



**Western Cape  
Government**

# **Western Cape Department of Social Development Standard Operating Procedure for entering into Memorandum of Understanding with District and Local Municipalities in the Western Cape.**

**Effective from** 1 April 2021

### Amendment Log:

Version number	Date	Summary of changes
1	20/04/2020	

### Approval

Mr Charles Harris  
**COMM. DEV. POLICY DEVELOPER GR.3**

\_\_\_\_\_  
Signature

18 March 2021  
(date)

Mrs Deborah Dreyer  
**DIRECTOR: PARTNERSHIP DEVELOPMENT**

\_\_\_\_\_  
Signature

18 March 2021  
(date)

Mr Mzwandile Hewu  
**CHIEF DIRECTOR: COMMUNITY & PARTNERSHIP DEVELOPMENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(date)

Dr Robert Macdonald  
**HEAD OF DEPARTMENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(date)

### Acronyms:

APP	Annual Performance Plan
CD	Chief Director
CMaTS	Correspondence Management and Tracking System
DCF	District Coordinating Forum
DCFTECH	District Coordinating Forum Technical
DSD	Department of Social Development
HOD	Head of Department
IDP	Integrated Development Plan
IIWG	Integrated Development Plan Indaba Working Group
IGR ACT	Intergovernmental Relations Act
MEC	Member of the Executive Council
MOU	Memorandum of Understanding
PGWC	Provincial Government of the Western Cape
SDA	Service Delivery Area
JDA	Joint District Approach

## **1. Introduction**

The governance system of the Republic of South Africa makes provision for a three-tiered governance structure, meaning, National, Provincial and Local Government. The interface between the three tiers is governed, but not limited, to the Intergovernmental Relations Act, No 13 of 2005. The latter requires the three spheres of government to work together in achieving the developmental goals of all three, as well as providing for conflict resolution mechanisms. The establishment of fora, such as, IDP Indaba Working Groups (IIWG), District Coordinating Forums (DCF) etc. also provide interfaces between the spheres of government.

The Department of Social Development's approach to the above is described in an extract from the Stakeholder Management Framework Document, as follows;

"One of the key strategic objectives of the Provincial Government of the Western Cape is to "Modernise the State Machinery" towards better and efficient service delivery. This encompasses that departments, including DSD, had to relook at their structures to ensure these are aligned with their legislative mandates and implementation policies to ensure effective and efficient service delivery. In terms of Stakeholder Management and Inter-Governmental Relations, one of the gains of this organizational redesign was the establishment of a Stakeholder Management & Intergovernmental Relations unit, as well as alignment of our service delivery areas and regions with the boundaries of local and district municipalities.

The key roles and functions of the unit are to:

- Perform a strategic liaison role between the department in its relations with other departments and governments,
- Develop frameworks for engagement and protocols with respect to relevant stakeholders, and
- Ensure regular communication to stakeholders on emerging policy issues with regard to social welfare and community development services

The Department of Social Development (DSD), like many other private and public sector organisations, has realised that managing its relationships with stakeholders will lead to enhanced delivery on its core mandates and will help in enhancing its profile and that of government in general. (Stakeholder Management Framework, 2014, pg. 4)"

## **2. When this document is applicable**

In terms of Chapter 7 of the Constitution of the Republic of South Africa, the objects of local government include to 'promote social and economic development' in their respective area of jurisdiction (s152 (c)). Certain municipal functions as set out in schedules 4 and 5 of the Constitution are closely inter-related with the services rendered by the Department of Social Development (DSD), particularly in relation to Early Childhood Development and registrations of certain services. Furthermore, municipalities and DSD may also wish to enter into various kinds of partnerships or joint projects in the area of social development. There are therefore many circumstances under which a formal agreement will be necessary to structure the relationship and roles and responsibilities of the parties. When the Department of Social Development wishes to enter into such a formal cooperative relationship with a district or local municipality this document provides a standard procedure for the Department to follow for determining and capturing the terms of the relationship in a memorandum of understanding (MOU).

To enter into such agreements, the steps below should be followed.

### **3. Process**

#### **3.1 Head Office**

- 3.1.1 Attendance of duly nominated Department of Social Development representative/s from Head Office where needed and the relevant regional and/or Service Delivery Area office at inter-governmental structures such as the IIWG, IDP Indabas and Joint District Approach (JDA) meetings is an important part of managing the relationship between DSD and the municipalities, since these are platforms where municipal needs are discussed, inclusive of social development needs.
- 3.1.2 The request for an MOU between DSD and a municipality may emanate from one of the structures contemplated in 3.1.1, from an SDA or region, from a program office of DSD at Head Office, or from the Stakeholder Management unit itself.
- 3.1.3 A request contemplated in 3.1.2 must be directed to the Stakeholder Management unit via the Chief Director for Community and Partnership Development, who will then issue a directive to the Director of Partnership Development and her Stakeholder Management team.
- 3.1.4 For the purposes of preparing an MOU the Stakeholder Management Unit must liaise with a duly nominated official of the municipality and include representatives of the relevant DSD Regional Office, SDA and program office (where relevant).
- 3.1.5 The Municipality has the prerogative to decide who they wish to nominate to liaise with DSD in this regard e.g., Municipal Manager, Director for Strategic Services, IDP Manager/Coordinator, Social Development Coordinator and Councillor if the Municipality prefers such. Where mayors or other political office-bearers are involved in the drafting process, the office of the DSD MEC must be alerted, and the MEC or a delegate may also join the process.

- 3.1.6 A template as appended to this SOP below will be used as the basis for the discussion of areas for agreement.
- 3.1.7 The Stakeholder Management Unit will prepare and forward a copy of the draft MOU document to the relevant official/s at the Municipality, which can be discussed and edited electronically or in a meeting.
- 3.1.8 Highlight the agreed upon programs/projects in "Annexure A"
- 3.1.9 If necessary, highlight the importance of a "steering committee" for the MOU, taking cognisance of the Human Resource capacity of the Municipality and DSD, and also taking cognisance of other intergovernmental structures which may serve the same purpose.
- 3.1.10 Consensus must be reached between DSD and the Municipality w.r.t the programs and projects which will form the basis of the agreement, as well as other relevant details, and once a draft is ready the MOU DSD and the municipality have the option of referring the document to their respective legal services units for consideration and further advice.
- 3.1.11 If document is found to be in order for the Municipality, request that the document is signed by the relevant Municipal Officials, including the City Manager and Mayor, and on DSD's side, the Chief Director for Community and Partnership Development, Head of Department and MEC. The MEC for DSD and the Mayor of the Municipality must be offered the opportunity to sign the document at a formal signing ceremony if required.
- 3.1.12 Document is placed onto DSD's electronic document management system (Mycontent).
- 3.1.13 Document is re-routed via the office of the CD to the Unit, Stakeholder Management.
- 3.1.14 Send electronic copy of signed document to DSD Region, SDA, any program offices implicated and Municipality, (followed by a hard copy for the municipality)
- 3.1.15 Follow-up with the SDA w.r.t their planning meeting for implementation
- 3.1.16 Monitor the implementation of agreed projects/programs, using the Implementation and Reporting Template

### **3.2 Region:**

- 3.2.1 Coordinate the activities between H/O, Regional office and SDA w.r.t MOU implementation
- 3.2.2 Is the first point of contact between DSD and municipality when MOU is concluded with a District Municipality
- 3.2.3 Forms part of the planning/ steering committee
- 3.2.4 Route signed MOU to the Sub-Directorate Stakeholder Management at Head Office

- 3.2.5 Keep signed copies, for record keeping purposes, of all concluded and signed MOUs within the Region
- 3.2.6 Support the SDA with implementation of agreed projects/programs
- 3.2.7 If Region is unable to support, to elevate such concerns to H/O, Stakeholder Management Unit
- 3.2.8 Region to ensure that agreed projects/programs is aligned with APP Targets of the Region.
- 3.2.9 Performs an oversight role regarding the DSD participation and keep track of all MOUs in the Region
- 3.2.10 Verify and submit progress reports to the Stakeholder Management Program at Head Office

### **3.3 Service Delivery Area:**

- 3.3.1 Make contact with identified Municipality within the SDA Liaise between the DSD and identified Municipality
- 3.3.2 Play liaison role between, Region, Head Office and Municipality where relevant/needed
- 3.3.3 Identify priority areas emanating from the SDA's Operational Plan to form part of the MOU discussion where relevant
- 3.3.4 SDA and Municipality in agreement with agreed projects and programs
- 3.3.5 Develop an Implementation Plan for agreed programs/projects with Municipality
- 3.3.6 SDA Manager, on behalf of the DSD to establish a "Steering committee" consisting of Municipal and SDA staff to ensure implementation of projects/programs
- 3.3.7 SDA Manager invites the municipality to progress meetings
- 3.3.8 Meet quarterly to discuss progress and deal with challenges as it arises
- 3.3.9 Keep the Region informed w.r.t progress of project/program implementation
- 3.3.10 Report progress on implementation to Regions
- 3.3.11 SDA Manager to ensure all Progress Reports are signed off by both the DSD and respective Municipality.

### 3.3.12 SDA Manager to maintain good relations with Municipality

#### Annexures to the documents:

1. Copy of Memorandum of Understanding (MOU)
2. Program/project implementation template
3. Progress report template



# **MEMORANDUM OF UNDERSTANDING**

Concluded by and between:

**THE DEPARTMENT OF SOCIAL DEVELOPMENT**



**AND**

**MUNICIPALITY**

**FOR THE IMPLEMENTATION OF PROJECTS AND INITIATIVES IN SUPPORT OF  
THE DEPARTMENT'S SOCIAL DEVELOPMENT PROGRAMMES**

## IMPLEMENTATION PLAN

PROJECT NAME	PROJECT MANAGER	PARTNERS
Memorandum of Understanding Implementation		Dept. Social Development and ..... Municipality



Western Cape  
Government  
Social Development

ACTION	RESPONSIBLE ENTITY	Responsibility of Stakeholders	START DATE	END DATE	Project/Program Outcomes	Progress	NOTES
Program/Project #1:							
Program/Project #2:							
Program/Project #3:							
Program/Project #4:							

## REPORTING TEMPLATE

PROJECT NAME	REPORTING PERIOD	PARTNERS
Memorandum of Understanding		Dept. Social Development and ..... Municipality



Western Cape  
Government  
Social Development

AREAS OF COLLABORATION	PROGRESS TO DATE	Achievements	CHALLENGES	NEXT STEPS	NOTES
Program/Project #1:					
Program/Project #2:					
Program/Project #3:					
Program/Project #4:					