

**ECD DISCUSSION DOCUMENT #4:**  
DEVELOPMENTAL ROLE OF MUNICIPALITIES IN  
EARLY CHILDHOOD DEVELOPMENT (ECD)  
(PART 1 OF 2)



NELSON MANDELA  
FOUNDATION  
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Project Preparation Trust of KZN

**ECD DISCUSSION DOCUMENT #4:**

**DEVELOPMENTAL ROLE OF MUNICIPALITIES IN EARLY CHILDHOOD DEVELOPMENT (ECD) (PART 1 OF 2)**

This is a series of five papers aimed at stimulating discussion and awareness about local government matters that affect the delivery of Early Childhood Development (ECD) services. These papers are a product of a series of work that the Nelson Mandela Foundation commissioned the Project Preparation Trust to do.

**The discussion papers cover the following topics:**

- 1) Land-use and related challenges
- 2) Simplifying land use processes
- 3) Barriers to effective ECD delivery
- 4) Developmental role of the LM/ Metros in ECD
- 5) Programmatic approach

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### SUMMARY

**FOCUS OF THIS DISCUSSION DOCUMENT:** The purpose of this discussion document is to highlight the critical, and unique developmental role and responsibilities assigned to municipalities in terms of the National Integrated ECD Policy, to discuss the required commitments from municipalities and other spheres of government to support the roll out of ECD programmes on a municipal level. This document should be read in conjunction with discussion document 5 that further unpacks the programmatic approach to ECD. For context, although Early Childhood Development is a high national priority, most ECD facilities in low-income communities are under-resourced, leaving large numbers of children vulnerable and without access to acceptable early learning. Poor infrastructure, a lack of capacity, funding constraints and a rigid regulatory environment are amongst the barriers which exclude centres from government's system of monitoring and support. These barriers also prevent a scaled-up ECD response in South Africa in order to meet the national goal of all young children having access to adequate ECD services by 2030. Municipalities, working with other stakeholders, have a key role to play in helping to overcome these barriers and thus enabling a more developmental and programmatic approach.

#### OVERVIEW OF THE DEVELOPMENTAL ROLE OF MUNICIPALITIES IN ECD

Municipalities have a critical role to play regarding ECD. Without their participation, South Africa will not be able to achieve universal access to quality ECD services. Their role is not only regulatory (i.e. in terms of environmental health regulations and land use planning), but also developmental in terms of population based planning, ECD strategies, establishing much-needed regulatory flexibility, ECD infrastructure provision, and more effective coordination with other key ECD stakeholders (provincial educational departments, ECD operators, and ECD support organisations).

##### 1) **Prescribed municipal role:**

The roles and responsibilities assigned to municipalities in terms of the National Integrated ECD Policy (2015) are largely aligned to municipalities' main functions of

- planning (reliable data, population-based planning, ECD sector/ 5-year plan to be reflected in the IDP, etc.)
- infrastructure (preparing infrastructure pipelines for basic services, improvement of existing ECD centres and new builds, procurement and implementation, etc.) and
- regulation, compliance and registration (environmental health/childcare by-laws, ECD Registration Framework and simplified, more affordable land use arrangements to enable ECD registration, registration of child minders etc.)

The challenge is however that many municipalities have not yet adopted ECD as a priority programme within their municipalities and municipal-level ECD strategies are typically not in place.

##### 2) **Developmental municipal ECD role:** Municipalities will have to make an important shift from a regulatory to a more developmental approach in order to give priority to the planning and implementation of an effective ECD infrastructure support response. Municipalities are therefore encouraged to:

- adopt a programmatic ECD approach based on consensus on how to do things better, effective communication and collaboration, inclusion and optimising the use of limited resources
- assign a municipal lead department to manage the municipal ECD programme

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- establish a municipal ECD multi-stakeholder committee comprising representatives of various municipal units, environmental health, DBE, DOH, DSD, COGTA and support NGOs to collaboratively plan and oversee the implementation of the ECD programme
  - draft a municipal ECD strategy or sector/5-year plan for inclusion in the IDP
  - ensure that the ECD infrastructure programme is reflected in the (3-year) Medium Term Revenue and Expenditure Framework (MTREF)
  - manage and/or support implementation of infrastructure
  - help establish a more flexible regulatory environment to enable registration and incremental improvement of ECD facilities
- 3) **Support role of sector departments and related co-ordination:** There is not yet any effective communication, support or structured collaboration between municipalities and sector departments across all three spheres of government. Whilst municipal-level ECD strategies are critical, there also needs to be a clear national strategy to improve support to municipalities and ensure more effective coordination. Although COGTA is expected to take the lead in funding, providing guidance and developing municipal capacity in respect of their ECD responsibilities and obligations (in particular the inclusion of ECD in the IDP), it is the responsibility of DBE, DOH, COGTA, SALGA to develop a joint national strategy/MOA for ECD support; to ensure sufficient fiscal allocation; and monitor to ensure effective coordination and delivery of ECD at municipal level. A national strategy should reinforce the programmatic approach and most-importantly define the optimal roles of the key stakeholders and accountability arrangements. COGTA and SALGA is also expected to negotiate bigger and more realistic operational, infrastructural and institutional allocations for this national high priority programme.

## 1. INTRODUCTION

While the role of national and provincial departments, such as the Department of Basic Education (DBE), is key in the delivery of ECD, municipalities have a vital and unique role to play in expanding access to quality ECD services such that in the absence of their participation, South Africa will not be able to achieve universal access to quality ECD services.

In this regard, The National Integrated ECD Policy (2015) says the following with respect to the division of responsibilities across the different spheres of government: “The relevant services and associated responsibilities and budgets should be reflected in all municipal Integrated Development Plans (IDPs) and in specific sectoral policies and by-laws, which should, in turn, be reviewed and harmonised with the provisions of this Policy as well as with national legislation. Linked to the aforesaid IDP, every municipality should have a 5-year plan on early childhood development services within its boundaries in support of this Policy.” (pg. 75)

ECD is a shared (concurrent) function, with local government responsibility outlined in terms of Section 156 and Schedule 4B of the Constitution. In terms of functions that municipalities can and should play in relation to ECD service delivery:

- 1) **Planning:** Municipalities, together with the ECD sector lead department, need to undertake population based ECD planning in order to better understand local demographics, the extent of existing services and services deficits, and appropriate strategies to address these deficits, including in respect of infrastructure. Compile an ECD strategy/sector plan (5-year plan) for inclusion of IDP and review on an annual basis.
- 2) **Infrastructure:** Municipalities can utilise municipal infrastructure grant funding e.g. Municipal Infrastructure Grant (MIG), Urban Settlements Development Grant (USDG) for a) providing basic services (water, sanitation, electricity); b) the improvement and extension of existing ECD centres (NPO registered and or state/municipal owned facilities) since this is recognised as being a critical barrier to registration; c) undertaking feasibility studies, planning funding and construction of new centres including fencing and outdoor play equipment thereby improving the quality and scale of ECD services in under-resourced, low income communities. An ECD Conditional Grant for maintenance and improvements and the construction of new affordable ECD centres has been introduced by the DSD in 2017/18. The extent of funding currently available is constrained. This obviously requires close collaboration to jointly develop a pipeline of projects for implementation by the Municipality and provincial educational departments respectively.
- 3) **Regulatory:** Municipalities are responsible for undertaking inspections and issuing of environmental inspection reports and/or certificates for ECD partial care facilities (by the municipality’s environmental health practitioners (EHPs) taking into consideration the new, incremental ECD Registration Framework of gold-silver-bronze). This forms an important part of the process of registering ECD partial care facilities, which provide the backbone of ECD services to young children. Municipalities working with the ECD sector lead department will also need to determine what type of flexibility is appropriate in supporting ECD facilities which are non-compliant in terms of land use matters as tenure, zoning and building plans and who cannot afford the cumulative associated costs.

The roles and responsibilities of municipalities are set out in the National Integrated ECD Policy (NIECDP) as summarised in table 1 below. It is vital that municipalities work with both national and provincial departments that have ECD as their core function but doing so will create a need for increased



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coordination and alignment among the three spheres around the progression of ECD services. It is imperative that a **Municipal ECD Multi-Stakeholder Committee** be established at a local or if preferred, on a district or metropolitan level. The Municipality will be driving the ECD infrastructure support programme in close collaboration with the Municipal ECD Multi-Stakeholder Committee and will be responsible for planning, coordination, collaboration, the “monitoring and tracking of progress based on clearly defined indicators that track direct impact on children and system change such as the number of ECD programmes registered and the use of ECD policy by the municipality to guide services”<sup>1</sup>. Municipalities have to ensure that the ECD Programme is fully embedded in the programme of the municipality and that an existing department and senior official(s) be nominated to manage the ECD programme in addition to other functions or ideally that a separate ECD unit be established.

As for its regulatory and land use functions, the Municipality has the responsibility to create a developmentally enabling environment. There are various ways in which the Municipality can assist e.g. by availing a step by step process guide to ECD service providers in user friendly format within their own language at each ward office and on the website; by creating an ECD help desk or a few one stop shops close to disadvantaged communities; Municipalities can reduce the administrative burden from regulatory compliance by simplifying processes, reducing red tape, implementing less cumbersome processes, printing required documents; by providing direct assistance with the filling out of land use application forms when ECD centres have to apply for registration; by introducing easy follow-up via WhatsApp which will save service providers having to undertake numerous and costly trips to a central municipal office over long periods of time; and making applications more affordable by waiving or reducing various tariffs and fees.

### **It should be noted that Municipalities are not:**

- involved in or responsible for the design and content of educational programmes, training of ECD practitioners and the overall quality of ECD educational programmes at ECD facilities. That remains the responsibility of provincial educational departments from 1 April 2022 and ECD resource and training NGOs.
- responsible for the rendering of primary health care services and nutrition - it remains the responsibility of the Department of Health, support NGOs.
- responsible for the management of ECD centres owned and constructed by the Municipality. This service will be outsourced to a suitable NPO with the assistance of the sector department. Such centres will be supported and overseen by the relevant sector department.
- responsible for driving non-centre based ECD programmes. This will be done by the relevant NPOs in conjunction with the relevant oversight department. The Municipality will however avail community facilities (e.g. a community hall) to applying NPOs for a set number of hours per week for the facilitation of playgroups, parent programmes etc.

District Municipalities are responsible for the effective coordination of ECD services within their district, the drafting of an IDP for the District and the compilation of the District Growth and Development plans that will be feeding into the Provincial Growth and Development Plans. With the recent launch of the District Development Model, it would be possible to bring together the relevant cross-sectoral role-

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<sup>1</sup> Strengthening ECD service delivery: Addressing systemic challenges (André Viviers (UNICEF South Africa), Linda Biersteker and Sinah Moruane) in Berry L, Biersteker L, Dawes A, Lake L & Smith C (eds) (2013) South African Child Gauge 2013. Cape Town: Children’s Institute, University of Cape Town.

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players to coordinate their developmental interventions in one plan. The development role of the municipalities is summarised below:

***Developmental role of the Local/ District /Metropolitan Municipalities in Early Childhood Development<sup>2</sup>***

<b>Role of district/local/metropolitan municipalities or as per National ECD Policy, Constitution, Municipal Systems Act, Children’s Act</b>	<b>Minimum role</b>	<b>Optimal developmental role</b>
<p><b>MULTI STAKEHOLDER ECD COORDINATION:</b></p> <ul style="list-style-type: none"> <li>• The provincial Departments of Social Development (previous ECD sector lead), in collaboration with local municipalities, were to establish, by 2017, management structures at the provincial and/or municipal levels to manage, oversee and coordinate the delivery of ECD services.</li> <li>• District municipalities are responsible for the effective coordination of early childhood development services, within their mandate.</li> </ul>	<ul style="list-style-type: none"> <li>• Establish a Municipal ECD Multi-Stakeholder Committee including relevant municipal departments, EHPs, provincial educational departments, DOH and support NGOs etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Assign a municipal department to take the lead in ECD coordination, planning and infrastructure.</li> </ul>
<p><b>ECD PLANNING AND BUDGETS:</b></p> <ul style="list-style-type: none"> <li>• Reflect the relevant services and associated responsibilities and budgets in municipal Integrated Development Plans (IDPs). ECD must be a priority in all IDPs, with clear service delivery plans and outcome targets pertaining to ECD. Mayors must reinforce ECD as a municipal priority and ensure inclusion in the municipalities’ IDP, as well as sufficient resource commitments and collaboration.</li> <li>• Develop a 5-year plan on ECD services.</li> <li>• Participate in the planning of ECD services.</li> <li>• Contribute to the realisation of rights set out in the Constitution, including health care services, food and water, and social security.</li> <li>• Provide and regulate land use for childcare facilities and for safe and adequate play and recreation facilities as part of municipal planning and spatial development.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide for ECD in IDPs.</li> <li>• Develop a 5-year sector plan for ECD services.</li> <li>• Obtain information on existing ECD services and determine deficits (working with provincial educational departments and support NGOs).</li> <li>• Allocate municipal infrastructure budget (e.g. MIG/USDG) for ECD infrastructure.</li> <li>• Ensure that all new township developments adequately provide sites for ECD centres, play and recreational facilities.</li> <li>• Provide a more enabling planning environment e.g. allow a neighbourhood consent free of charge instead of re-zoning or special consent; assist centres with as-built plans and waive or reduce the fee for building plan approval for extensions and new-builds</li> </ul>	<ul style="list-style-type: none"> <li>• Municipal ECD strategy/plan outlining municipal developmental support role and structured approach</li> <li>• Municipal ECD facility and services database.</li> </ul>
<p><b>INFRASTRUCTURE:</b></p> <ul style="list-style-type: none"> <li>• Identify available infrastructure that may be used for the expansion of early learning services and programmes in areas of need.</li> <li>• Support childcare facilities to meet minimum infrastructural health and safety standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Identify and repurpose underutilised municipal buildings and extend existing community facilities for ECD centre services. Avail community facilities for use by play groups or for parent programmes.</li> </ul>	<ul style="list-style-type: none"> <li>• Establish partnerships for the delivery of ECD infrastructure together with provincial educational departments, support NGOs and the private sector. This may include</li> </ul>

<sup>2</sup> Annexure B from the draft ECD Infrastructure Sector Plan (ECDISP)



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Role of district/local/metropolitan municipalities or as per National ECD Policy, Constitution, Municipal Systems Act, Children's Act	Minimum role	Optimal developmental role
<ul style="list-style-type: none"> <li>• Improve existing and develop new ECD infrastructure. The municipalities' maintenance strategy should consider an appropriate balance between preventative and essential maintenance activities, while refurbishments, renovations and major repairs should be used to improve the overall state of the assets.</li> <li>• Provide basic services, including water and sanitation, to communities.</li> </ul>	<ul style="list-style-type: none"> <li>• Fund and procure some ECD infrastructure (mix of improvements and new builds) using municipal infrastructure budget (e.g. MIG/USDG).</li> <li>• Respond to ad hoc requests by ECD centres/EHPs and or provincial educational departments to improve or provide acceptable basic services.</li> <li>• Plan and budget for maintenance of municipality owned ECD centres.</li> <li>• Plan and budget for the improvement of basic services at ECD sites as part of the annual water and sanitation programme.</li> <li>• Consider providing services connections (e.g. electricity and water) at zero or reduced cost as well as rates rebates.</li> </ul>	<p>special purpose delivery vehicles for ECD infrastructure.</p>
<p><b>REGULATION, COMPLIANCE AND REGISTRATION:</b></p> <ul style="list-style-type: none"> <li>• Develop policies and laws governing childcare facilities, including child-minder services.</li> <li>• Registration of child-minding services (principally via EHP inspections and approvals).</li> <li>• Report on ECD indicators via District Growth and Development Plans.</li> </ul>	<ul style="list-style-type: none"> <li>• Compile by-laws and or amend them to ensure alignment with ECD Policy and relevant legislation.</li> <li>• Assign EHPs for the inspection and issuing of reports or compliance certificates necessary for ECD partial care registration. All metros and some LMs have their own EHPs. Some District Municipalities render these services on behalf of the Local Municipalities.</li> <li>• EHPs must work closely with provincial educational departments in the registration process.</li> <li>• Report on annual progress.</li> <li>• Consider waiving any application and inspections costs for ECD centres (e.g. special consents, building plans, environmental health inspections etc.).</li> </ul>	<ul style="list-style-type: none"> <li>• Establish flexibility within by-laws and/or environmental health and land use requirements for under-resourced ECD centres</li> <li>• Establish baseline data on provincial ECD indicators, monitor and report on progress on an annual basis via the District Growth and Development Plan.</li> </ul>
<p><b>ECD SERVICES PROVISION:</b></p> <ul style="list-style-type: none"> <li>• Equitable provision of play, library and recreation facilities for young children.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide safe community play parks for use by ECD centres and childminders without outdoor play areas and for parents and their children and provide access to libraries.</li> </ul>	<ul style="list-style-type: none"> <li>• Municipalities should only directly provide ECD services if they have the capacity and funding. This will be unviable for most LMs</li> </ul>

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Role of district/local/metropolitan municipalities or as per National ECD Policy, Constitution, Municipal Systems Act, Children’s Act	Minimum role	Optimal developmental role
<ul style="list-style-type: none"> <li>Where capacity exists, responsibility for the provision (registration, regulation, delivery and compliance) of ECD partial care facilities may be assigned to municipalities by the provincial Department of Social Development (previous ECD sector lead), as provided for by the Children’s Act No. 38 of 2005</li> </ul>	<ul style="list-style-type: none"> <li>None (over and above what is already covered in the preceding sections in relation to infrastructure, regulation, registration, etc.) since the services are typically provided by NPOs and not by the municipality.</li> </ul>	<p>and metros, given the other demands on them.</p>

*Table 1: Developmental ECD role of municipalities*

## 2. RESOLUTIONS THAT SHOULD BE TAKEN BY LOCAL GOVERNMENT IN RELATION TO ECD SERVICE DELIVERY

### 2.1. Adoption of a programmatic ECD response model

**RESOLUTION:** Local government should adopt a programmatic ECD response model, which should be promoted by local, provincial and national tiers of government. This should be done in close collaboration with SALGA, COGTA, municipalities, DBE and the civil society sector. COGTA should play a leading role in facilitating this process and especially in terms of coordinating across the different spheres of government.

**MOTIVATION:** The current mode of response for ECD service provisioning in under-served low-income communities has generally been addressed in an ad hoc, reactive and poorly coordinated fashion. There has been little coordination between municipalities, national government departments, support NGOs and other stakeholders which leaves thousands of ECD facilities and children outside the system of state support.

**DESCRIPTION:** The programmatic approach serves to establish stakeholder consensus as to a developmental ECD approach, enables multi-stakeholder coordination, ensures inclusion of as many (if not all) beneficiaries (children and facilities as possible) and enables the most efficient use of limited resources. Key elements of a programmatic approach include the following:

- Coordination and communication
- Planning and monitoring
- Registration and subsidisation
- Regulation (including providing for appropriate flexibility)
- Training for ECD (workforce and management)
- Health and nutrition
- Infrastructure support
- Funding (as provided mainly by the oversight department and municipalities).

Refer to discussion document 5 for more information

### 2.2. Establishment of an ECD Coordination Structure in every Municipality

**RESOLUTION:** A Municipal ECD Multi-Stakeholder Committee should be established in close collaboration with provincial educational departments to jointly plan, oversee, and coordinate the delivery of ECD services to ensure that all young children within the municipality will have access to adequate ECD services by 2030. This committee should be integrated in the committee system of the municipality and should report to province and national structures on pre-agreed indicators.

**MOTIVATION:** ECD is a multi-stakeholder programme which requires effective collaboration amongst all key ECD stakeholders. However, there is currently limited or no effective coordination of ECD planning and support at municipal level between municipalities, provincial educational departments, DOH, DSD and civil society organization, and ECD NPOs.



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**DESCRIPTION:** A Municipal ECD Multi-Stakeholder Committee should be established comprising municipal departments, EHPs, provincial departments (provincial educational departments, COGTA, DSD and DOH) NGOs and representatives of ECD forums as well as SALGA. The Committee's role should include: a) municipal-level ECD response planning including guiding the municipal ECD strategy/section plan; b) monitoring implementation of the plan including in respect of: visits to or surveys of ECD facilities, ECD databases, ECD 'massification'/ registration, ECD infrastructure planning and delivery, ECD infrastructure budget and pipeline planning coordination between municipal and provincial educational departments funded projects, ECD regulatory flexibility (e.g. by-laws). The Municipal ECD Multi-Stakeholder Committee should also ensure that the stakeholders collaboratively adopt a more proactive, programmatic and developmental ECD approach. Meetings should be aligned with the approved IDP programme to ensure that matters are dealt with timeously and that no target dates are missed that could be detrimental for the inclusion of the ECD implementation plan and budget in the IDP. It is imperative that proposals and recommendations are channelled to the relevant Municipal Standing Committees and Council for consideration and approval to ensure that ECD is fully embedded in the municipal system. Ideally senior sector representatives with decision making powers should participate. Intervention is required to ensure a unified approach and common understanding among officials of who does what and to ensure that representatives are duly mandated to constructively participate in these meetings. It must also be clear how planning and progress will be reported to Council as well as provincial and national structures. It is up to local and district municipalities to decide if the Municipal ECD Multi-Stakeholder Committee should be established on a local level or district level. It is anticipated that a District Municipal Multi Stakeholder ECD Committee may be preferred (outside of Metros) in future in alignment with the District Development Model that is currently being rolled out throughout the country.

### 2.3. Inclusion of ECD in IDPs via Municipal ECD Strategies/Sector Plans

**RESOLUTION:** ECD should be included in Municipal IDP through the development of Municipal ECD Strategy/Sector Plan which establishes consensus in respect of a programmatic ECD response, confirm key stakeholder roles, describe the approach to be taken in the municipality, enable optimal use of resources, including effective budget allocation and utilization.

**MOTIVATION:** The NIECDP stipulates that municipalities must compile a 5-year ECD plan. ECD is a shared (concurrent) function and local government responsibility in terms of Section 156 and Schedule 4B of the Constitution. As indicated above, there is currently limited or no effective communication or coordination at the local level in respect of ECD. Municipalities have not yet formally been tasked to develop ECD Sector plans. Some do have ECD policies. However, these usually concentrate heavily on their regulatory role and do not sufficiently address their development role, infrastructure support nor the aforementioned programmatic approach. The implementation of a municipal infrastructure response programme is essential and issues such as the investment in NPO owned infrastructure and the provision of services/infrastructure in informal settlement areas where the land does not yet belong to the Municipality needs to be addressed. Municipal level strategies and sector plans are essential in ensuring the roll-out of a more developmental and programmatic ECD approach. This must be done in close collaboration with Municipal ECD Multi-Stakeholder Committees.

**DESCRIPTION:** An ECD sector plan should establish a programmatic and scale-able ECD response model in the municipality, establish population-based planning based on demand and supply; clearly define stakeholder roles and responsibilities; enable integration; establish strategic objectives and set out a five-year plan which will guide interventions and investment. The sector plan should set out the criteria for prioritising facilities for infrastructure support and include an infrastructure support plan which reflects

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an appropriate mix of improvements and affordable new builds and should also address issues of regulatory flexibility.

### 2.4. Programmatic Municipal ECD Infrastructure response planning

**RESOLUTION:** There should be Municipal ECD infrastructure response planning so that municipalities can effectively use their own infrastructure grants and assist in optimally utilizing the provincial educational departments ECD infrastructure funding, noting that infrastructure is one of the three main roles the municipality can and must play regarding ECD.

**MOTIVATION:** Poor infrastructure at ECD centres is a major challenge which not only poses significant health and safety threats to young children, but also prevents centres from achieving registration (meeting norms and standards). Such ECD centres are thus being excluded from the state's system of ECD support, including access to ECD operational grants (and other support) without which they cannot improve the quality of service which they provide. There are currently no municipal-level infrastructure support programmes for ECD, aside from ad-hoc support. There is limited use of municipal ECD infrastructure funding for ECD and the provincial DBE's conditional maintenance grant for infrastructure is limited in funding allocation and 'reach'. Currently there is no integrated plan, involving the oversight department and municipalities, as to how limited resources can be optimally utilized for purposes of improving ECD infrastructure.

**DESCRIPTION:** The approach to strategic ECD infrastructure response should be reflected in the municipal ECD sector plan. See above. It should be informed by a clear understanding of ECD services relating to the actual supply (existing centres), the potential to improve these centres and the unmet demand. Funding and other resources must be optimised through prioritising an appropriate mix of improvements (including extensions) and affordable new builds (as opposed to high-cost new build facilities which only cater for a small number of beneficiaries and rapidly deplete available funding). Efficient and cost-effective procurement solutions are critical to the successful planning and delivery of improved and new ECD infrastructure and should be carefully considered. Enabling partnerships should also be investigated. It is essential that municipalities and provincial educational departments work on a joint infrastructure plan to optimise scarce resources and to prevent double dipping.

### 2.5. Inclusion of ECD in Municipal Budgets and MTREFs

**RESOLUTION:** In order to operationalize the programmatic ECD approach and municipal ECD sector plans, municipalities should provide for the budgeting of ECD infrastructure on their IDPs and on their three-year MTREFs and do so in a coordinated fashion with the ECD Sector lead, provincial educational departments (as from 1 April 2022), so as to ensure an integrated and optimized approach.

**MOTIVATION:** Municipalities are permitted to utilise their infrastructure funding for purposes of ECD and should provide for this, subject to resource availability, in order to deliver on their mandate.

**DESCRIPTION:**

The Medium-Term Revenue and Expenditure Framework (MTREF) is an annual, rolling three-year revenue and expenditure plan. It sets out the medium-term expenditure priorities and hard budget constraints against which sector plans can be developed and refined. Once the ECD centres are prioritised for infrastructure improvements and budgeted for, a cash flow should be done. Such spreadsheets should

include the cash flow requirements (5-year time horizon) for all of the current projects and feed into the Service Delivery and Budget Implementation Plan (SDBIP)<sup>3</sup> for the year ending 30 June.

### 2.6. Enabling ECD regulations and bylaws

**RESOLUTION:** Municipalities should establish a more enabling regulatory environment for ECD in respect of such matters as environmental health certificates, zoning, building plans, tenure and land use. This should be done in close consultation with the aforementioned key stakeholders (including, provincial educational departments and DOH) and taking into consideration, the flexibilities provided in the new incremental ECD Registration Framework currently implemented. Greater effort should be made to find ways to deal with informality.

**MOTIVATION:** The current statutory and regulatory environment creates significant barriers to the upscaling of ECD services (as per the NIECDP) and the implementation of a programmatic approach outlined previously. In terms of the Spatial Planning and Land Use Management Act of 2013 (SPLUMA), municipalities are required to integrate traditional land and informal settlements into their spatial systems and land use management. SPLUMA also speaks to incremental upgrading of informal areas and how they should receive special priority, and while also emphasizing principles of inclusion, flexibility and incrementalism. Municipalities are required to make provisions that permit the incremental introduction of land use management and regulation for 'informal settlements, slums and areas not previously subject to a land use scheme' as well as 'traditional land' and 'former homeland areas'.

**DESCRIPTION:** A range of practical measures should be implemented which relate to: environmental health and child care compliance aligning with the incremental ECD Registration Framework; planning and land use issues (e.g. establishing incremental development areas in land use schemes, relaxing planning standards, simplifying land use application processes, establishing land use frameworks and schemes which are enabling for ECD, waiving or reducing tariffs and fees for ECD centres, recognizing functional tenure rights); funding ECD infrastructure for NPOs and on land not owned by government or the operator subject to certain conditions. Refer to discussion documents 1 & 2.

## 3. RESOLUTIONS THAT SHOULD BE TAKEN BY NATIONAL GOVERNMENT AND ENTITIES TO ENHANCE ECD SERVICE DELIVERY IN LOCAL GOVERNMENT

### 3.1. National strategy for effective ECD coordination at local government level

**RESOLUTION:** SALGA should actively motivate for a national strategy for ECD to ensure the effective coordination and delivery of ECD at local government and Metro level. This strategy would encapsulate the programmatic approach outlined above and most-importantly define the optimal roles of the key stakeholders including the COGTA, DBE, DOH, DSD, municipalities and civil society organisations. The strategy should be driven (led) by COGTA and the ECD Sector lead, the DBE (as from 1 April 2022).

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<sup>3</sup> The SDBIP is essentially the management tool which links each service delivery output to the budget of the municipality and also indicates the responsibilities and outputs for each of the senior managers in the top management team



## ENHANCING THE DELIVERY OF EARLY CHILDHOOD DEVELOPMENT (ECD) IN LOCAL GOVERNMENT

**MOTIVATION:** There is currently limited or no effective communication, coordination or structured collaboration amongst the above key stakeholders in respect of ECD. There is also an urgent need to unlock more effective support for local government. A national strategy confirming roles and responsibilities is necessary if the municipal sphere of government is to be effectively enabled and supported in playing its critical developmental ECD role. It is acknowledged that municipalities cannot be engaged one at a time in an ad hoc fashion and that time is running out to achieve the 2030 ECD goals (i.e. for all children to have access to good quality ECD services). The establishment and delivery of effective ECD plans at municipal level is unlikely to be achieved unless there is a clear direction and ‘push’ from national government.

**DESCRIPTION:** It is the joint responsibility of the sector lead department, the DBE (as from 1 April 2022), along with COGTA to develop a national strategy on how sector departments on national and provincial level should support local government to roll out ECD on a local level<sup>4</sup>. The support strategy should formalise the roles and commitment of multi sector stakeholders across all three spheres of government. The strategy needs to reflect and enable the aforementioned programmatic approach. It should also enable a national local government ECD capacitation and support plan which identifies the challenges in capacity, resources and accountability at local level and puts in place the necessary programmes, providing planning support and tools as well as monitoring and reporting mechanisms<sup>5</sup>. Although COGTA may be the lead department in this area, it is important that this strategy be developed collaboratively with all relevant departments. The plan must be adequately resourced as well. Realistically, to ensure that all municipalities know, understand and effectively action their ECD responsibilities, all municipalities need to be reached at the same time, with the same messages, the same tools and support for planning, budgeting and implementation, as well as same monitoring, evaluation and reporting requirements. The NIECDP embeds a mechanism for the systemic activation, support, monitoring and oversight of local government’s ECD responsibilities. It assigns an overarching role to the Department of Cooperative Governance and Traditional Affairs (COGTA). The policy assigns responsibility to COGTA for: a) Funding and promoting fulfilment of municipal responsibility for development of early learning facilities; b) Synergising the Expanded Public works Programme and Community Work Programme with the community-based human resource provisioning for ECD; c) Providing guidance and capacity development to municipalities in respect of their ECD responsibilities and obligations, in particular the inclusion of ECD in their IDPs. Ideally, a memorandum of agreement should be signed by the various sectors on both national and provincial level to confirm commitment for structured collaboration and implementation. It is imperative that a programme manager be appointed at the highest level (e.g. the President’s office if needs be) to coordinate and manage collaboration on such a multi sector programme of national priority.

### 3.2. Increased fiscal allocation for ECD via various mechanisms

**RESOLUTION:** The responsible sector lead department, the DBE (as from 1 April 2022), COGTA and SALGA should motivate for an increased fiscal allocation for ECD to DBE and municipalities.

**MOTIVATION:** The total funding allocation for ECD is hugely insufficient to drive a high national priority programme in South Africa in respect of operational, capital/infrastructure and institutional costs. A

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<sup>4</sup> Richter et al. (2017) found in their country analysis that “The typical successfully scaled up programme for early childhood development is motivated by political concerns about social inequality, poverty, and social exclusion; informed by local and global scientific and economic evidence; has a vision of comprehensive and integrated services for children and families that is informed by whole-of-government and joined-up thinking; founded by statute or formally communicated government strategy; funded by government; and led by a government department or agency”.

<sup>5</sup> After promises: a guide to ECD post the local government elections 2016 by Patricia Martin. <https://www.polity.org.za/article/after-the-promises-a-practical-plan-for-delivering-eed-services-at-local-level-2016-08-23>

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process of policy and budgetary engagement is required involving SALGA, COGTA, DBE, and DOH regarding the budget adequacy for ECD operating grants, ECD infrastructure relative to demand and against the backdrop of the national priority afforded to ECD in the NDP and NIECDP. Serious consideration should be given to increasing both state operational and infrastructure funding as well as amending and optimising existing municipal funding mechanisms (e.g. MIG/ USDG) to enable upscaling of the infrastructure programme. No provision is made for institutional funding. Municipalities are unable to establish dedicated ECD desks or offices. This issue should be investigated. It is recognised that there will need to be a period of gearing up for increased operational and infrastructure budget utilisation. It is also recognised that there are increasing fiscal constraints and that fiscal allocations will need to go hand in hand with accountability and monitoring in terms of outputs and outcomes which positively impact the national developmental agenda.

**DESCRIPTION: Operational funding:** There are large numbers of centres with partial care registration that are not yet funded. Without operational funding, ECD centres cannot improve the quality of service/care they provide, noting that they serve poor households who can only afford small monthly fees (the average from PPT's survey of 1,056 centres was between R50 and R150 per month). The operational funding (per child subsidies) allocation almost tripled between 2018/9 and 2022, but it is expected that it would only subsidise a portion of the currently registered ECD centres (which are also registered as NPOs). Many more ECD centres, recently identified via the Vangasali campaign (and also through the DBE censuses), will be coming into the system in the next year or two via the new incremental ECD Registration Framework at bronze level and these need to be assisted. The current R17 per child per day subsidy is not sufficient to cover the actual cost of ECD service provisioning.

Infrastructure funding is also insufficient - both for a) the ECD Conditional Grant for infrastructure improvements to existing facilities and affordable new builds and b) for existing municipal funding mechanisms (MIG, USDG, HSDG<sup>6</sup>) that are highly restricted in what can be spent on planning and on community facilities such as ECD centres. The national priority programme for ECD cannot be successfully progressed on the currently available allocations. Treasury needs to be encouraged to amend the fund rules and conditions of existing municipal infrastructure grants to be more inclusive and to allocate and ring fence more funding for ECD infrastructure planning, ECD infrastructure improvements and affordable new builds. For instance, funds made available for the development of residential sites (e.g. municipal services such as water and sanitation) could also be made available to ECD sites. More work needs to be done to find and release more appropriate funding allocations. There is considerable potential to upscale ECD infrastructure delivery if a structured, programmatic approach is adopted and if the potential of municipalities is optimised<sup>7</sup>.

No provision is made for institutional funding for municipal staff, resources such as computers, vehicles and training, to successfully establish a dedicated ECD help desk or office and to implement the ECD infrastructure response programme to support ECD centres to register and meet norms and standards incrementally. This issue should be investigated and addressed.

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<sup>6</sup> Human Settlements Development Grant: ECD Programme to be funded via the Socio Economic Amenities Programme

<sup>7</sup> There is already significant progress being achieved. For example: A) COGTA provided a list of 26 ECD MIG funded projects in 7 of the provinces, amounting R144,869,313 as at 30 June 2019 of which R38,979,379 was expended at the time. B) An assessment of IDPs in KZN in 2018/19 by Project Preparation Trust showed that a total of 120 centres were planned over a 3 to 5-year period at a total cost of R81 million by 25 of the 43 municipalities. C) KZN COGTA indicated that 328 ECD projects have been undertaken over a period of 15 years since 2004 by 36 municipalities amounting to more than R395 million.<sup>7</sup>

