

# SUBMISSION ON THE DRAFT PUBLIC PARTICIPATION POLICY

**Swellendam Municipality — Draft for Public Comment**

**Deadline: 8 December 2025**

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**From:** Braam du Toit — Composer, Resident

**To:** Swellendam Municipality

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## Your Own Words

Your IDP states your vision:

*"A visionary Municipality that strives towards prosperity for all through cooperative participation and high-quality services delivery."*

Your mission commits to:

*"Providing a transparent and accountable government by rendering affordable and sustainable services and encouraging economic and social development through community participation."*

*"Governance for the people by the people."*

Section 4.8 of your IDP is titled **"Public Accountability and Participation."**

These aren't my words—they're yours. This submission asks one question: does your draft Public Participation Policy deliver on these commitments?

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## The Constitutional Foundation

**Section 152(1)(e) of the Constitution** requires municipalities to "*encourage the involvement of communities and community organisations in the matters of local government.*"

This is not guidance. It is constitutional obligation. The verb is *encourage* — an active duty to facilitate participation, not merely permit it.

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## The Critical Strategic Point

Most recommendations in this submission cost nothing. They're policy wording that operationalises values your draft already commits to.

These recommendations are offered in the spirit of strengthening, not criticising, the work already done.

Your policy's stated values (pages 1, 5, 10): "Transparency," "Accountability," "Trust," "appropriate mechanisms," "clear information."

**Zero-cost mechanisms** that operationalise these values:

1. **Response timeframes** — "Acknowledgment within 5 working days; substantive response within 30" (*Municipal Systems Act: residents have the right to "expect prompt responses"; Hessequa requires 3-day acknowledgment for petitions; George publishes 24-48 hour response times for essential services; SAHRC complaints procedure: 3-day intake; Legal Aid SA: 14-day response; standard across ombudsman frameworks*)
2. **Independent escalation** — "If unresolved after 30 days, escalate to Executive Mayor/Speaker" (*IAP2 Code of Ethics: "actions that build trust and credibility"; standard municipal dispute resolution practice; Garden Route District policy includes escalation pathways*)
3. **Confidentiality option** — "Residents may request confidentiality for legitimate safety or employment concerns" (*Protected Disclosures Act 26 of 2000; Constitution Section 14 right to privacy; standard in whistleblower and ombudsman frameworks nationally*)

4. **Anti-retaliation clause** — "No adverse consequences for exercising participation rights" (*Protected Disclosures Act Section 3; Constitution Section 16 freedom of expression; Constitution Section 17 right to assembly and petition; Labour Relations Act protections*)
5. **Pre-decision disclosure** — "Agreements affecting service delivery disclosed for comment before Council vote" (*MFMA Section 22: draft budget must be made public; Section 23: minimum 30 days for public comment; Section 33: contracts with future implications require public disclosure under Municipal Systems Act Section 21A; your own IDP transparency commitments*)
6. **Feedback documentation** — "Quarterly reports showing input received and how it influenced decisions" (*IAP2 Core Value 2: "the promise that the public's contribution will influence the decision"; IAP2 Core Value 7: "communicates to participants how their input affected the decision"; George provides quarterly updates to Ward Councillors on IDP project status; Garden Route District policy requires documented influence pathways*)
7. **Channels made bidirectional** — "Communication platforms explicitly for receiving input, not only broadcasting" (*IAP2 Spectrum: Levels 2-5 all require receiving and responding to input; Municipal Systems Act Section 17: municipalities must "establish appropriate mechanisms, processes and procedures to enable the local community to participate"; Mossel Bay's Collab Citizen app enables two-way engagement; George's Municipal App provides SMS feedback on logged complaints*)
8. **Accessible engagement formats** — "Walk-in sessions, after-hours availability, assistance at multiple service points" (*Mossel Bay hosts walk-in sessions 16:00-18:00; Midvaal's Executive Mayor, Speaker, and all Heads of Departments attend public meetings to listen directly to residents*)
9. **Service standards documentation** — "Published charter specifying what residents can expect" (*Mossel Bay issues a Client Service Charter as a fridge magnet specifying service delivery standards; Swartland's "IDP in Your Pocket" — praised by MEC Bredell as "written in an accessible style and supported by infographics" — makes planning accessible to ordinary residents*)

10. **Named contact persons** — "Designated official(s) with published name, email, and phone for public participation matters" (*George: Whitney Prins, Manager: IDP and Public Participation; Paulina Saaiman for ward committee operations — with direct phone numbers. Residents know exactly who to contact, and that person is accountable by name*)
11. **Confirmation and closure** — "SMS or email confirmation when submission received; notification when matter resolved" (*George's Municipal App sends SMS when complaint logged AND when resolved — closing the feedback loop so residents aren't left wondering*)
12. **Questions to Council** — "Residents may submit written questions in advance of Council meetings for officials to prepare substantive answers" (*Prince Albert allows questions submitted 10 days before meetings; officials prepare proper responses rather than deflecting with "we'll get back to you"*)
13. **Department presence at public meetings** — "Relevant Heads of Departments attend public participation sessions, not only politicians" (*Midvaal: all HODs attend; George: service desks staffed by each department for one-on-one discussions. The people who actually know operational details are present to answer questions directly*)
14. **Rural and outlying area inclusion** — "Explicit provisions ensuring residents in Barrydale, Suurbraak, Malgas, Buffeljags, and surrounding farming areas have equal access to participation mechanisms" (*Municipal Systems Act Section 17(3): municipalities must take into account "the special needs of people who cannot read or write" and ensure participation is "accessible"; this extends to geographic accessibility for rural residents who cannot easily travel to Swellendam*)

These mechanisms cost nothing (policy wording only), align with your stated commitments, meet IAP2 international standards, appear in peer municipality policies, and fulfill constitutional requirements.

**If these zero-cost mechanisms do not appear in the final policy, it will raise serious questions about whether participation is being actively facilitated as required by Section 152(1)(e) — or merely documented.**

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## A Principle Worth Considering

Strong accountability mechanisms protect residents regardless of who governs. A policy designed for democracy—rather than for any particular administration—includes protections that every resident would want available to them, and every future councillor would want available to their constituents.

The test: Would you be comfortable with these mechanisms if you were a resident raising concerns, rather than an official receiving them?

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## The International Standard: IAP2 Spectrum

For those unfamiliar: the International Association for Public Participation (IAP2) is a global professional body that has developed what's become the international benchmark for public engagement. Their framework is used by municipalities across the world and across South Africa—including Garden Route District Municipality next door, which explicitly adopted it in their September 2022 policy.

IAP2 defines five levels of participation, each with a **promise to the public**:

| Level                 | Promise to the Public                                                           |
|-----------------------|---------------------------------------------------------------------------------|
| <b>1. INFORM</b>      | "We will keep you informed"                                                     |
| <b>2. CONSULT</b>     | "We will listen to and acknowledge your concerns"                               |
| <b>3. INVOLVE</b>     | "We will work with you to ensure your concerns are reflected in alternatives"   |
| <b>4. COLLABORATE</b> | "We will incorporate your advice into decisions to the maximum extent possible" |
| <b>5. EMPOWER</b>     | "We will implement what you decide"                                             |

The spectrum isn't a hierarchy—different situations require different levels. But what matters is that **the promise matches the delivery**.

To genuinely operate at Level 2 (Consult) requires mechanisms that demonstrate listening — response timeframes, acknowledgment of receipt. To operate at Level 3 (Involve) requires documentation showing how input shaped decisions — feedback reports, "You Said, We Did" summaries. And crucially, participation channels need to

be accessible and multiple — not restricted to formal structures that meet infrequently or funnelled through a single office.

Without these accountability mechanisms, participation defaults to Level 1 (Inform) in practice — regardless of what the policy says. The promise becomes aspirational rather than operational.

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## The Pattern in Your Draft

Your draft speaks of participation but systematically omits the mechanisms that make it meaningful.

### What's present:

- Channels for the municipality to inform the public (page 22: framed as "passing of information," "convey information")
- Ward Committees and the Budget Summit appear as the only formal participation structures (pages 11, 16, 21). Both are municipality-chaired, infrequent, representative rather than open forums, with agendas set internally and no recognition of independent community structures.
- Assistance for those who cannot write (page 16—though timing/location unspecified)

### What's absent:

No public forums. No direct engagement beyond two municipality-controlled structures meeting a handful of times per year. And even within that limited framework:

- **Response commitments:** No timeframes, no confirmation of receipt, no closure notification, no escalation path (everything funnels through Municipal Manager—page 11), no mechanism for questions to Council
- **Protection clauses:** No confidentiality option, no whistleblower reference, no anti-retaliation provision
- **Feedback requirements:** No "You Said, We Did" documentation, no pre-decision disclosure for major agreements, communication framed as broadcasting rather than receiving
- **Accessibility provisions:** No named contact person, no walk-in sessions, no after-hours availability, no department presence at public meetings, no explicit

provisions for rural areas, no service standards charter, no recognition of independent civic structures

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## What Your Peers Have Chosen

Municipalities facing similar constraints have made different choices:

**Swartland** (GGA 2024: Best-performing local municipality in South Africa): Created the Western Cape's first online IDP — "IDP in Your Pocket" — praised by MEC Anton Bredell for being "written in an accessible style and supported by infographics." Public participation is a cornerstone of their governance, with ward committees, community forums, and public meetings ensuring residents influence decisions.

**George** (Garden Route, 28 wards): Provides quarterly updates to Ward Councillors and Committees on IDP project status. Has a dedicated Manager: IDP and Public Participation. Publishes response timeframes (24-48 hours for essential services). Dr Kosi Haarhoff, Deputy Director of Strategic Growth: "In South Africa, increasing community protests and unrest have often been fuelled by the lack of timely feedback and meaningful participation in decision-making... When municipalities fail to provide updates, it creates a sense of neglect, leaving citizens feeling disempowered." George has learned that engaged residents are an asset — and that constructive feedback, received openly, prevents the frustration that leads to conflict.

**Mossel Bay** (MFSI 2024: 74/100, joint 1st place; Garden Route): Operates a dedicated Public Participation Office with walk-in sessions (16:00-18:00). Launched the Collab Citizen smartphone app for service delivery engagement. Issues a Client Service Charter specifying service delivery standards residents can expect. The municipality "actively seeks engagement with residents" and "strives to learn from these public consultations."

**Prince Albert** (GGA 2024: 8th nationally, praised for community engagement): Ward committees "play a key role in distributing information, mobilising community involvement and promoting citizen participation." The municipality describes itself as "a strategic and essential partnership between Council, officials and the residents."

**Midvaal** (GGA 2024: Best-performing municipality in Gauteng, SALGA Overall Winner 2022/2023): Executive Mayor, Speaker, Mayoral Committee, Municipal Manager, and all Heads of Departments attend public engagement meetings "to listen to the inputs and concerns raised by the community."

**Saldanha Bay** (MFSI 74/100, joint 1st place; GGA 2024: 3rd nationally): Dedicated public participation email addresses, named coordinators, accessible contact details.

**Hessequa** (MFSI 72/100): 3-day acknowledgment requirement for petitions.

**Garden Route District** (GGA 2024: Top 4 district municipalities nationally): IAP2 framework explicitly adopted, documented influence requirements.

**Swellendam** (MFSI 73/100, 2nd place in Western Cape): Your 2024/2025 budget (pages 10-14) shows the Speaker requested R240,000 for a dedicated Public Participation Coordinator. The request was declined. Your draft policy creates no independent structures, no response requirements, no escalation paths, no feedback mechanisms, no response timeframes.

This raises an important practical question: who will be positioned to implement this policy effectively? The same officials already managing current duties? Without adequate capacity—or at minimum, the zero-cost accountability mechanisms—does the policy risk becoming aspirational rather than operational?

The answer will reveal itself in what the final policy includes. Resource constraints can justify phasing in dedicated staff and technology. They cannot justify omitting accountability mechanisms — response commitments, protection clauses, feedback requirements, accessibility provisions — that require commitment, not capital.

Without them, participation structures remain administratively one-directional: limited channels for input, no obligation to respond, no requirement to demonstrate influence. Participation becomes performative rather than substantive. Their omission would raise concern that participation is not being actively encouraged as the Constitution requires.

You achieved 2nd place in financial management. The opportunity is to bring that same standard to participation.

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## The Specific Recommendations

### Zero-cost (policy wording only):

1. **Dedicated contact & escalation:** One email/phone for PP submissions; escalation to Executive Mayor/Speaker if matters cannot be resolved at administrative level within 30 days. IAP2's Code of Ethics emphasises that effective participation requires "actions that build trust and credibility for the process among all participants." Trust requires knowing that concerns will be heard — and that there's somewhere to turn when first attempts at resolution don't succeed. A clear internal escalation path provides that assurance and reduces the likelihood of concerns needing to go beyond the municipality
2. **Response timeframes:** Acknowledge within 5 working days; substantive response within 30 days (60 for complex matters)
3. **Protection mechanisms:** Confidentiality option for legitimate concerns; reference to Protected Disclosures Act; anti-retaliation clause
4. **Pre-decision disclosure:** Agreements over R500,000 or affecting service delivery disclosed for 30-day public comment before Council vote
5. **Feedback documentation:** Quarterly reports showing input received and how it influenced decisions; when input not incorporated, explain why
6. **Bidirectional channels:** Reframe communication platforms (page 22) as explicitly for receiving input, not only broadcasting
7. **Recognition of civic structures:** Acknowledge existing community organisations (ratepayers associations, community forums, church groups, service organisations) as legitimate participation channels

### Resource-dependent (can be phased):

8. **Dedicated PP capacity:** Reconsider the Speaker's R240,000 coordinator request, or designate existing staff with explicit PP responsibilities
  9. **Geographic accessibility:** PP assistance at multiple locations (Swellendam, Barrydale, Suurbraak, Malgas, and Buffeljags offices)
  10. **PP performance indicators:** Track response times, participation rates, public satisfaction
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## Why I'm Writing This

I grew up in Swellendam. For decades, my work as a composer has carried this town's name to stages and screens across South Africa and beyond. This place is part of my identity — and I'd like to think I've become part of its story too.

I need to say this clearly: I am genuinely proud of this town. I have always felt the care from this municipality, and seen the dedication in its workers. The financial management that earned you 2nd place in the province isn't just a certificate — you can see it in how the town presents itself. Things go right here far more often than they go wrong. That's not accident — it's the result of people doing hard jobs well.

I have deep respect for municipal work. It's difficult, often thankless, and involves balancing competing demands with limited resources. Most residents only notice when something goes wrong, never when everything goes right. So let me notice what goes right.

This submission focuses on public participation because it's the mechanism through which municipality and community can work together more effectively. When residents care enough to engage — to attend meetings, to ask questions, to raise concerns — that energy is an asset, not a threat. Strong participation systems channel it into partnership. The mechanisms I've outlined aren't about creating obstacles for officials; they're about creating clarity for everyone.

I don't claim expertise in municipal operations. But I do know that people respond remarkably well to honest acknowledgment of challenges and clear explanations — even when they disagree with outcomes. Silence, on the other hand, creates suspicion. Suspicion creates tension. Good communication prevents conflict before it starts.

At its heart, public participation is about recognising our shared humanity — that those who govern and those who are governed are neighbours, not adversaries. Prince Albert Municipality — ranked 8th nationally and praised specifically for community engagement — describes itself as "a strategic and essential partnership between Council, officials and the residents." That's the vision. When a resident asks a question, they're not attacking — they're caring enough to engage. How that question is received shapes everything that follows. Defensiveness breeds conflict. Openness builds trust. The mechanisms in a policy can create space for participation, but only the spirit in which they're implemented can make that participation meaningful.

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## Active Citizenship as Asset

When residents invest time and energy in understanding municipal decisions, asking questions, and identifying concerns—this is precisely the "active citizenship" your IDP describes as essential to municipal success. George Municipality understands this: they provide quarterly updates specifically because, in Dr Haarhoff's words, "when municipalities fail to provide updates, it creates a sense of neglect, leaving citizens feeling disempowered." The alternative — engaged residents channelled into constructive dialogue — is what strong participation systems create.

Your draft policy can either strengthen partnerships with engaged residents or risk creating the perception that participation is being administratively contained. The mechanisms you include—or omit—will signal which approach has been chosen.

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## The Choice

The structure of this policy is sound. The legal framework is in place. What's missing are the accountability mechanisms that transform documentation into genuine facilitation — the response timeframes, escalation paths, feedback loops, and protection clauses that make participation meaningful.

Your IDP speaks of "active citizenship" as essential to municipal success. Your vision promises "cooperative participation." Your mission commits to governance "for the people by the people."

The zero-cost mechanisms I've outlined appear in peer municipalities, align with IAP2 standards, fulfill your constitutional obligation, and match your own stated values.

What remains is simply this: to meet your community not as adversaries to be managed, but as neighbours ready to build something together.

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Submitted with respect for your proven capabilities and genuine care for this town and its people,

**Braam du Toit**

Composer | Resident | Swellendam | December 2025

**Sources & Verification**

**Constitutional & Legal:**

- Constitution of the Republic of South Africa, Section 152(1)(e)
- Protected Disclosures Act (Act 26 of 2000)
- Municipal Systems Act, Section 17, Section 29(1)(b)(ii)
- Municipal Finance Management Act, Sections 22, 23, 33

**Swellendam Documents:**

- IDP 2024-2025: Vision, Mission, Section 4.8 (Public Accountability and Participation)
- Draft Public Participation Policy 2025: pages 1, 5, 10 (values), 11 (structures), 16 (Ward Committees), 21 (SBSS), 22-23 (communication channels)
- Annual Budget 2024/2025: pages 10-14 (Speaker's R240k PP request)

**Rankings & Awards:**

- Good Governance Africa (GGA) Governance Performance Index 2024
- 2025 SAPOA/Ratings Afrika Municipal Financial Sustainability Index

**International Standards:**

- IAP2 (International Association for Public Participation) Spectrum of Public Participation
- IAP2 Core Values and Code of Ethics

**Peer Municipalities Reviewed:**

- *Swartland* (GGA 2024: #1 local municipality nationally): "IDP in Your Pocket" online platform; MEC Anton Bredell commendation (gov.za media statement)
- *George* (Garden Route, 28 wards): Quarterly IDP updates; dedicated Manager: IDP and Public Participation; 24-48 hour response timeframes; Dr Kosie Haarhoff quoted (George Municipality website, November 2024; George Herald)
- *Mossel Bay* (MFSI 2024: 74/100, joint 1st place; Garden Route): Public Participation Office; walk-in sessions 16:00-18:00; Collab Citizen app; Client Service Charter (Mossel Bay Advertiser, May 2023; mosselbay.gov.za)
- *Prince Albert* (GGA 2024: #8 nationally): Ward committee community engagement model; "partnership between Council, officials and residents" (pamun.gov.za)
- *Midvaal* (GGA 2024: #1 Gauteng; SALGA Overall Winner 2022/2023): Executive attendance at public meetings (midvaal.gov.za)
- *Saldanha Bay* (MFSI 74/100, joint 1st place; GGA 2024: #3 nationally): publicparticipation@sbm.gov.za; named coordinators
- *Hessequa*: 3-day acknowledgment requirement for petitions
- *Garden Route District* (GGA 2024: Top 4 district municipalities): IAP2 framework explicitly adopted (PP Policy, September 2022, page 18)