facilitate access to information and resources for NGOs to enhance their effectiveness in addressing community needs.
- f) Strengthen efficiency, accountability, and transformation in the operations of NGOs, including reporting mechanisms and evaluation criteria.
- g) To recognize and support the critical role that NGOs play in improving the well-being of the community.

#### **4.4. Desired Policy Outcomes**

This policy strives to achieve the following:

- a) Improved service delivery in the most deprived and vulnerable communities through the utilization of services provided by NGOs.
- b) The promotion of enhanced collaboration and partnership between the City and NGOs on a wide and shared programmatic and development agenda.

- c) Sustainable organizational development of NGOs through capacity-building initiatives, transfer, and sharing of resources, expertise, knowledge, and practices between the City and NGOs.
- d) Standardized the process of supporting NGOs through established clear procedures for NGOs seeking to provide services.
- e) Enhanced governance and accountability of NGOs and city officials, which contribute to greater trust and confidence in the administration.

#### 4.5. Scope and Application of Policy

The policy is formulated to ensure consistency with the best standards as pronounced in international, national, and local instruments. To this extent, this policy draws considerable insights from the United Nations (UN) Sustainable Development Goals (SDGs), particularly Goal 1: 'No Poverty' and Goal 2: 'Zero Hunger' along with Goal 17: Partnerships, which acknowledges the significance of NGOs in the pursuit of development agenda. This NGO Empowerment Policy finds its anchorage in South Africa's National Development Plan 2030 (NDP) which also echoes the important role of NGOs in addressing the needs of marginalized and vulnerable groups. The policy draws further insights from the COJ's Growth Development Strategy (GDS) 2040, Integrated Development Plan (IDP), and Mayoral priorities. In light of these relevant regulatory and developmental policies and principles, these will be essential in tackling socioeconomic challenges within the City and ensuring that its efforts are effectively targeted towards individuals with the greatest needs. Thus, the intended alignment of the City's IDP with the NGO empowerment policy would lead to the establishment of well-defined Key Performance Indicators (KPIs) within departments and Municipal Entities (MEs).

##### 4.5.1. Implementation Cohort

The implementation of this policy will be facilitated through a comprehensive approach that encompasses the integration of various projects, regulations, and the provision of capacity-building support. The advancement of human development is therefore a responsibility that rests upon all departments, entities, and agencies within the CoJ. Additionally, the obligation extends to other levels of government, the private sector, community-based organisations, and non-governmental organizations, encompassing:

- a) Officials, departments, and entities within the City of Johannesburg.
- b) Private sector institutions that deliver services in the City of Johannesburg.

- c) Organised structures and organizations that work with CoJ's Department of Social Development.
- d) Community-Based Organisations (CBOs), Faith Based Organisations (FBOs), NGO's and organizations focused on social development issues.
- e) Interested parties, volunteers, and stakeholders who participate in the delivery of services within Johannesburg.
- f) All persons involved actively or directly in delivering socio-economic services to the poor.

#### 4.5.2. Beneficiaries

The policy applies to all non-governmental organizations (NGOs) that are officially registered in the City of Johannesburg (CoJ) database and have a vested interest in empowerment-related activities. These activities include youth training, skills development, homelessness, gender-based violence and femicide, substance abuse, social support packages for the elderly, and persons with disabilities. It applies to persons who reside within the jurisdiction of the City of Johannesburg including residents, vulnerable and marginalized groups. And those who have joined together into an association or a grouping to undertake humanitarian or socio-economic work of a voluntary nature for the betterment of residents. It also applies to all sectors that can benefit from this policy, particularly those that prioritize empowerment, allowing them to reach more people and improve outcomes.

#### 4.5.3. Eligibility Criteria

The policy will be based on unambiguous eligibility criteria, which will be periodically reviewed or when the prevailing socioeconomic environment has changed substantially to render eligibility criteria or portions of it inapplicable. Thus, eligibility criteria will apply to the primary policy areas of pay-per-service, capacity building, rate rebates, and Expanded Social Package (ESP).

##### a) Pay-per-service (Eligibility Criteria)

The pay-per-service is designed to guarantee that all pay-per-service allocations, as outlined in this policy, are only given or transferred to an NGO after confirming compliance with applicable laws and the proper implementation of regulatory and approval procedures. Applicants who apply for pay-per-service, in terms of this policy, to carry out projects and/or programmes that meet the project qualifying criteria, shall be the following:

- i. Must be a South African citizen or a permanent resident of South Africa
- ii. Must be a legal organization and be registered with relevant authorities.

- iii. Must be registered as an NPO in the City database in compliance with the NGO Act No. 7 of 1997 and other applicable laws and regulations, to obtain legal recognition and operate as non-profit entities.
- iv. For eligibility, organization must operate within the city's jurisdiction (Organizations outside of the city's municipal limits will be considered on a case-by-case basis given their objectives, potential impact, and scale of their operations).
- v. Must only apply for one or two service categories and have all required documentation.
- vi. Demonstrate objectives that align with the strategic priorities of the City to ensure synergy between the City and the organization.
- vii. The programs or initiatives must address the social needs of the targeted beneficiaries.
- viii. Demonstrate a track record of positively impacting the community, and the proposed projects should have measurable outcomes and targets.
- ix. Demonstrate ability to adopt innovative approaches to address social issues in the City.
- x. Demonstrate potential for the long-term sustainability of the activities beyond the supported financial period and involve targeted beneficiaries in the design and implementation programs.
- xi. Must have good governance and financial management practices (This includes a sound financial management system, ethical behaviour, and accountability).
- xii. Must demonstrate commitment to their objectives and the ability to implement their initiatives effectively.
- xiii. Must have a competent management team, committed staff, and well-defined strategies for delivering their programs effectively.
- xiv. Must be able to account for the utilization of pay-per-service support made by the City as guided under the Municipal Finance Management Act 56 of 2003 (MFMA) requirements.

### **Registration Documents required**

To collaborate with the City and receive support under this framework, any organization must adhere to the procedures outlined below:

- i. Submission of the constitution and governance structure, as well as all extant founding documents.
- ii. Submission of NPO registration number and evidence of not-for-profit status.
- iii. Submission of the most comprehensive available financial statements and complete details of all bank accounts held in the name of the NGO.

- iv. The format and procedure of an organizational requirements assessment will be determined by relevant officials within the Department of Social Development and refined on an ongoing basis. This will aid the Department of Social Development in determining priority eligibility for financial support in cases where no other criteria for adjudication exist between completed applications.

The policy here thus sets the criteria for any service contraction as detailed below:

The admission criteria to the pay-per-service will be based on the progressive stages aimed at establishing the capacity of the organization to perform or provide the required service to the right quality standard and as such, only level 2 organizations will be considered for pay-per-service (Level 1 organisations will be referred to capacity building support).

Level 2 organisations will qualify based on the following criteria:

- i. Any organisation that is registered as NPO's with the National Department of Social Development
- ii. Organisation must have worked or not worked with the city before.
- iii. Have the capacity to account, with clear financial processes and systems.
- iv. Demonstrable bookkeeping skills in line with basic accounting and financial management principles to a level that allows the organization to account for any funds disbursed to it.
- v. Organisations must be registered as NPOs with the National Department of Social Development.
- vi. May rely on a narrow range of funding or self-funded by management. Funding for basic operations (core) is also not necessarily secure.
- vii. If running residential programmes, the organisations must comply with the minimum basic health and safety standards applicable to the programme.
- viii. Complies with relevant by-laws and operates from property correctly zoned for the purpose.
- ix. Registered as a Public Benefit Organization (PBO) and can demonstrate that status is valid.

#### **b) Capacity building (Eligibility criteria)**

The primary objective of the policy is to support the creation of vibrant and empowered NGOs competent to provide services delivery efficiently and effectively, and capable of setting out actionable programmatic priorities. The City will support various type of NGOs (including

emerging NGOs), including those involved in community and youth development, skills development, homelessness, gender-based violence and femicide, substance abuse, social support packages for senior citizens, and persons with disabilities NGOs will benefit from capacity-building initiatives that will improve their organizational structure, governance, financial management, and program implementation, regardless of their specific mission. Capacity-building programs will enhance their skills, knowledge, and resources of NGOs to enable them to carry out their missions effectively.

Level 1 organizations will qualify for capacity based on the following criteria:

- i. Emerging, indigent or organizations without clearly auditable financial systems /processes and lack proper accounting systems.
- ii. Organisations relying on a narrow range of funding or are self-funded by management and funding for basic operations is not secure.
- iii. Organisations that are not formally registered as an NPO or PBO or registered for less than 2 years.
- iv. If running residential programmes, the organization does not fully comply with the required health and safety standards and relevant by-laws and/or does not operate from property correctly zoned for the purpose.

**c) Rate rebates support (eligibility criteria)**

NGOs or NPOs are eligible for rebates under the NGO Empowerment Policy and will receive a reduction in municipal rates. The rate rebate system will play a significant role in fostering the growth and sustainability of NGOs by reducing the financial burden of property rates. Thus, such an approach will improve program and service efficacy, benefiting the community and creating a more resilient and equitable City. Application for rates rebates for organization must meet the following compliance conditions:

- i. Property under Public Benefits Organisations (PBO) shall be rated according to the prevailing nationally promulgated rates ratio based on the usage of the property.
- ii. The property must be registered in the name of the non-profit organization or have a lease agreement for property utilization.
- iii. The PBO shall be required to provide a specified public benefit service, as outlined in Section 30 of the Income Tax Act.
- iv. The PBO shall apply for recognition with the Social Development Department.

- v. PBO must three (3) years of audited financial statements to the Social Development department, which will be assessed using the affordability model. The paradigm of affordability will determine whether the PBO can afford to pay municipal rates. Failure to comply herewith shall result in the debtor's indigent status being revoked.

**d) Expanded Social Package (ESP) benefits for NGOs housing indigent individuals (eligibility criteria)**

An Expanded Social Package (ESP) for NGOs that provide shelter for indigent individuals is crucial as it achieves a fundamental objective of assisting these organisations and enhancing their ability to provide safe housing for vulnerable groups and enhance the well-being of the individuals they serve. Additionally, it supports wider community objectives and mitigates systemic problems associated with poverty. Therefore, NGOs must encourage indigent individuals to register with ESPs to undergo assessment and determine their eligibility based on the building number allocated to the property and other necessary documents as stipulated in the ESP policy.

## **5. REGULATORY FRAMEWORK**

The following key legislative imperatives provide a mandate to the CoJ to manage, support, and regulate activities within the policy scope:

### **5.1. National and other legislation**

The Constitution of the Republic of South Africa Act, No 108 of 1996.

Non-Profit Organisation Act, No 71 of 1997

Intergovernmental Framework Act, No. 13 of 2005

The Municipal Systems Act, No. 32 of 2000

The Municipal Finance Management Act, No 56 of 2003

The Municipal Structures Act, No 117 of 1997

Companies Act, No 71 of 2008

Income Tax Act, Section 18 of 1965

Skills Development Act, 1998 (Act No. 97 of 1998)

The White Paper for Social Welfare, Notice 1108 of 1997

The Promotion of Equality and Prevention of Unfair Discrimination Act, No. 4 of 2000

Local Government Municipal Property Rates Act, Act 6 of 2004.

## 5.2. Related policies/ strategies (policy instruments)

The role of NGOs is aided by various policies that provide broad guiding principles and serve as a departure point for the design of the CoJ NGO Empowerment Policy. These are:

### 5.2.1. International Imperatives

United Nations Declaration of Human Rights

United Nations 2030 Agenda for Sustainable Development Goals

### 5.2.2. National, Provincial, and Local Imperatives

This policy is aligned with the following broader imperatives:

National Development Plan, 2030

The Gauteng Provincial Department of Social Development (Vision)

City Growth and Development Strategy 2040

City of Joburg Integrated Development Plan (IDP)

City of Joburg Department of Social Development (Vision)

## 6. POLICY INTERVENTIONS AND IMPLEMENTATION (PROVISIONS AND PROCEDURES OF THE POLICY)

### 6.1. Policy Directives and Interventions

Policy implementation will constitute a set of procedures, projects, and activities designed to provide support or assistance to organizations in a procedural, proper, equitable, and transparent manner undertaken in the spirit of justice, fairness, and effectiveness. Action plans, procedures, and activity schedules guiding policy execution will be developed and covered under the Department of Social Development's Business Plan and Key Performance Indicators (KPIs) incorporate a well-defined directive and focus.

#### 6.1.1. Clear and Transparent Guidelines

- a) The City must establish clear guidelines to ensure organisations with the expertise and experience to address development concerns are given the opportunity.
- b) The admission criteria must be developed and reviewed annually in the implementation plan and regularly assessed and published to align with the obtaining environment.
- c) The admission criteria should prioritize equity, uniformity, and synergy with the City Authority, with discretion reserved for unusual instances. Fairness and transparency should still be prioritized.
- d) The request for proposals should clearly outline selection criteria to enable equal opportunity for all organizations registered in the City database.

### 6.1.2. Enhance Accessibility

Enhancing accessibility means removing barriers that hinder NGOs from accessing support in the City. As such, in order to enhance accessibility, the City must include:

- a) To ensure fairness in pay-per-service selection, NGOs must be on a rational basis every year, consider an equal distribution of 50% new and 50% retaining NGOs, and prioritize NGOs that have not collaborated with the city for more than five years.
- b) Ensure exclusionary communities receive information on entitlements, service accessibility, and application support.
- c) Encourage diverse NGOs, particularly those advocating for vulnerable groups, to participate.
- d) Simplify the application to enhance the efficiency of the application and selection process.
- e) Ensure that the review of applications is conducted in a manner that is grounded in the principle of merit.

### 6.1.3. Enhance the Reporting Mechanism

The units within the DSD that are tasked with program implementation should collaborate and provide technical assistance to NGOs to enhance their capability to deliver community services that are both of high quality and effective. This will ensure that NGOs are held accountable for the appropriate use of support. The units within the DSD must also enhance reporting through the following:

- a) Institute regular reporting requirements that include the activities, project performance, and financial reports for transparency and accountability.
- b) Conduct site visits to assess the effectiveness and impact of assistance programs in the community and suggest areas for improvement.
- c) Schedule regular meetings to assess progress, discuss challenges, and make any necessary adjustments to ensure successful delivery of services.
- d) Provide feedback and share best practices, to improve communication amongst NGOs.
- e) Provide documentation for compliance checks, audits, and assessments to enhance the programs and support decisions.

### 6.1.4. Ensuring Regular Payment Interval

The city must ensure that NGOs receive adequate and timely reimbursement for their approved expenses related to the implementation of the support program. The following must also be considered for service payment:

- a) Ensure annual approval of program implementation budget.

- b) Ensure that reimbursement is based on the number of beneficiaries served and requirements under the scope of work performed.
- c) The cost per beneficiary must be outlined to ensure that each unit comprehends the budget allocated for each program in every financial year
- d) Ensure NGOs are paid within one to three months of receiving the invoice unless disputes arise over evidence or submitted reports.
- e) Provide clear payment procedures and documentation criteria to ensure financial transparency and accountability.
- f) Simplify payment procedures to increase efficiency and reduce the administrative burden for both the City and the NGOs.

#### **6.1.5. Database Development and Information Sharing**

The development of a database plays a vital role in fostering transparency and accountability within the management of NGOs. Through the collection of data and simplifying of procedures, the database can efficiently facilitate the City's endeavors in monitoring and assessing the influence of NGO initiatives on the community. It is also imperative for the City to engage in collaborative efforts with relevant stakeholders at the national and provincial level for database sharing which will be beneficial for the coordination, and exchange of information, resources, and expertise, leading to more effective and targeted support for social development initiatives. The following must be considered in establishing an efficient database and sharing of information:

- a) In collaboration with national and provincial departments of social development, facilitate the implementation of a centralized collaboration platform or information-sharing system for communication and data exchange. This will enable an efficient and real-time exchange of information, ensuring that all parties have access to the most up-to-date data.
- b) Foster collaboration among stakeholders through regular meetings, workshops, and forums for continuous discussion on data sharing and coordination.
- c) Encourage partnerships among NGOs, enabling them to share best practices and collaborate across sectors, even if their primary missions differ.

#### **6.1.6. Enhance Capacity Building**

The city often has limited resources and manpower, and NGOs can supplement these resources by providing expertise, community engagement, and innovative ideas. The policy outlines interventions to support the capacity-building of NGOs, including:

- a) Emerging organizations will be provided with social assistance to assist them in achieving the objectives of their organization and strengthening their organizational management capabilities.
- b) DSD must provide a budget exclusively for capacity building to contract specialized service providers to provide tailored training programs to build the skills and knowledge and strengthen NGO capabilities in various areas.
- c) In collaboration with other stakeholders, facilitate training and awareness on compliance regarding the requirements for non-compliant NGOs to become compliant and address issues of non-compliance.
- d) In collaboration with other stakeholders, facilitate access to affordable auditable financial statements.
- e) Facilitate knowledge-sharing initiatives and continual improvement among NGOs to share experiences and transfer skills from established to new groups, even if their primary missions differ.
- f) Establish feedback mechanisms for NGOs and trainers to provide ongoing inputs and suggestions on the effectiveness of the capacity-building program.
- g) Assess the NGO's readiness to deliver services after capacity-building initiatives.
- h) Conduct post-capacity building to assess their financing success and performance.

#### **6.1.7. Support Newly Established NGOs**

The City must provide effective support and empowerment to newly established NGOs in order to ensure that they become impactful organizations that make a positive impact on their communities. Interventions must include the following:

- a) Provide consultation services and technical advice to assist NGOs in navigating legal compliance, strategic planning, and assessment techniques.
- b) Facilitate connections among NGOs, local companies, government agencies, and other stakeholders to boost cooperation, exchange resources, and establish partnerships that improve service delivery.
- c) Facilitate access to communal office spaces, conference rooms, or other facilities that might diminish operating expenses for emerging NGOs.
- d) Motivate newly formed NGOs to interact with the community via volunteer initiatives, public discussions, and cooperative projects, cultivating a feeling of purpose and social influence.

- e) Facilitate the promotion of NGOs and their objectives via city-sponsored events, social media, or public outreach activities, therefore enhancing their exposure and attracting supporters.
- f) Connect nascent NGOs with existing organizations or experienced professionals who may provide assistance, counsel, and mentorship.
- g) Participate in lobbying efforts to provide a conducive regulatory framework for NGOs, streamlining bureaucratic procedures for registration and operation.
- h) Assist NGOs in establishing mechanisms for monitoring their impact and efficacy, allowing them to exhibit their worth to funders and stakeholders.
- i) Encourage newly founded NGOs to interact with the community via volunteer initiatives, public forums, and joint projects, therefore cultivating a feeling of purpose and social influence.

#### **6.1.8. Enhance Public Awareness**

The City must implement adequate awareness efforts to educate NGOs, communities, and City departments and entities about NGO Empowerment interventions. Interventions must include the following:

- a) Conduct outreach and awareness campaigns throughout the City to educate and enlighten the public about the opportunities provided and increase program participation as well as inform NGOs about the application processes.
- b) Educate and encourage NGOs operating within the City to register with the City's database and subsequently qualify to provide services in the City.
- c) Strengthen collaboration with the NGOs and other key stakeholders in the recruitment of beneficiaries in the regions.
- d) Increase the visibility and recognition of NGO contributions through public communications and other forms of acknowledgment.

#### **6.1.9. Enhance collaboration with key stakeholders**

The City must reach out to local NGOs, community organizations, and other government departments to share resources, and capacity building as well as to discuss potential alternatives or improvements to the current models that are used by the City. Collaboration and feedback from various stakeholders can assist in developing more inclusive and effective approach to service delivery in the City.

#### **6.1.10. Compliance and Regulatory Support**

the City must:

- a) Simplify the legal process for NGO registration and provide guidance on compliance with laws and regulations.
- b) Establish a help desk where all relevant compliance information can be found.
- c) Regularly monitor and assess NGOs operating within the City to identify any illegal activities or organizations that are not complying with regulations or registration requirements.
- d) Initiate communication with NGOs to address any issues of non-compliance or illegal operations.
- e) Collaborate with critical stakeholders to ensure compliance with applicable laws, regulations, and obligations to address violations and hold non-compliant NGOs accountable for their conduct.
- f) Raise awareness among the public and stakeholders about the importance of working with registered and compliant NGOs.
- g) Collaborate with governmental agencies, regulatory bodies, and other relevant stakeholders to facilitate the coordination of initiatives aimed at combating unlawful NGOs that are affiliated with the municipality.

#### **6.1.11. Encourage NGOs to register for ESP and strengthen the provision of ESP and rate rebates**

NGOs must be eligible for special assistance or support from the City, depending on the specific programs provided by these organisations. Thus, the City should promote the registration of NGOs that provide housing for vulnerable populations to access indigent benefits. They must be granted access to indigent support tailored to their specific requirements to mitigate financial strain, enabling them to spend a greater portion of their resources towards their objectives and community-focused projects. The provision of rate rebates signifies the City's acknowledgment of the significant role played by NGOs in tackling social concerns and fostering societal well-being. It is imperative to also consider the following initiatives aimed at improving the provision of rate rebates:

- a) Raise awareness and education by organizing workshops and information sessions to enlighten NGOs about the available indigent benefits and the potential impacts of registering them on their operations and vulnerable populations.
- b) Provide full guidance regarding the prerequisites for enrolling in indigent benefits, encompassing the necessary documentation and the application procedure.

- c) DSD and the Property Rate Department must collaborate to identify new methods for delivering rate rebates to reduce bureaucratic barriers and increase participation.
- d) Collect detailed data regarding the outcomes of initiatives, including evaluation of the impact of these initiatives on reaching their intended beneficiaries and improvements in their financial stability.

#### **6.1.12. Availing City-Owned Buildings and Facilities for NGOs**

Services City Owned building interventions for NGOs must include the following:

- a) Identify underutilised buildings in the City that can be used by NGOs to provide services for the communities.
- b) Assess the suitability of City-owned buildings for the provision of services to communities.
- c) In consultation with Joburg Property Company (JPC), designate certain city-owned facilities for use by NGOs, potentially at reduced rental rates or with additional support.
- d) Simplify the process for NGOs to apply for the use of these facilities, making it more accessible.
- e) Clearly outline the criteria and guidelines for NGOs to qualify for the use of these facilities.
- f) Provide training or resources to NGOs on how to effectively utilize these spaces for their operations or community services.

#### **6.2. Conditions and Implementation of the Policy**

The successful implementation of this Policy rests on the following critical factors:

- a) Providing training and capacity building: The first level of sensitisation is within the CoJ's entities themselves. All departments must be aware of this policy and be enabled to support the planning and implementation processes.
- b) Commitment of the City to implement this policy is essential: This requires the allocation of resources, the provision of leadership, and the establishment of a supportive environment for this policy implementation.
- c) Endorsement of the policy by all partners and buy-in sourced from all stakeholders, both administratively and politically, including NGOs, FBOs, the private sector, burial service providers, MEs, donors, and the community. This will help to identify priorities, mobilize resources as well ensure a shared sense of accountability for the policy implementation.
- d) Legal and regulatory frameworks should be in place to ensure that policy implementation is conducted within the law and taking into consideration the rights and needs of vulnerable groups.

- e) Adequate resources in terms of municipal budgeting and skilled personnel (human resources) are necessary for policy implementation. This will be achieved through budgetary allocations, program funding, and compliance. The City must review budget allocation annually to ensure transparency, accountability, and effective allocation of resources for community programs and services provided by NGOs. CoJ, in its IDP processes, must allocate sufficient resources and this must be in line with the increased cost of living and cost of delivering the services. This is also to:
- i. Improve its human resource capacity for NGO Empowerment.
  - ii. Ensure that a budget is earmarked for the development of NGO Empowerment in line with the programmatic priorities of the CoJ.
  - iii. Ensure that the budget is equitable, based on the population and the needs of NGOs in the City of Johannesburg.
- f) Implementation of this policy must be aligned with Executive Management Teams scorecards and annual service delivery implementation plans.
- g) The policy must be aligned to the CoJ IDP, and clear KPIs relating to NGOs within departments and MEs.
- h) Relevant DSD Units must report policy implementation progress to the Executive Head for consolidation and the Social Development Section 79 Committee.

## **7. INSTITUTIONAL ARRANGEMENTS FOR POLICY IMPLEMENTATION**

This policy will come into effect upon approval by the Municipal Council, and an action plan for implementation must be developed within 6 (six) months thereafter. The institutional arrangements will outline the responsibilities of the DSD, other CoJ Departments, and external stakeholders.

### **7.1. The Department of Social Development**

- a) The DSD is the custodian of this policy, and all powers are vested in the Accounting Officer (City Manager) to ensure the legitimate implementation of this policy.
- b) The DSD and the entire Line Departments and Entities will be responsible for implementing and monitoring this policy and ensuring that adequate training and awareness are provided. Thus, the failure to enforce the terms of this policy shall be the City of Johannesburg's responsibility.

- c) It is the responsibility of the DSD to develop annual implementation programs and action plans to give effect to this policy. The programs and action plans will be based on regular feedback from the beneficiaries of the programs.
- d) It is the responsibility of the DSD to ensure that officials are appointed to coordinate the delivery of this service and to ensure that the process takes place within set time frames and that resources are mobilized as envisaged in this policy.

DSD roles and responsibilities:

- a) DSD-Units to develop Terms of Reference (ToR) for NGOs for organizations that would like to be included in the panel of organizations that will be requested to render services. The purpose of the ToR will be to outline the services and requirements that NGOs must consider and respond to when they submit proposals. The ToR must be spelled out in the strategic plans of the Social Development Department.
- b) DSD-Units responsible for transversal services and programs will annually analyze indicators to determine priorities and ensure that services are directed to areas with the greatest needs.
- c) DSD-Units responsible for transversal services and programs will assess the need for funding for various programs or services. These units will also ensure that the selected programs align with the overall mission of the City and contribute to its developmental objectives.
- d) DSD to ensure that only applicants who meet the requirements set out are eligible for pay-per-service, capacity building, and rate rebate support.
- e) DSD to facilitate the appointment of an inter-departmental verification committee that will be responsible for the selection of organizations eligible to provide services in the City.
- f) DSD-Units responsible for transversal services and programs should provide programme content, database, and reporting templates reasonably required by the NGOs to deliver activities within a reasonable period.
- g) DSD facilitates support applications and verifies NGOs that applied for recognition as registered BPOs.
- h) DSD should enable the allocation of operational spaces for NGOs in need of such facilities.
- i) DSD-Units responsible for transversal services and programs shall conduct tracking and provide ongoing monitoring and evaluation to ensure programs meet their goals and that NGOs provide services as agreed and outlined in the contract. This includes tracking program outcomes, measuring the impact of the program on beneficiaries, and evaluating the effectiveness of the program's design and implementation.

- j) Identify potential economic opportunities at the community level, design and deliver community-based training programs, and provide the necessary post-training support for NGOs.
- k) Articulate specific multi-sectoral partnerships, including public and private sector entities.

## 7.2. Other departments and entities within the City

The following internal stakeholders have a specific role and responsibility in the implementation of the policy, they are:

- a) CoJ DSD to work collaboratively with the Departments of Development Planning (Town Planning and Building Control), Public Safety, and Health (Environmental Health) on compliance issues and enforcing municipal bylaws. The following departments will implement the required legislative by-laws:
  - i. Development Planning (Land Use Management and Building Control): Town Planning and Building Control - The development planning department is responsible for matters related to land use, zoning, consent use, and the approval of building plans submitted through the compliance process. Ensuring that property transactions and management comply with relevant laws and policies. JPC to manage city-owned properties and facilities, ensuring they are maintained and utilized effectively. JPC to facilitate the leasing, and development of municipal properties, helping to optimize the use of city assets.
  - ii. Public Safety (Emergency Services): EMS Disaster Management – emergency and evacuation planning and JMPD - is responsible for assessing the application in accordance with National Building Regulations and Standard Act requirements for Fire Safety clearance and issuance of Fire Safety Certificates.
  - iii. Environmental Health: Oversee and guide residents on Environmental Health related compliance.
  - iv. Group Citizen Relationship and Urban Management (CRUM): educating and assisting residents with service delivery-related issues.
- b) Finance Department: responsible for NGO Empowerment Policy budgeting, securing approval and compliance with internal and regulatory procedures. Monitoring contract expenditures and ensuring that contracted services are aligned with strategic objectives and regulations. Finance will also be responsible for processing payments to NGOs for services rendered. The Finance department will pay invoices within 30 days of approval.
- c) Audit Department: responsible for verifying that NGOs' invoices are accurate and that all services align with contractual requirements.

- d) Property Rate Department: responsible for assessing NPOs applying for property rate rebate adjustments. They will assess the affordability to pay rates using the affordability model. After completion of the assessment exercise, the Director of Finance Compliance and Data will forward the results to the Group Head with recommendations to approve or decline the application. The approved application for rating as PBO will be flagged in the SAP billing system effective from the date of application.
- e) Legal Department: responsible for reviewing city and NGO service level agreements (SLA) and contracts and ensuring compliance with applicable laws and regulations.
- f) Group Communication and Marketing: responsible for providing technical assistance in developing communication strategies to raise awareness and understanding of the NGO Empowerment Policy among target audiences.
- g) Department of Economic Development: responsible for resource sharing and supporting initiatives or projects led by NGOs that contribute to economic growth and community development.
- h) Department of Community Development: responsible for facilitating partnerships between NGOs, community organizations, and other stakeholders to promote collaboration and resource sharing.

### **7.3. CoJ Inter-Departmental Verification Committee**

The Verification Committee will oversee service management and report to the Executive Head of Social Development. The Verification Committee will perform its duties and functions in accordance with the City's policies and regulations. The cross-cutting nature of NGO empowerment policy necessitates that the unit responsible for administering programs and approving proposals provide prompt and efficient services. This is with an effort to enhance transparency, clarity, and responsiveness. Representatives from the Social Development Department, Finance, and Legal Services will serve on the committee. The Committee will convene quarterly or as needed to assess NGO compliance issues, progress reports, and other financial award-related activities. In addition to being responsible for the following duties:

- a) Ensuring that adjudication forms are updated annually to align with the service needs of each user unit.
- b) Short-listing of eligible applicants from NGOs.
- c) Verifying and recommending a financial decision.
- d) Ensure that each application is evaluated based on its merit and the potential benefits it will bring to the community served. The committee shall ensure that:
  - i. Organisations that are currently receiving funding from the City are not considered.

- ii. Political organisations are not granted support.
- e) Ensure that only short-listed applicant organisations undergo assessment for qualification and approval.
- f) Ensure that the physical verification processes, by means of site visits, are undertaken to the premises or operation areas of the selected applicants.
- g) Ensure that applicants are summoned to present their proposals and address any concerns as deemed necessary and mandated.
- h) Determine and specify conditions of service needs by ensuring that all the established criteria have been met prior to deciding on support.
- i) Compile a report that will form part of the submission to the Executive Head and MMC for their approval of recommended allocations.
- j) Provide applicants with the outcome of the appraisal and approval process within a specific period.
- k) Ensure the establishment of that contractual agreement, specifically a Service Level Agreement (SLA), between the City and the approved NGO.

#### **7.4. Roles and Responsibility of External Stakeholders**

Social Development Departmental programs are cross-sectoral and require a durable strategic partnership involving all relevant stakeholders, such as:

- a) National and Provincial Departments of Social Development: Strategic direction and national aspiration and provide technical assistance to improve the quality of service provided to beneficiaries. The National and Provisional Department of Social Development will share information on NGOs registered in their database to generate synergy and ensure comprehensive systems on processes. The Provisional Department of Social Development will verify the validity of NGO status along with providing AGM reports and minutes.
- b) Other municipalities: sharing of expertise, information, and best practices.
- c) Civil society and Community-Based Organization: provide valuable insights into community needs and collaborate with the City in the implementation of specific initiatives.
- d) International Community: Benchmarking, technical expertise, and Information Sharing.
- e) South African Reserve Bank (SARS): assist organisation with capacity building and registering as an NPO (with DSD – NPO Directorate) or as a Non-Profit Company (NPC) for tax exemption.

The MOUs that will be signed between the City and external stakeholders must guide these strategic partnerships. There must be a clear definition of the nature of collaboration, roles and responsibilities, accountability, and monitoring and evaluation in these MOUs.

### **8. PUBLIC PARTICIPATION**

The public consultation for this policy will consist of the identification and selection of participants, instruments designed to collect the necessary data and information, data-gathering processes, data capture and organization, analysis and interpretation, and presentation of the obtained data. The approach to public participation will employ a qualitative research methodology led by the interpretive paradigm and its subjectivist epistemology. The process will employ criterion sampling within a strategic context of purposive sampling to gain a comprehensive understanding of the policy under consideration.

### **9. MONITORING AND EVALUATION**

Policy execution shall be followed by continuous and ad-hoc (periodic) monitoring reviews with a view to ensure that it delivers on its pre-determined objectives that are cost-effective. To this extent, the City of Johannesburg shall employ results-based and evidence-based monitoring and evaluation approaches in order to curb waste and misallocation of City resources. The indispensability of employing the results-based (or outcome-based) monitoring and evaluation approach lies in that it goes beyond counting the policy outputs, activities, and resources to enable the City to measure and evaluate the policy results and then provide information for decision-making. Results-based monitoring and evaluation of this policy will provide feedback on the actual outcomes and goals of the City's actions. The monitoring will further address the goals of the NGO Empowerment policy, how they are being achieved in budgetary, schedule, and quality performance, and how corrective actions can be done proactively.

M&E will also track key outcomes to assess the effectiveness of the policy and identify areas for improvement. The following key three outcomes will be tracked:

**Quality of Service Delivery:** Monitor the delivery of services by the NGOs, which can help ensure that the policy is achieving its intended outcomes. This includes tracking the services delivered, the quality of the services, and the satisfaction of the service beneficiaries.

**Sustainable Financial Sustainability:** One of the main benefits of this policy is to ensure that the NGOs remain financially sustainable. Measuring the financial sustainability of the NGOs over time can help identify areas where further support may be needed.

Funding equity: The policy should ensure that services are accessible to all members of the community, including those who may be marginalized or disadvantaged. Measuring equity and access to services can help identify areas for improvement that may be needed.

M&E will track these outcomes over time and regularly adjust the NGO Empowerment Policy based on monitoring and evaluation results. This will help to ensure that the policy effectively improves the living conditions of the residents of the City. The M&E process will be an inherent part of the City's IDPs and designed to enhance accountability. Furthermore, this process will be conducted annually or at any time necessary to keep abreast of best practices and methodological changes and for other corrective actions.

#### **10. CONTRAVENTION OF POLICY**

The City of Johannesburg is the custodian of this policy, and all powers are vested in the Accounting Officer (City Manager) to ensure the legitimate implementation thereof. The City reserves the right to act in case of breach by any party responsible for the implementation of this policy, and in case of contravention, the City may:

- a) Evaluate the performance of the government officials involved and reserve the right to suspend and/or reinstate them until the investigation is completed.
- b) Enforce the law in the event of any criminality involved.
- c) Withdraw partnership agreements when stakeholders and beneficiaries violate this policy's provisions. Existing Service Level Agreements (SLAs) with NGOs will be terminated or suspended under the following conditions:
  - i. Supported NGOs no longer exist.
  - ii. Supported NGOs fail to provide the approved pay-per-service services.
  - iii. Supported NGOs fail to achieve the stated outcomes to an acceptable level, or if the agreed-upon objectives are not met.
  - iv. Supported NGOs fail to comply with any department-issued SLAs or special requirements.
  - v. Supported NGOs fail to comply with any statutory or departmental requirements or standards regarding their management or financial practices or service delivery.
  - vi. Supported non-profit organization provides false or misleading information in its proposal, supporting documentation, or during the evaluation of its services.
  - vii. Supported NGOs fail to comply with the agreement regarding the transformation of services.

- viii. Transfer of payment does not provide value for money in relation to its purpose or objectives.
- d) The Group Legal Department has established procedures for handling policy and by-laws contraventions.

## 11. DELEGATION OF AUTHORITY

Sections 59 to 65 of the Local Government: Municipal Systems Act 32 of 2000 provide as follows: "59". Delegations - (1) A municipal council must develop a system of delegations that will maximize administrative and operational efficiency and provide for adequate checks and balances, and, following that system, may delegate appropriate powers. In terms thereof, the Council hereby delegates all powers and duties to the Accounting Officer that are necessary to enable the Accounting Officer:

- a) To discharge the CoJ Policy on NGO Empowerment, responsibilities conferred on Accounting Officers in terms of the Municipal Systems Act 32 of 2000 and this Policy.
- b) To maximize administrative and operational efficiency in the implementation of this Policy.
- c) To enforce reasonable cost-effective measures for the implementation of this Policy, and proper monitoring and evaluation.
- d) To comply with his or her responsibilities in terms of Section 115 and other applicable provisions of the Municipal Systems Act (Act 32 of 2000).

Provision for sub-delegation:

- a) The Accounting Officer may in terms of section 79 of the Act sub-delegate any NGO Development powers and duties, including those delegated to the Accounting Officer in terms of this Policy, but any such sub-delegation must be consistent with hereinabove.

## 12. POLICY REVIEW

The policy will be reviewed every three (3) years or when advised to do so by the political principals.