

# **DIALOGUE REPORT**

REQUIREMENTS FOR TRANSFORMING THE CIVIL SOCIETY SECTOR IN  
SOUTH AFRICA

NOVEMBER 2021

# DIALOGUE REPORT

## Transformative Dynamics of South African Civil Society Sector

November 2021

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## **Acronyms**

CSO	Civil Society Organization
CBO	Community Based Organisation
DDG	Deputy Director General
DMR	Development Management and Research
DSD	Department of Social Development
HSRC	Human Science Research Council
NEDLAC	National Economic Development and Labour Council
NDA	National Development Agency
NDP	National Development Plan
NPO	Non-Profit Organization
RFP	Request for Proposals
UDF	United Democratic Front

## **Introduction**

This report presents the discussions, deliberations and conclusions of a virtual webinar on the transformation of the Civil Society Sector in South Africa. The webinar was held by the NDA on the 15<sup>th</sup> of October 2021, as part of a series of webinars stemming from research studies conducted on various critical topics and areas such as regulatory frameworks, CSOs capacities and capabilities, funding mechanisms and sector transformation, which are core to the operations, efficiencies, performance, functioning, contribution and impact of CSOs and the civil society sector in the country. The purpose of the dialogue was to deliberate and engage with critical stakeholders including government and the civil society sector itself on the research findings of a study on the transformation of the Civil Society Sector in South Africa, which the NDA commissioned to the HSRC. Part of the aim of such engagements is to fulfill the secondary mandate of the NDA, which is promoting engagements and debates on development policy through research conducted to influence development policy.

## **Welcome Remarks**

### **Mr Xolile Brukwe, Stakeholder Manager, NDA**

Mr. Brukwe, welcome everyone and reminded dialogue participants that the webinar is not an isolated event to discuss the research outcome of the transformation of the civil society. Mr. Brukwe highlighted that his role to the dialogue is to link the session with other strategic direction that the National Development Agency (NDA) is pursuing. The NDA agenda has to put the integration of stakeholder's viewpoints and decision making processes. The NDA is committed as well in ensuring that the entity is increasing value from stakeholders. There has been a series of webinars looking at the research work that has been done by the NDA and today it's the fourth one. The series of webinars the NDA is having is the genesis that started back in 1992 from the civil society conference and the resolutions from that conference were incorporated in the National Policy on Construction Development and Programme RDP. In 2012, there was a Non-Profit Organization (NPO) summit and 2019 there were a series of dialogues conducted by the NDA research unit. All the mentioned engagements have taken the NDA to the four thematic that the Research unit has been embarking on which are CSO regulatory framework, CSO funding mechanisms, Capacity Building and Transformation of the civil sector. The NDA has been linking these thematic areas to all the milestones since 1992. The webinars forms part of the pillars of the state and CSO partnership model that the NDA is busy consulting with National Economic Development and Labour

Council (NEDLAC) and other strategic partners as well as reinventing the NDA through its turnaround strategy the NDA will be in a position to find the suggestions and resolution that will be emanating from the webinar and ensure that they assist the NDA in positioning itself to be the center of the development.

## **Overview and Background of the Dialogue**

**Mr. Bongani Magongo, Executive Director DMR, NDA**

Mr. Magongo welcomed the webinar speakers, the panelist, the participants and everyone connected to the webinar. During the period of building up a presidential social sector summit, it was anticipated that civil society sector would map out an agenda programme that sector will respond to at the end of that summit. The bigger questions were, what would have informed that agenda and what are the critical areas that the civil sector needs to address in order for the sector to be as responsive and upfront in terms of the civil society sector agenda in the bigger policy issues and developmental issues of the country including the National Development Plan (NDP) and the priorities government sets at the beginning of each period of any ruling party or new administration. There were four areas that were deemed critical for the civil society sector to address with all the social partners and put the agenda on NEDLAC's table so that the civil society sector is not seen as invitees in the bigger scheme of discussions that take place in different forums including their participation in NEDLAC. These areas were around the four big questions, what is the level of capabilities and capacities of the sector to deliver on mandates that they will draw? The second question was, are the current legislatives and regulatory frameworks that South Africa has supportive in the environment with the sector operates? The third question was, what are the structural issues regarding to funding mechanism of the civil society sector and what are the outcomes of the current structural funding models because they are key for this sector to achieve its agenda? The last question was a question of the level of transformation of the sector itself has it transformed to respond to current scenarios, demands and complexities. The NDA then contributed by agreeing with the sector to conduct research that will inform their debate at one level. On the other level was to inform the agenda that the civil society sector must push, push the agenda with the government, private sector and academia because if the sector does not have the ability to express the needs of the people represents to talk about a developmental state would be a wish-wash because there would never be a developmental state if the civil society sector cannot perform their functions openly, independently and have accountability systems for what they are doing. Today the NDA is hosting the last of the four, the expectation is not just a webinar, the expectation is at the end of the webinar the sector has to come together and draw its agenda and agenda that would lead the

sector to become fully-fledged partner in any democratic government and have access to all the apparatus that allow the state to be accountable. If the sector is not well positioned the accountability component of it will collapse and the people which the state is serving will never reach their potential to participate in all facets that the state has the responsibility on. It cannot just be the government, is all the pillars of the state that has the responsibility and part of the accountability portion of it seats in the hands of the civil society sector. There are actions that are required to be taken after the webinars and there must be outcomes irrespective whether the presidential social sector summit takes place or not. All of us, we have a responsibility to build that sector and that sector needs to be independent, the government and private sector are accountable for the daily actions for the population of the country. The civil society sector is critical for developing the country and government and private sector cannot do that without the civil society sector.

## **DSD Interventions towards transformation of Non-Profit Organizations (NPOs)**

**Mr. Peter Netshipale, DDG-Department of Social Development**

Mr. Netshipale's presentation was all about the interventions that the Department of Social Development are currently implementing towards the transformation of the NPOs. The purpose of the presentation To share the role of the Department of Social Development in relation to transformation of the Social Services NPOs in South Africa. In terms of the DSD contextual background, the approach is in two forms, firstly the DSD is the regulator for all NPOs in the country and secondly the DSD has its own NPOs that renders social services. The approach that the DSD has taken to register the NPOs or to create the regulator in terms of the NPO Act relates to a broader non-racist, democratic approach where everybody has equal access to the registration centre. There is an imbalance and a lot of issues that needs to be taken care of to ensure that there is transformation. The social development sector has a critical role to play in realising transformation by ensuring that it fulfils its constitutional mandate to ensure access to quality developmental social services, prioritizing children, older persons, persons with disabilities and those who are most vulnerable. to ensure equitable access to developmental social services, the sector itself needs to transform so as to be governed by the democratic values and principles enshrined in the Constitution. Section 195 of the Constitution sets out the basic values and principles governing public administration in all spheres of government. These values and principles must govern not only the DSD, but all role-players in the social development sector given that they are all involved in providing developmental social services to the public and most are using public funds in the form of transfers. The social development sector has

an important role to play in realising the objectives of transformation through ensuring all services are aligned to the developmental approach.

There are variety of NPOs, however the oldest NPOs are coming from the historically apartheid era. As the country moved to democracy a lot of NPOs were registered immediately after the introduction of the NPO Act and there were changes on how NPOs have to behave and how they access resources and their mandate. The legislative mandate that the DSD has is the NPO Act but also there is NPO Social development sector funding policy which has been prescribe overtime that there needs to be a transformation agenda to ensure that there is equitable service delivery. The transformation in the DSD sector relates to about turning around the legacy of apartheid, equalising opportunities, building capabilities and making real the vision embodied in the constitution. Transformation also calls for the establishment of non-sexist, non-racist democratic and prosperous societies. Transformation vision calls for the use of resources, skills, talent and assets of all south Africans in advancing social justices and addressing historical disparities. Historically in the 1930s, the welfare department was established and it was established to be done by the NPOs and social services has also been provided by the NPOs. Therefore, transformation becomes a key element in resource mobilization, skills development, service provision and in resource allocation for NPOs.

The DSD has a task to create equal opportunities and ensuring there is capacity building for the NPOs that lack capacity. The social development sector has a critical role to play in realising transformation by ensuring that it fulfils its constitutional mandate. The department of Social Development developed the Sector Funding Policy - with Transformation as one of the key elements of the Policy. The approach that this policy takes is to ensure that there is transformation within the sector especially the social service sector and that the policy's aim and objectives are geared to address the shortcoming of the previous policies that were in place and moving from the apartheid era to democracy. The Sector Funding Policy further aims to address the issues related to the management and payment of transfers to entities involved in the provision of developmental social services. The department has an important role to play in realising the objectives of transformation. In reviewing the funding policy, transformation of the sector is one of the key focus areas that are addressed in the implementation of the policy.

The DSD Sector Funding Policy is instrument for Transformation of the Social Sector NPOs. The Sector Funding Policy aims to facilitate the equitable provision of developmental social services to all people who need them, prioritising people who are most vulnerable, and specifically expanding access in poor,



underserved informal settlements and rural areas. In South Africa there is a lot of emergence of informal settlements and as the population grows the number of new houses are build and there are no established NPOs in such areas. In most cases, the NPOs are found in the cities and these NPOs have to go to townships, informal settlements and rural arears to render services. On the of the key proposals that the DSD has introduced is that let the people that are in informal settlements, townships and rural arears be encouraged and empowered to establish NPOs in their own areas and render services. Therefore, The Sector Funding Policy promotes transformation through aligning social services to the developmental approach, expanding equitable access by working with a wider range of entities, promoting organisational transformation, capacity building and creating training and mentoring opportunities for new and emerging entities. There is also a need to build relationships between government and other role-players in the social development sector that are socially equitable, financially viable, structurally efficient and effective in delivering, and aimed at extending access to developmental social services.

The DSD has strategies that address Sector Transformation in the Social Services NPO. The is a need to expand access to services Expanding equitable access to services will require deliberate planning and budgeting. The DSD will lead with plans and budgets that redress historical inequalities and specifically expand services to those who are most vulnerable in poor, underserved informal settlements and rural areas. The second part was the issue of partnering with wider range of entities, the DSDs partnered previously with established NPOs in delivering services. This created opportunities for provincial DSDs to partner with many newer and emerging NPOs. In order to achieve transformation imperatives, significant additional capacity is required to transform the sector and ensure that everyone has access to quality developmental social services, particularly in poor, underserved informal settlements and rural areas. The provinces need to expand their in-house delivery capacity, to work with established NPOs to further expand their capacity and geographic reach, and to support new and emerging entities, and explore options for partnering with a wider range of entities. Promoting organizational transformation is another strategy that is important and most of NPOs register in terms of sector legislation and many of them are using public funds in the form of transfers to deliver services. The DSD has a responsibility to ensure that all NPOs and other entities they register and fund provide developmental social services aligned to their governance, management, employment practices and service delivery with the basic values and principles governing public administration as set out in section 195 of the Constitution. The NPOs need to be trained and capacitated and the service delivery capacity of the DSD sector needs to be expanded significantly to extend access to developmental social services. The expansion will be an opportunity to expand and

transform the sector through establishing and building the capacity of new NPOs, and other entities working in poor, underserved informal settlements and rural areas. A mentoring organization has to be appointed and mentor other NPOs. An NPO or other entity with the necessary knowledge, skills and capacity is contracted to provide mentoring and support to selected new and emerging entities for a specified period, e.g. two years. A number of options exist for structuring these arrangements. Equally, the NPO sector has a role to play in addressing transformation imperatives. As the NPOs partner with the department to deliver a range of social services on behalf of the department, the following are some of the interventions they need to apply in order to comply with the transformation agenda. The NPOs need to develop transformation plan or policies that will guide them to meet the transformation targets, admission criteria. The NPOs needs extend services to reach the most vulnerable and under-services communities and equitable distribution of services between rural and urban areas with the aim of shifting from over resourced areas to high priority areas where the needs are greatest. In conclusion, The work of the NPO Sector is a humanitarian and charity work aimed to assist the society to achieve development goals in the Constitution and National Development Plan. This requires commitment, dedication, accountability, and continuous exploration of creative and innovative ways of executing their mandate in a manner that is beneficial to targeted communities. Transformation is one aspect that requires all the concerned parties to come together and work towards improving the current conditions. It is on this basis that all concerned parties should come together and have meaningful engagements that will maximise transformational impact and improve the current conditions.

## **NDA Interventions Towards Transformation of CSOs**

**Dr. Anthony Boucher, Senior Manager - Grant Management & Resource Mobilisation, – NDA**

The NDA is a schedule 3 public entity which reports to the parliament through the minister of social development. It also operates through an Act of parliament and is responsible for contributing to the eradication of poverty in South Africa by offering grants to civil society organisations. The purpose is to:

- Implement programmes and projects that meet the needs of poor communities. The NDA is high risk appetite organisation and caters for even lower tier CSOs. The issue of transformation is key to these CSO, as those are mostly the ones that require support
- Strengthen capacities of CSOs so that we have a vibrant CSO sector
- Provide a conduit for grant funding for CSOs and this is done through funding received from government and foreign donors and governments. It becomes key that the NDA plays the role of

being providing a conduit for grant funding, as it is the only agency that is regulated to receive funds from the government and to act as a buffer between CSO sector and government. Foreign government, national and international donors can therefore provide CSOs with funding through the NDA. The NDA has the responsibility to approach government and government departments and agencies and national and international donors and even individuals to provide funding or make it available for CSOs.

The NDA operates at a national, provincial and district level. At the national level we look at strategy, governance and compliance issues and to support the provinces. Implementation of the programmes happens at a provincial level and that is where most of the CSOs are found. At the provincial level we also look at the integration of programme plans and provincial strategies, manage and supervise operations, coordinate relationships between NDA and the CSOs. At a district level, there are district profiles to be used to communicate with CSOs even up to a municipal level. This is a level that close to the people and allows for the experience of people to come to the forth.

The NDA developmental model involves CSOs, based on the fact that the organisation is mandated to operate with CSOs. The model that we use has three pillars. At the base is CSO mobilisation, where mobilise the CSOs, perform assessments and consultations and dialogues at community levels with formations of civil society organisations. The assessments assist in classifying the CSOs according to respective levels 1 to 4, and this assists in identifying what types of interventions are needed at each level. The pillars of the interventions include:

- Assistance with formalisation – e.g registrations and compliance
- Capacity building – eg. Training, mentoring and incubation
- CSO grant funding - there are instances where we directly provide our grants to CSOs but for the most part we seek to mobilise resources on behalf of CSOs from other partners or donors or
- Linkages for sustainability – e.g referrals, linkages to markets. This is one of the biggest part of our grand funding.

It's important to indicate that these four levels do not necessarily move in a linear way. It depends on what the particular organisation requires. You may find that a CSO has been formalised and capacited but only requires funding, then the NDA will provide funding. As an organisation goes through the different facets

of the CSO development model, the NDA's role will be to facilitate and monitor the CSOs programme and what needs to be done. As indicated, our grant funding approach starts with the fact that the NDA Act allows the NDA to provide grants to CSOs as a conduit for government, foreign government (bilateral and multilaterals), private sector (corporate), international organisations and philanthropist (local and international). Second, the NDA can grant funds to CSOs from its allocation from National Treasury, which is very minimal. The sector rightly so does have expectations to receive funding from the NDA, however we find that from the NDA's own allocation, we are unable to fund the sector as it should be.

In terms of the method of grant funding we have two pillars. The first is the Request for Proposals (RFP), which is a competitive grant funding approach that targets well established CSOs in organized communities. For this, CSOs submit proposals based on pre-set criteria and processes. This approach is used mainly for 3rd party funding. The second approach is Programme Formulation. Programme formulation is a grant making approach whereby the NDA engages less organized communities in social facilitation with the view of creating grassroots structures that will ultimately be the mechanism for implementation of projects. The approach targets specific areas and sectors based on primary research on priority poverty pockets. In this instance<sup>4</sup> we would work with IDPs to determine where the needs are in those specific municipalities. The process is driven by the NDA staff in provinces based on the assessment of the institutional capability and competencies of CBOs and NGOs in identified localities. The NDA Development Managers assume an active role in the conceptualization and planning of projects. The approach is used mainly for CSOs funded through NDA's own resources.

For a programme to be considered for funding, it should demonstrate the following:

**i. Clear community benefit**

- Describe community benefits for the programme
- Demonstrate strong community interests or community priority.

**ii. Sustainability**

- Demonstrate a viable plan for ensuring they are in place to continue the programme
- Demonstrate potential for long-term community benefit emanating from the programme.

**iii. Community capacity enhancement**

- Develop skills and capabilities needed to gain sustainable livelihood or development.
- All NDA funding, including funding from third party funds, has to demonstrate development outcomes that would be achieved by the organisation and community from the funding allocated.

In terms of eligibility, the restriction is to civil society organizations that are registered as “Not for Profits Organisations” such as:

- NPOs registered with the Ministry of Social Development;
- A section 21 registration under the South African Companies Act;
- Registration as a Non for Profit Trust;
- Registration as a Co-operative.

The beneficiaries of our funding are the poorest of the poor and civil society organisations. Our approach is integrated development through participatory methods and we follow sustainability and empowerment principles. We work in and with the following sectors: economic development, education and food security, with also programmes that work with women and children, basic need, the environment and access to markets, as cross cutting areas, i.e women and children. Thank you.

## **Research Findings and Recommendations**

**Prof Joleen Steyn-Kotze, HSRC**

The HSRC was commissioned by the NDA to conduct a research study looking at the transformative dynamics and political agenda of CSOs in so far as transformation of the sector is concerned. In this presentation I am going to cover the following aspects: objectives of the study, methodology, social and political context of South African civil society, transformative dynamics of South African civil society, research findings, a cursory glance of gender dynamics in South African civil society and the conclusion and recommendations from the study. The main purpose of the study and the main research questions that the NDA wanted clarity on was to provide some clarity on the context of transformation within the CSO sector, and some of the requirements of the sector to transform itself, and to provide research-based guidance to the civil society sector on how to engage with itself on processes and requirements for the sector to have effective engagements on its transformative agenda and participation of the sector as whole. Provide best examples of global perspectives on how civil society has approached the transformative

process including engagements and role played by the state. Provide areas of transformation of the sector that need to be addressed by the sector to ensure that the outcomes of its transformation project is acceptable to all members and organisations operating in the sector. Provide concrete recommendations on how the sector and the state can assist each other to address transformation of the sector for the benefit of the public.

Our research methodology was crafted taking into cognizance Covid-19 restrictions and budgetary constraints. It drew on three critical factors which is Literature review on transformative dynamics in a global perspective – that is where a conversation on what the global transformative dynamics of the sector was stemmed, looking at American and African case studies, to unpack how relationships improved and what are some of the factors that affected negative relations between key stakeholders in the CSO sector. We conducted key expert interviews with not only academic experts but also people who are active within the CSO sector, to get a more generalized understanding of the experiences, opportunities and challenges as opposed to focusing specifically on one CSO. As a value add, we also included a secondary analysis of the quantitative democracy data (V-DEM data) on civil society organisations in South Africa. It's important to highlight that this data is particularly useful as it allows for one to track overtime issues around the quality of civil society organisations, organizational governance and the issues around inclusion of women in CSO sector, measures for participatory and delivery of democracy. This allowed for a contextualization of the views and opinions of key experts around some of the challenges and opportunities of transformation of the sector.

When looking at the social and political context of South African Civil Society, its important to reflect how do we conceptualise civil society. Within the academic narrative we found a Gramscian perspective - Civil society is a space of contestation and challenge; and the Tocquevillian construct - Civil society is space for dialogue and collaboration. Within the South African context, we do have a very unique history that we need to take into cognizance when we start engaging questions around the transformative nature of the CSO sector in the country. The reality is that we still are in a party dominant political context with a variety of political cultures. We also need to appreciate that when we speak of civil society transformation and empowerment that there is a strong tradition of community-based mobilization built on the tradition of the UDF; and we also need to take note of the legislative frame of participatory and deliberative democracy with a focus on citizen-centred governance.

Broadly in analysing civil society dynamics, the question of representation becomes important and we have to start looking at actors or actions that start to mitigate the relations between state and civil society sector. Representation within civil society is determined by the context in which civil society operates and questions of political connectedness and relations with state and donors as well as representation and negotiated positions. The advocacy capacity – small CSOs doing large scale work for empowerment programmes but do not necessarily have the resources that match their work scale. Context matters and there are various relational and contextual dynamics for voice and agency. A key element that also emerged from the literature review are questions of gender representativity. This highlights that there is still male dominance of leadership positions in CSOs and other similar organisations. Due to gendered norms, attitudes and practices of individuals within them, one significant consequence of this is that this leads to the privileging of male/masculine interests over female/feminine interests; and just because women sit at the table does not mean they have active and empowered voice and agency to participate.

When looking at the South African Civil Society, the Political Context and historically civic space in apartheid South Africa was severely restrictive. At the dawn of the South African democracy, the South African civic space was reimagined to be one of collaboration and engagement - drawing on the Tocquevillian tradition of civil society. This reconceptualization of civil society was in contradiction with the more Gramscian nature of civil society that characterized the apartheid years where the relationship between state and civil society was one of contestation and reshaping power dynamics. However, from 2013 onwards we note a constriction of South Africa's civic space. This period aligns with the Zuma administration and an increasing autocratic approach towards South African civil society. A key example is the infamous Protection of State Information Bill of 2011, commonly known as the Secrecy Bill. Also noted a decrease in media freedom and freedom of expression. In 2011 Freedom House's Media Freedom Index downgraded South Africa from Free to Partly Free due to increased harassment of journalists. In 2012, South Africa's score for press freedom further declined. The general decline in press freedom increased measures to curb accountability for state capture during the Zuma administration. Subversion of political institutions for personal protection and gain and an increasing climate of autocratisation emerged in South Africa. Also globally we note a concern with autocratisation and a decline in democracy.

In terms of expert Views around the political context of South African civil society, experts agree that the institutional and constitutional structure facilitates agency as part of citizens' rights. There are also

concerns with a constricting South African civic space and this was demonstrated with an increased strong and adversarial response from the state. To quote and demonstrate what experts' view are “

*“The civil society space is pretty open in the sense that you can say more or less anything you want, and that people are quite free to organize and mobilize and do, but the state is becoming increasingly weak. And as it weakens, particularly, the security becomes less responsive... in particular the security forces become more arbitrary and their response to things. So, if you do march, for example, if you do protest like most people do because you have no other means of accessing and getting the state to come to you, the only way to do it is through to do it is to protest...it seems to me that the state has become more and more unpredictable and arbitrary as the quality of the policing has deteriorated...So, it's the sense that it's still a lot of political freedom, but the state is becoming less and less predictable and more and more generally less responsive and more and more part of the unpredictability is that it can respond arbitrarily and violently and especially in poor areas. I think people know if you protest you take you take a chance because if the state comes it can often respond to that way (NDA-1-14-10- 2020)”.*

Experts highlighted a number of factors that impact on the political environment for civil society such as State dysfunctionality is a key theme. Corruption and state capture and lack of accountability lay the foundation for a weak state, unresponsive government and lack of state capacity. This creates a sense of exclusion, lack of political trust and overall marginalisation for ordinary citizens and civil society organisations. Additionally there is institutional disconnection, including the lack of consistency in how government at all levels engage with civil society and varied and diverse experiences of CSOs when engaging government.

Expert views on key factors that shape civil society dynamics flagged issues of infighting, underfunding of CSOs, political party influence, a high degree of differentiation within the civil society sector. Interviewees highlighted that when looking at South Africa's civic space one needs to distinguish what is conceptualized as the professionalized NGO sector, community-based organisations, and a more localized and politicalised type of organization that compete for political influence within communities.

Internal civil society dynamics are characterized by a number of caveats that may impact on civil society effectiveness such as questions of representation, access, ability to successfully engage the state, the nature of engagement (collaborative or contentious). Key to understanding civil society dynamics would be to distinguish between the type and level of civil society organization the state will engage. Highlights the



need for a more consistent approach in engagements and values of engagement that shape state -civil society relationships.

Civil society is a key space to facilitate and include the voices of women as critical issues that affect them have to be placed on the political agenda for transformation. Women's political empowerment, civil liberties and freedom of expression has declined from around 2009 in South Africa. From 2019, we also noted the narrative of a "war on women" or "Shadow Pandemic" (UNWomen, 2020) highlighting an embedded culture of patriarchy and chauvinism that finds expression in a "structural problem of violence against women" (Moos, 2019). South Africa has one of the highest rates of femicide globally where one woman is murdered every three hours (Khumalo, 2019). This is not surprising given that an enduring legacy of apartheid is inequality, not just racially, but based on gender as well. For example are campaigns such as AmINext? #MeToo? #IamHer.

Experts flagged key challenges to gender inclusivity in South African civil society such as patriarchal societal norms, general exclusion, lack of representation, differences in the sector. An interesting phenomenon that emerges from the interview data related to community care workers. As they are predominantly female, we note a continued traditional gender construct . Women are generally constructed as caring and nurturing, as opposed to women going out and claiming land, which could be interpreted as a more masculine role. However, it is also important to note that within younger generations, those traditional gender roles are increasingly being questioned and challenged. To illustrate with a quote

*"I think there are some aspects of those gender roles which are being questioned more in a younger generation. Not to say that it is all fixed, and much better, but there is maybe less rigid than with older adults or elders or people who are more invested in those delusions... there's definitely I think a lot of pressure coming from young people in terms of lots of areas but also gender norms. (NDA -22 -09 -2020 -02).*

Societal norms may shift towards a more gender just society, but that may take some time. There is a need to engage in community awareness on gender justice in order to facilitate a transformed society underpinned by a commitment to gender justice, equality of voice, and representation, not just of traditional gender identities such as male and female, but also marginalised gender identities within the LGBTQI community.

The recommendations for the study are around the following:

CSO Consultation - Transform how CSO consultation happens and the principles that drive CSO consultation

Questions of governance - Determine how co-governance between state and civil society is conceptualised, facilitate the inclusion of marginalised groups, state effectiveness in terms of quality of governance, Government Responsive,

Key recommendations are:

- Establish specific engagement offices and advisory support committees to facilitate co-governance across key social and economic departments. Critical public offices would include health, local government, the presidency, and other key departments in the administration that deal with critical issues around transformation of South African broader society. A dedicated office to engage with key CSOs could establish a structure to facilitate a more nuanced and streamlined approach to state-civil society engagement.
- Develop, in consultation with CSOs across various sectors, a code of conduct to facilitate co-governance and collaboration. A possible intervention is to call for a national conference where CSOs can develop and agree to a code of conduct to ensure representivity, voice, and inclusion, especially of marginalised groups.
- Provide training focused on the principles of participatory and deliberative democracy in a South African context and quality deliberations for public officials in their engagement with civil society. Key personnel that engage CSOs may need to undergo training with a focus on softer skills for civil society engagement to facilitate co-governance and collaboration, as well as to build quality deliberations with civil society.
- Provide training across the spectrum of civil society organisations on the participatory mechanisms for civil society engagement. Given the differentiation and diversity within the CSO sector, there may be a need to provide training for CSOs on South Africa's participatory mechanisms.

## **NGOs perspectives around transformation of the NGO/NPO sector**

**Mr Jimmy Gotyana, National Convenor-Alliance of NPO Networks**

It is important to note that NPOs constitute the core of the Civil Society sector in the country. There is no one agreed upon concept of what the sector is. The study by the HSRC has really clarified a lot of the issues around the transformation of the sector and I like that it speaks about the civil society dynamics. My presentation will cover the NPO perspectives on requirements for transformation of the NPO Sector. The NPOs forms part of the broader civil society which is the third pillar for a democratic governance system (other to being the state and private interest). The NPO Sector has not exerted influence – in real terms – on the pillars – sign of weakness of the pillar in our democracy. Poverty, unemployment and inequalities are the main struggles of the populace of South Africa – yet it seems very little change is felt in lives of ordinary citizens (All these has worsened due to covid pandemic)

In terms of the legitimacy of the sector, its safe to say the NPO Sector is the mouthpiece of communities – the sector represents people aspirations, needs and prosperity attainments – improve their livelihoods and quality of life. NPO Sector has responsibility to provide checks and balances on the state and private responsibility to the population. NPO Sector provide the link between state and private sector institutions on all social, economic and development responsibilities to the public. The constitution – chapter 2- Bill of Rights – provide a framework for the sector to operate without interference.

The sector has an important role to play in bringing change in the lives of communities. Mainly the role of the sector in development is that the NPO Sector plays an important role in bringing about positive change in the lives of communities it serves. The bulk of developmental and social interventions at community level are provided by the sector. Both the state and private sector relies on this sector to provide basic needed services in communities especially those in poor areas. NPO Sector also provides a space for public voice, for the practice of active citizenship and for building of social cohesion. These are some of the priorities of the government and its important for the government and the sector to work together

The current operational environment of the NPO Sector is highly fragmented – no unity of purpose amongst itself. The sector is growing in real terms – NPOs that gets registered per year are growing year on year. In line with this and in assisting the government 5 powerful representative organisations of the sector established an Apex Body that represents interest of NPO Sector in the country (Alliance of NPO

Networks), however the alliance lacks government support. There is no harmonious and institutionalized relationship between state and NPO Sector – there are trust deficit issues, the NPOs do not trust government. The element of trust and collaboration needs to be brought back. There are serious issues of capacity within the sector - the sector faces constraints in human resources, infrastructure and financial resources. These constraints also impact on the transformation of the sector on many fronts, government does needs to come to the party to assist the sector.

Lastly around issues of levelling of the sector and ways forward, the sector needs to be revitalized and strengthen. The Government must create an enabling environment and space to engage the Sector (Bring back Presidential Social Sector Summit) – Outcomes should be a renewed working arrangement /Social Compact. There is a need to also build internal sector capacity and capability – not just technical skills but also strategic, management, accountability and leadership and a coherent sector – structures and systems that can make the sector independent from the state and private interest. It's also important to create platforms for robust and continuous engagements with state and private sector. Identified opportunities for supporting the sector – norms and standards for good practice in the sector, build trust between sector & state

## **Transformative limitations for the Civil Society Sector in South Africa**

**Mr Thulani Tshefuta – Chair of Convener NEDLAC Community**

We firstly want to express gratitude to the NDA for taking up this work as its initiative. Indeed, this webinar should not be viewed in isolation of the previous iterations of a similar nature that covered other themes, so we do not miss the opportunity of how they interlink. We want to foreground the discussion of today in terms of the imperative necessity of transformation by challenging all of us that if we are to see that necessity we have to acknowledge the deep rooted inequalities across society in South Africa. Poverty is also an issue and the solid divides between those who live below and those who live above the means. Inequality, unemployment and poverty are therefore strong cases for a need for transformation. Inequality has an impact on economic ownership and participation across the country, with clear differentiations between those who have and those who do not have. We have to consider these issues in order to appreciate transformation as the imperative necessity of our society. This is the frame from which we would like to foreground the discussion of today.

The study by the HSRC itself has identified three critical impediments to transformation efforts. The first is weak civil society capacities to engage on issues of transformation, secondly, socio-economic context that is a binding constraint to civil society to engage meaningfully on transformation and thirdly, the political environment within which transformation needs to take place – the same political environment within which these civil society organisations operate. We can agree that there has been some work done around creating an enabling environment, and the report does speak of and provides a compendium of enabling legislation for CSOs, however the two preceding weaknesses that require significant amount of attention. In addressing these, the point we want to argue is that, if these three pillars are identified as binding constraints to transformation and if we are to be meaningful to address the transformation issues, then we must be able to have a transformation agenda in these three pillars.

Some of the transformation imperatives that we should seek to address within the CSO sector should cover issues of employment. Civil society must open itself up if it is to be a significant player in the labour market system in South Africa and make sure that transformation reaches the employment side of Civil Society. A lot has been said about gender and we must be meaningful about the issues of gender and not only in terms of presentation but also about the voice giving space to that and the evolution of the gender dynamics must enable agility of the civil society sector to be ahead of other sectors not only through the binary of viewing gender but through gender inclusion.

The transformation imperatives of this country must also cover the element of equitable access to funding resources and other opportunities and until this element is addressed, we will continue to have disparities within civil society organisations. There are historical beneficiaries who have always benefited from funding institutions and processes and who have defined themselves a role of being traditional God-given rights and entitlement to funding, that whenever funding is concerned, these historical beneficiaries just have that God-given and birth right to funding, and if they don't get funding and no one should. This also manifest in unfair preferences in terms of the access to funding and its allocation. These are some of the things that has to be changed in the sector if we are to bring transformation in the sector. If left unchecked, the lack, inaccessibility and unequal allocation of funding will perpetuate a situation whereby those have the means will perceive themselves as messiahs in responding to the challenges of those that do not have the means. In such a case, those that do not have the means, will be left to the mercy of those who do have the means and will remain just passive beneficiaries. Equality in the sector in terms of access and allocation of funding has to be considered in the transformation agenda of the sector. If not attended to,

this may lead to even a situation where civil society organisations are placed as a conduit to side-step transformative procurement prescriptions that seek to advance transformation.

Government should use the leverage of legislation instruments at its exposure as levers of transformation. Legislation is a critical lever to drive transformation. The benefits that come with government legislation and support programmes and even private sector funding must seek to foster transformation as a requirement or a prerequisite to access some of those government programmes that come with access to funding and resources.

We are of the view that whilst we are advocating for self-regulation as it has been argued by other presenters, we also need to promote the need for the development of transformation norms and standards against which, the civil society sector can hold itself accountable. These are things that the civil society sector must do in its own space without them being imposed by government, private sector or donors. The civil society must further transform and institutionalize the government-civil society relations without tempering with the base of the DNA of the civil society organisations. The DNA of civil society organisations position them to be relevant, responsive, agile, and to promote self-reliability and sustainability. The relations between the government and the civil society must never change the DNA of the civil society, instead civil society must be allowed space to be itself and excel in its own terms. Embedded to this, is the fact that we need to call upon government to not position itself as a parent state of the civil society but to work together with civil society. The state, civil society and private sector exist as private and separate entities but play complementary roles and it is only if we recognize this, that all these partners will excel in discharging their roles. In the same vain the private sector should stop using its funding as a means to dictate the development agenda of communities and be in engagement with civil society. Otherwise, trust deficit may compromise the balance and relations between the three complementary actors. It would be important to use the power of social dialogue to undo the trust deficit that already exist between the three partners. In conclusion, transformation for civil society becomes a paramount imperative if on its own is driven by the civil society, as an untransformed civil society cannot drive issues of transformation for the benefit of the broader society.

## Questions, comments and answers

Theme/ Area	Question or Comment	Response
NPOs Location	<p>What does the speaker mean when he says government wants organizations to work in areas where they reside. How does this work? Many NPOs have a huge country wide coverage? The comments and 'rules' seem to neglect the fact that many especially Social justice NPOs have governance structures that are in line with the country's constitution.</p>	<p>Its high time that the players in the community where they reside they need to be empowered. The NPOs have to empower the local people and not depend on NPOs that come from other areas. There are other types of NPOs that are not found in other areas and the majority of NPOs are in social services. As part of transforming the civil society there have to be ways to empower local communities.</p>
	<p>I find the presentation top down, understanding of the role of civil society in a democracy. The rules explained seem to undermine things that</p>	<p>Government and the NPOs have the role to play in transforming the NPO sector. It is not a top down approach. Things are done collectively and the government and the sector have responsibilities and form partnerships. There are policies that enables both the government and NPOs to promote transformation.</p>
	<p>Our communities are tired when contact is made with DSD, with no avail especially regarding women and children. This leads to great consequences and danger when for example when 'issues of abuse' are ignored. The women wander around in pain and fear. How can we address these issues?</p>	<p>Provinces and districts are there and if people have challenges there are phone numbers available for the public to use. Services to women and children and are together done by the NPOs and government as a whole. If there are challenges there is a need to contact the district, provincial and national offices.</p>

	<p>Civil society is not complying and regulated and this has to be balanced through a discussion. People who form stokvel or a crèche in communities may be free to take initiative without the government inhibiting the people. It is not true that the government is good with transformation or innovation, people do that and government can adopt that.</p> <p>Transformation has to be defined, what exactly are we looking to transform and where is the current statistics, where are the starting line based on what we have to agree and drive transformation even stronger and more, I am lacking that information from the presentations, how many NGOs or CSOs are we talking</p>	<p>In terms of the transformation of the sector it is not government that propose that there is self-regulation which the NPO Act promotes it indirectly. Currently, someone just submit the constitution and the application and there is no over policing and there is no institution that is policing others. Transformation is for all and everyone has the role and responsibility. There are areas where DSD play two roles of being the teacher and a learner approach it is when there are resources to empower institutions and the requirements have to be transformative in nature in such a way that people are empowered. The approach for empowerment has to be driven by transformation and things need to start from NPOs they need to start in the NPOs themselves, they need to self-regulate, transform and must be given an opportunity.</p> <p>There is no gauge as such but the DSD has criteria in place that requires us to measure how transformed is the NPO sector that does social services is. There has been a massive improvement in terms of transformation but the only area that is still falling short is resource mobilization. The resources are still at the at the certain level harboring in the other areas of the NPO as</p>
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	<p>about, in which sectors are they working at, who are the people working there male or female, demographics diversity aspects an in which areas are they functioning and how many social workers do we have in this institutions. All of this information is lacking we can't find it anyway and based on what are we deciding that this is the next step or we have to drive this and how soon does it have to be implanted and what is the current crisis or the problem we are basing this whole plan?</p>	<p>opposed to the other rural areas where there is no funding and there are no NPO that wants to go to such places as opposed to affluent places like Durban, Johannesburg and Cape Town. The DSD has targeted areas that are rural and empower those communities. In terms of the number of personnel that is appointed by the NPOs we did an analysis but we looked at the analysis of care workers and social workers there is a data available that the DSD has.</p>
Sector Funding Policy	<p>The DDG spoke of the Policy on Financial Awards being changed and now being called the Sector Funding Policy - please share more information on the sector funding policy and is this a finalized policy in place that can be shared with us thanks for this informative session.</p>	<p>Policy is finalised. One key area of the policy is programme funding as opposed to subsidization. There is a chapter on transformation, there is also an area categorization that has been granted. The policy is very big and it will be implanted by sections. The guidelines are done and in terms of the costing the policy needs a lot of money. The government and the private sector needs to mobilize and work together.</p>
Engagement with NDA	<p>How do CSOs access the first level of engaging with the NDA? What is the process to start the journey with the NDA?</p>	<p>NDA to provide the list of Provincial Managers and they will explain the process to CSOs at provincial level. At the provincial level they will be able to explain to any CSO that want funding what the process would be.</p>

Continuous platforms discussions	What is going to happen from here? So how do we make sure that the relevance of what the NDA and DSD are doing and find a space or platform probably at NEDLAC community constituency or any other platform that might be of good consultation.	All these four studies conducted by NDA form pillars of the state CSO partnership model which the NDA is currently consulting on. The NDA will consult with all the networks and the big CSOs that are outside the network and NEDLAC to have some representative consultations.
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## Reflections and Vote of Thanks

### Mr. Thami Ngwenya – Senior Manager Research, NDA

The NDA thanks all the panelist and the people that have the webinar for NDA to engage civil society. The civil society dynamics and the changes that have happened in civil society since the drafting and enactment of the NDA Act has changed. The evolution of issues and structures that are now involved in the sector have drastically changed and there are a number of challenges which have been raised. One of the key elements is that Mr. Magongo gave all the webinar attendees reasons why the NDA is conducting the webinar. The NDA was driven by issues that emanated from engagements that have happened pre-the presidential summit and pre- the provincial dialogues that were held with civil society structures in and around the country. The civil society needs to be able to transform itself and be able to be its own guard. The NDA is encouraged by the participation of the webinars and the issues that have been raised. This is the last of the four webinars that the NDA had that speaks directly to civil society issues and trying to ensure that the organization has an engagement with civil society through research that has been done in the mentioned areas. The research findings informed the ideology of having the webinar and share the findings and interact with civil society.

## GENERAL CONCEPT NOTE

### WEBINAR: REQUIREMENTS FOR TRANSFORMING THE CIVIL SOCIETY SECTOR IN SOUTH AFRICA

**Organizers:** NDA and HSRC

**Date:** 15 October 2021, 10:00-13:00 (South African Time)

**Venue:** Zoom Webinar

#### 1. BACKGROUND

The civil society sector plays a key role in strengthening and facilitating democratic institutions in South Africa, and as such, the sector is a critical vehicle for collectively ensuring that the state, private interests and population democratic rights and aspirations are fulfilling the constitutional mandate set out in the Preamble to the Constitution to:

- ‘...Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;
- Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law; [and]
- Improve the quality of life of all citizens and free the potential of each person;’

While the civil society sector, through CSOs play an important role in the social, political and economic development of the country, they are confronted with many challenges to bridge the gap between the state organs programmes and society needs. Against this background, the National Development Agency (NDA) sought an exploration of the transformative context of civil society in South Africa to facilitate debate and consultation between the state and civil society in advancing a common agenda of social justice.

It is for this reason that the NDA commissioned the Human Sciences Research Council (HSRC) to conduct a study with the main purpose to specifically understand the transformative requirements within civil society and its impact on its perspective of key issues, what support

may be needed to encourage and drive transformation of the civil society sector, including how to promote a fairer gender balance among organisational and sectoral leadership, how to better to capacitate civil society for enhanced sectoral coherence and coordination, funding sustainability, effective advocacy, accountability and in-built checks and balances, and to facilitate the development of norms and standards for civil society to improve self-regulation that all help build trust with social partners and funders. The objectives of the study were to:

1. Provide a context of transformation in the civil society sector in South Africa. What are the requirements for the sector to transform itself? What are current impediments affecting transformation of the sector?
2. Provide research-based guidance to the civil society sector on how to engage with itself on processes and requirements for the sector to have effective engagements on its transformative agenda and participation of the sector as whole.
3. Provide best examples of global perspectives on how civil society has approached the transformative process including engagements and role played by the state.
4. Provide areas of transformation of the sector that need to be addressed by the sector to ensure that the outcomes of its transformation project are acceptable to all members and organisations operating in the sector.
5. Provide concrete recommendations on how the sector and the state can assist each other to address transformation of the sector for the benefit of the public.

## **2. OBJECTIVES OF THE WEBINAR**

Based on insights from the National Development Agency's *'Requirements for transforming the Civil Society Sector in South Africa'* (NDA, 2020). The dialogue will interrogate critical themes of state and civil society relations, the political context of South African civil society, gender dynamics and transformation within civil society, and the challenges and opportunities of transformation within South African civil society. The findings demonstrate that:

1. Although South Africa's civil society political context is relatively open in relation to free speech, there are serious concerns that the state is becoming more arbitrary in the interaction with civil society. This is driven by an increasingly non-responsive and unaccountable state, which, in turn, shapes a more confrontational relationship with civil society at certain levels of society.
2. Gender representativity and gender inclusiveness remain a challenge within civil society, most notably in relation to marginalised gender identities such as the LGBTQI community.

3. There is a lack of consistency in how different levels of government interact with civil society, thus highlighting a need for a model of good practice built on democratic principles to facilitate a collaborative state/civil society relationship.
4. There are vast sectoral differences within civil society, which in turn, also determines the nature of interaction with government as well as what issues the government prioritises. This has had a negative impact on deliberative and participatory democracy in South Africa. There is a need for consistency in how government, regardless of the level of CSO and type of issue, engages with civil society.

**In tackling these challenges, the objectives of the dialogue are to:**

- Present the findings of the research and recommendations to both government and the business sector on their critical role in supporting the civil society sector in a coherent and integrated manner;
- Present on the role of Government interventions (DSD and NDA) in transforming the sector
- Understand the community, private and CSOs perspectives around issues pertinent to how the sector can be transformed

### **3. TARGET AUDIENCE**

This public dialogue aims to involve participants from the following groups:

- Civil Society Organisations
- Labour organisations
- Non-States/State-Owned Entities
- Government departments
- Academic Institutions
- Business organisations
- South African Public

### **4. OUTCOMES OF THE DIALOGUE**

The dialogue should not be perceived as an academic debate and just end at this level or report writing level, but should specifically influence development policy. The resolutions together with key lessons learned from the debates and discussions should be a guiding tool

for the country in putting together a model of good practice that will facilitate a collaborative state/civil society relationship.

## **5. FORMAT AND COMMUNICATION IMPLICATIONS**

The dialogue will be communicated to the public through the assistance of the Communication Units at the NDA, SASSA, DSD and HSRC. The dialogue will be virtual via zoom webinar and Livestreamed on the department's Facebook pages. Registration is required beforehand; then an email will be sent after registration on how to join the dialogue. Furthermore, the department and its agencies will put together a media advisory notifying the media outlets/houses of the event to solicit possible coverage.

## 6. DRAFT PROGRAMME

<b>WEBINAR: Requirements for transforming the Civil Society Sector in South Africa</b> <b>MODERATOR: Mr Xolile Brukwe (Stakeholder Manager, NDA)</b>		
09:30-10:00	Online log-in	All
10:00-10:10	Welcome	Mrs Thamo Mzobe, CEO-NDA
10:10 -10:20	Overview and Background of the dialogue	Mr Bongani Magongo – Executive Director DMR, NDA
10:20 -10:35	DSD Interventions towards transformation of NPOs	Mr Peter Netshipale, DDG-DSD
10:35–10:50	NDA Interventions towards transformation of CSOs	Ms Suzan Khumalo – COO - NDA
10:50-11:20	Findings and Recommendations from the Research	Prof Joleen Steyn-Kotze , HSRC
11:20 -11:35	Private Sector Perspectives around transformation of the CSOs	Mr Tilson Manyoni, Head of Policy - Black Business Council
11:35 -11:50	NGOs perspectives around transformation of the NGO/NPO sector	Mr Jimmy Gotyana, National Convenor-Alliance of NPO Networks
11:50-12:05	Transformative limitations for the Civil Society Sector in South Africa	Mr Thulani Tshefuta – Chair of Convener NEDLAC Community
<b>12:05-12:50</b>	<b>Q&amp;A Session</b>	<b>All</b>
12:50 -13:00	Reflections and Vote of Thanks	Mr Thami Ngwenya- Senior Manager Research, NDA

## 7. Contact for Further Information: Nthabiseng Kraai

Email inquiries to: [nthabisengk@nda.org.za](mailto:nthabisengk@nda.org.za)



# WEBINAR INVITATION

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## REQUIREMENTS FOR TRANSFORMING THE CIVIL SOCIETY SECTOR IN SOUTH AFRICA

**Date: 15 October 2021 (Friday)**

**Time: 10:00 – 13:00**

**Platform: ZOOM**

The National Development Agency (NDA) commissioned the Human Sciences Research Council (HSRC) to conduct a research to specifically understand the transformative requirements within civil society sector in South Africa. The dialogue will interrogate critical themes of state and civil society relations, the political context of South African civil society, gender dynamics and transformation within civil society, and the challenges and opportunities of transformation within South African civil society.

**PLEASE CLICK HERE TO REGISTER**

**For further information contact: Nthabiseng Kraai ([nthabisengk@nda.org.za](mailto:nthabisengk@nda.org.za))**





## WEBINAR PROGRAMME

**WEBINAR: Transformation of the Civil Society Sector in South Africa Policy Dialogue**

Date: 15 October 2021

[Please click here for the registration link](#)

**MODERATOR: Mr Xolile Brukwe (Stakeholder Manager, NDA)**

09:30-10:00	Online log-in	All
10:00-10:10	Welcome	Mrs Thamo Mzobe, CEO-NDA
10:10 -10:20	Overview and Background of the dialogue	Mr Bongani Magongo – Executive Director DMR, NDA
10:20 -10:35	DSD Interventions towards transformation of NPOs	Mr Peter Netshipale, DDG-DSD
10:35–10:50	NDA Interventions towards transformation of CSOs	Dr Anthony Bouwer – COO –Senior Manager, PMU - NDA
10:50-11:20	Findings and Recommendations from the Research	Prof Joleen Steyn-Kotze, HSRC
11:20 -11:35	NGOs perspectives around transformation of the NGO/NPO sector	Mr Jimmy Gotyana, National Convenor-Alliance of NPO Networks
11:35-11:50	Transformative limitations for the Civil Society Sector in South Africa	Mr Thulani Tshafuta – Chair of Convener NEDLAC Community
<b>11:55-12:50</b>	<b>Q&amp;A Session</b>	<b>All</b>
12:50 -13:00	Reflections and Vote of Thanks	Mr Thami Ngwenya- Senior Manager Research, NDA

# **SOCIAL DEVELOPMENT INTERVENTIONS TOWARDS TRANSFORMATION OF SOCIAL SERVICES NPOS**



**MR. F.P. NETSHIPALE:  
DDG COMMUNITY DEVELOPMENT  
15 OCTOBER 2021**

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social development

Department:  
Social Development  
REPUBLIC OF SOUTH AFRICA



# Presentation Outline

- Purpose
- Contextual Background
- DSD Legislative Mandate
- DSD Transformation Interventions for NPOs
- Role of the Department in relation to Transformation
- Strategies to address NPO Sector Transformation
- Role of the NPOs In Transformation
- Conclusion

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# Purpose

To share the role of the Department of Social Development in relation to transformation of the Social Services NPOs in South Africa

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# Contextual Background

- The social development sector has a critical role to play in realising transformation by ensuring that it fulfils its constitutional mandate to ensure access to quality developmental social services, prioritising children, older persons, persons with disabilities and those who are most vulnerable.
- However, to ensure equitable access to developmental social services, the sector itself needs to transform so as to be governed by the democratic values and principles enshrined in the Constitution.
- Section 195 of the Constitution sets out the basic values and principles governing public administration in all spheres of government. These values and principles must govern not only the DSD, but all role-players in the social development sector given that they are all involved in providing developmental social services to the public and most are using public funds in the form of transfers.
- The social development sector has an important role to play in realising the objectives of transformation through ensuring all services are aligned to the developmental approach.

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# DSD Legislative Mandate

- The Department of Social Development has a mandate to administer the NPO Act 97 of 1997 as amended.
- The Act prescribes the functions of the Department with regards to the Non profit organisations.
- Social development funding policy also prescribes the transformation of the sector ensure equitable service delivery
- The constitution of the republic mandate the department to deliver services to all citizens

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# Transformation in the DSD NPO Sector

- Transformation is about turning around the legacy of apartheid , equalising opportunities, building capabilities and making real the vision embodied in the constitution.
- Transformation also calls for the establishment of non-sexist, non-racist democratic and prosperous societies.
- Transformation vision calls for the use of resources , skills, talent and assets of all south Africans in advancing social justices and addressing historical disparities
- In 1930s a welfare department was established in the then republic of south Africa with its service delivery being the non profit sector or NPOs
- Historically, social services have been the joint responsibility of DSD and the NPO sector and the majority of NPOs were from one sector of our nation

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# DSD Transformation Interventions for NPOs

- The task of creating equal opportunities and building capabilities should begin with ensuring that everyone has equal access to basic services
- The social development sector has a critical role to play in realising transformation by ensuring that it fulfils its constitutional mandate
- DSD developed the Sector Funding Policy - with Transformation as one of the key elements of the Policy.
- This initiative is an attempt towards realising the NPO Act objective which seeks to create an enabling environment for all NPOs to flourish and to address transformation imperatives.
- The **Sector Funding Policy** further aims to address the shortcomings of the previous Policy as well as to issues related to the management and payment of transfers to entities involved in the provision of developmental social services
- The department has an important role to play in realising the objectives of transformation.
- In reviewing the funding policy, transformation of the sector is one of the key focus areas that are addressed in the implementation of the policy.



# DSD Sector Funding Policy as instrument for Transformation of the Social Sector NPOs

- The Sector Funding Policy aims to:
- Facilitate the equitable provision of developmental social services to all people who need them, prioritising people who are most vulnerable, and specifically expanding access in poor, underserved informal settlements and rural areas.
- **Promote transformation** through aligning social services to the developmental approach, expanding equitable access by working with a wider range of entities, promoting organisational transformation, capacity building and creating training and mentoring opportunities for new and emerging entities.
- Build relationships between government and other role-players in the social development sector that are socially equitable, financially viable, structurally efficient and effective in delivering, and aimed at extending access to developmental social services.

# DSD Strategies to address Sector Transformation in the Social Services NPO

STRATEGY / INTERVENTION	INTENTIONS
<p><b>Expand access to services</b></p>	<p>Expanding equitable access to services will require deliberate planning and budgeting. The DSD will lead with plans and budgets that redress historical inequalities and specifically expand services to those who are most vulnerable in poor, underserved informal settlements and rural areas.</p>
<p><b>Partnering with a wider range of entities</b></p>	<p>In relation to partnering, the DSDs partnered previously with established NPOs in delivering services. However, the range of NPOs funded has increased over time, and in particular, the rapid expansion of ECD in recent years. This created opportunities for provincial DSDs to partner with many more new and emerging NPOs.</p>
<p><b>Additional Capacity</b></p>	<p>In order to achieve transformation imperatives, significant additional capacity is required to transform the sector and ensure that everyone has access to quality developmental social services, particularly in poor, underserved informal settlements and rural areas.</p> <p>The provinces need to expand their in-house delivery capacity, to work with established NPOs to further expand their capacity and geographic reach, and to support new and emerging entities, and explore options for partnering with a wider range of entities.</p>

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# DSD Strategies to address Sector Transformation in the Social Services NPOs

STRATEGY / INTERVENTION	INTENTIONS
<p><b>Promoting Organizational Transformation</b></p>	<p>Most of NPOs register in terms of sector legislation and many of them are using public funds in the form of transfers to deliver services. For this reason, DSD has a responsibility to ensure that all NPOs and other entities they register and/or fund provide developmental social services aligned to their governance, management, employment practices and service delivery with the basic values and principles governing public administration as set out in section 195 of the Constitution.</p>
<p><b>Training and Mentoring Opportunities</b></p>	<p>The service delivery capacity of the DSD sector needs to be expanded significantly to extend access to developmental social services.  <i>This represents an important opportunity to expand and transform the sector through establishing and building the capacity of new NPOs, and other entities working in poor, underserved informal settlements and rural areas.</i></p>

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# DSD Strategies to address Sector Transformation in the Social Services NPOs

STRATEGY/INTERVENTIONS	INTENTIONS
<b>Training and Mentoring Opportunities Cont...</b>	<p>This entails training and mentoring opportunities for new and emerging entities through the following approaches:</p> <ul style="list-style-type: none"> <li>• <b>Hub and spoke mentoring</b></li> </ul> <p>The idea is that a central well-capacitated entity is funded/contracted to provide an oversight, mentoring and support service to a number of neighbouring entities. There are already many entities that have hub and spoke mentoring arrangements in place.</p>
<b>Contracted mentoring and support</b>	<p>An NPO or other entity with the necessary knowledge, skills and capacity is contracted to provide mentoring and support to selected new and emerging entities for a specified period, e.g. two years. A number of options exist for structuring these arrangements:</p> <ul style="list-style-type: none"> <li>• <b>service provider contracts:</b> here the relevant department follow a normal procurement process to appoint the service provider. This arrangement will also applies to organisations which provide governance and oversight to the associates.</li> <li>• <b>joint funding arrangements with donors to appoint service providers:</b> here the relevant department would leverage donor funding and management capacity, which has many positive spin-offs, one of them being greater scope to select specific entities that have the required expertise or are located in the specific area where the service is required.</li> </ul>

# DSD Strategies to address Sector Transformation in the Social Services NPOs

STRATEGY/INTERVENTIONS	INTENTIONS
<b>Twinning of organisations</b>	This entails a well-capacitated entity twinned with a new or emerging entity with a view to working together to improve the latter's capacity. This initiative has the potential to yield positive outcomes – for both entities – in terms of promoting integration across communities and play an important role in improving the quality of lives in poor communities.
<b>Workplace exchanges</b>	This initiative involves establishing an incentive scheme that encourages workplace exchanges between the staff of well-capacitated organisations and new and emerging entities. It is envisaged that both staff members and beneficiaries stand to gain from such exchanges, and that the links forged through the exchanges could lay the basis for further mentoring and support.
<b>Differentiated approach</b>	Over and above the listed approaches, the Department, through the revised policy is introducing a differentiated approach to monitoring and reporting by the NPOs. This is aimed at providing adequate support and mentoring to the emerging NPOs.

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# Role of the NPOs in Transformation

- Equally, the NPO sector has a role to play in addressing transformation imperatives.
- As the NPOs partner with the department to deliver a range of social services on behalf of the department, the following are some of the interventions they need to apply in order to comply with the transformation agenda.

<b>Self regulation</b>	<p>The NPOs need to develop transformation plan or policies that will guide them to meet the transformation targets, admission criteria etc.</p> <p><i>The plan of the organization should seek to transform its structures as well as services indicating the objectives, time frames, etc.</i></p>
<b>Access to service beneficiaries</b>	<p>Extend services to reach the most vulnerable and under-served communities.</p> <p>Equitable distribution of services between rural and urban areas with the aim of shifting from over resourced areas to high priority areas where the needs are greatest</p>
<b>Representativeness</b>	<p>Board and management structures which reflect the demographic profile of the region and province that the organization serves.</p>

# Conclusion

- The work of the NPO Sector is a humanitarian and charity work aimed to assist the society to achieve development goals in the Constitution and National Development Plan.
- This requires commitment, dedication, accountability, and continuous exploration of creative and innovative ways of executing their mandate in a manner that is beneficial to targeted communities.
- Transformation is one aspect that requires all the concerned parties to come together and work towards improving the current conditions.
- It is on this basis that all concerned parties should come together and have meaningful engagements that will maximise transformational impact and improve the current conditions.

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# NDA WEBINAR ON CIVIL SOCIETY TRANSFORMATION

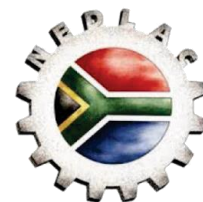
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INPUT BY COMMUNITY CONSTITUENCY

Thulani Tshefuta

Fri, 15 October 2021





# Context

- Foreground the imperative necessity of transformation on acknowledging the deep rooted inequalities and divides in our society
  - poverty
  - unemployment
  - economic ownership and participation
  - access to opportunities and services
- The study The study identifies three critical impediments to transformation efforts as:
  - Weak civil society capacities to engage on transformation
  - The socio-economic context that constrains CSOs to engage in transfo
  - The political environment within which transformation takes place



# Transformation Imperatives

- The scope of transformation in civil society should cover:
  - Employment
  - Gender
  - Equitable access to funding and other opportunities
  - Unfair preference
  - Potential conduit to side step transformative procurement prescripts
- Government to use the leverage of the legislative instruments as levers of transformation
- The benefits that come with government support programmes and private sector funding must foster transformation as a necessary requirement



# Other Considerations

- Whilst we are advocating for self regulation, we also promote the need for the development of transformation norms and standards against which we will hold each other accountable as civil society
- Transform and institutionalize the government-civil society relations without changing the DNA of the CSOs
  - Notion of a parent state
- Private sector to stop the funding dictatorship
- One of the key factors that compromise the complimentary balance between the social partners is trust deficit
- Transformation for civil society becomes a paramount imperative if it is to drive the transformation of the broader society



The End!



# Transforming Civil Society in South Africa

Joleen Steyn Kotze

Chief Research Specialist: Democracy and Citizenship

Human Science Research Council



# Outline

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Objectives of the study

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Methodology

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Social and political context of South African civil society

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Transformative dynamics of South African civil society: Expert views

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South African civil society: The political space

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Civil society dynamics: A cursory glance

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Gender dynamics in South African civil society

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Conclusion and Recommendations

# Objectives of the Study

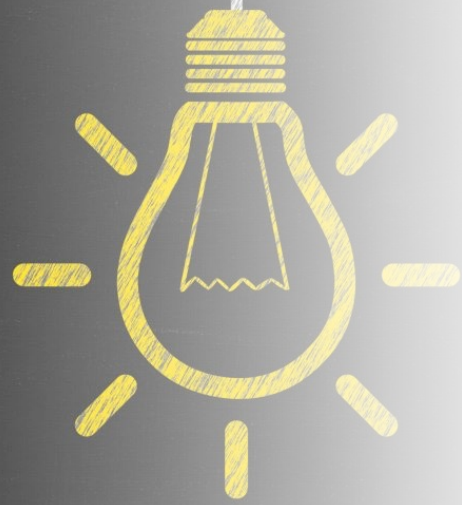
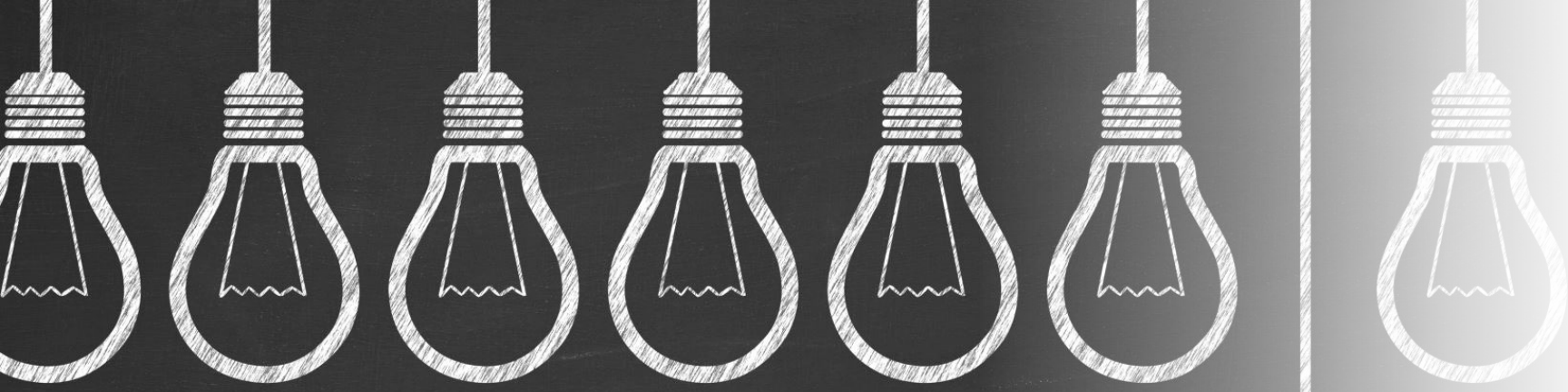
Provide a context of transformation in the civil society sector in South Africa. What are the requirements for the sector to transform itself? What are current impediments affecting transformation of the sector?

Provide research-based guidance to the civil society sector on how to engage with itself on processes and requirements for the sector to have effective engagements on its transformative agenda and participation of the sector as whole.

Provide best examples of global perspectives on how civil society has approached the transformative process including engagements and role played by the state.

Provide areas of transformation of the sector that need to be addressed by the sector to ensure that the outcomes of its transformation project is acceptable to all members and organisations operating in the sector.

Provide concrete recommendations on how the sector and the state can assist each other to address transformation of the sector for the benefit of the public.



Research  
methodology





Research  
methodology

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Literature review: Transformative  
dynamics in a global perspective

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Key expert interviews

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Secondary analysis of V-DEM data  
on South African civil society

# Social and political context of South African civil society

How do we conceptualise civil society?

Gramscian perspective

- Civil society is a space of contestation and challenge

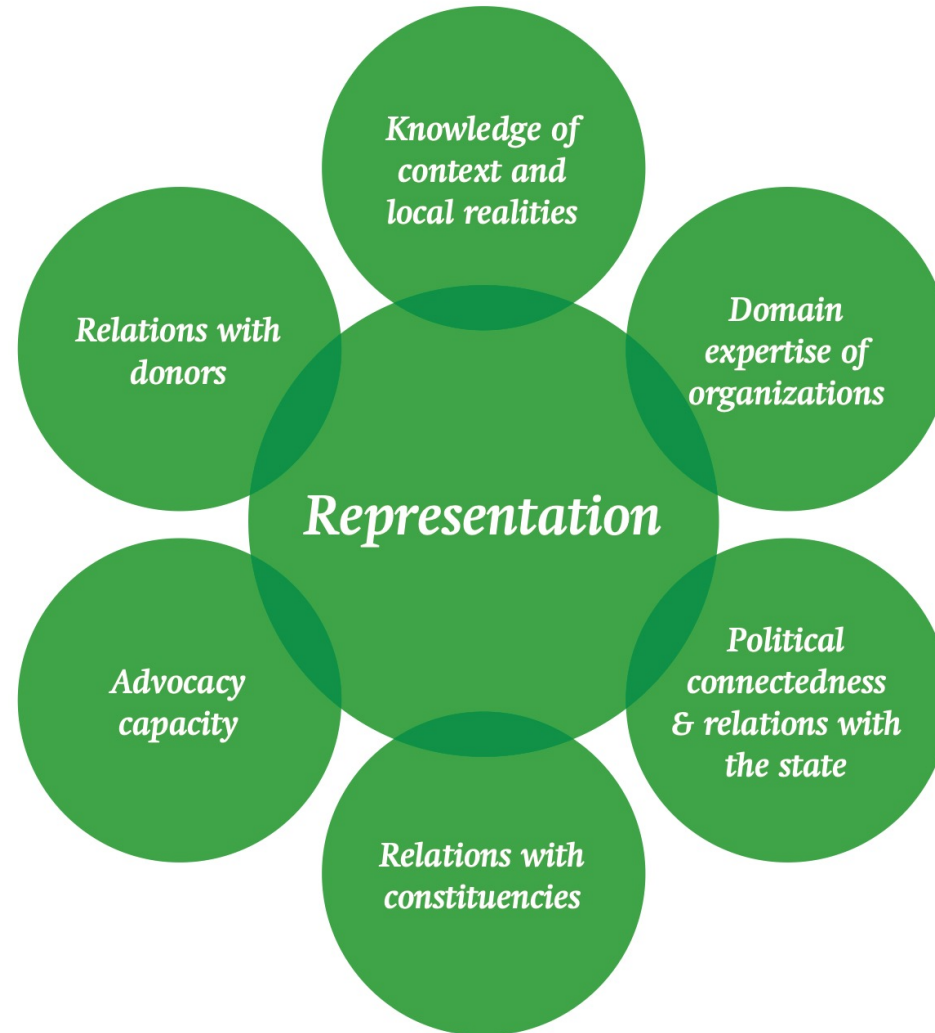
Tocquevillian construct

- Civil society is space for dialogue and collaboration

Constructing civil society in South Africa is complex

- Variety of political cultures
- Party dominant political context
- Community-based mobilization built on the tradition of the UDF
- Legislative frame of participatory and deliberative democracy with a focus on citizen-centred governance

# Analysing civil society dynamics



# Analysing civil society dynamics

Representation within civil society is determined by the context in which civil society operates

Questions of political connectedness and relations with state and donors

Representation and negotiated positions

- Navigate various relational and contextual dynamics for voice and agency
- See Van Wessel *et al* (2019)

# Analysing civil society dynamics

## Gender representivity

- Male dominance of leadership positions in CSOs and other similar organisations
- Due to gendered norms, attitudes and practices of individuals within them.
- One significant consequence of this is that this leads to the privileging of male/masculine interests over female/feminine interests.

## Gender Mainstreaming

- Just because women sit at the table does not mean they have active and empowered voice and agency to participate

# South African Civil Society: The Political Context

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Historically civic space in apartheid South Africa was severely restrictive

---

At the dawn of the South African democracy, the South African civic space was reimagined to be one of collaboration and engagement

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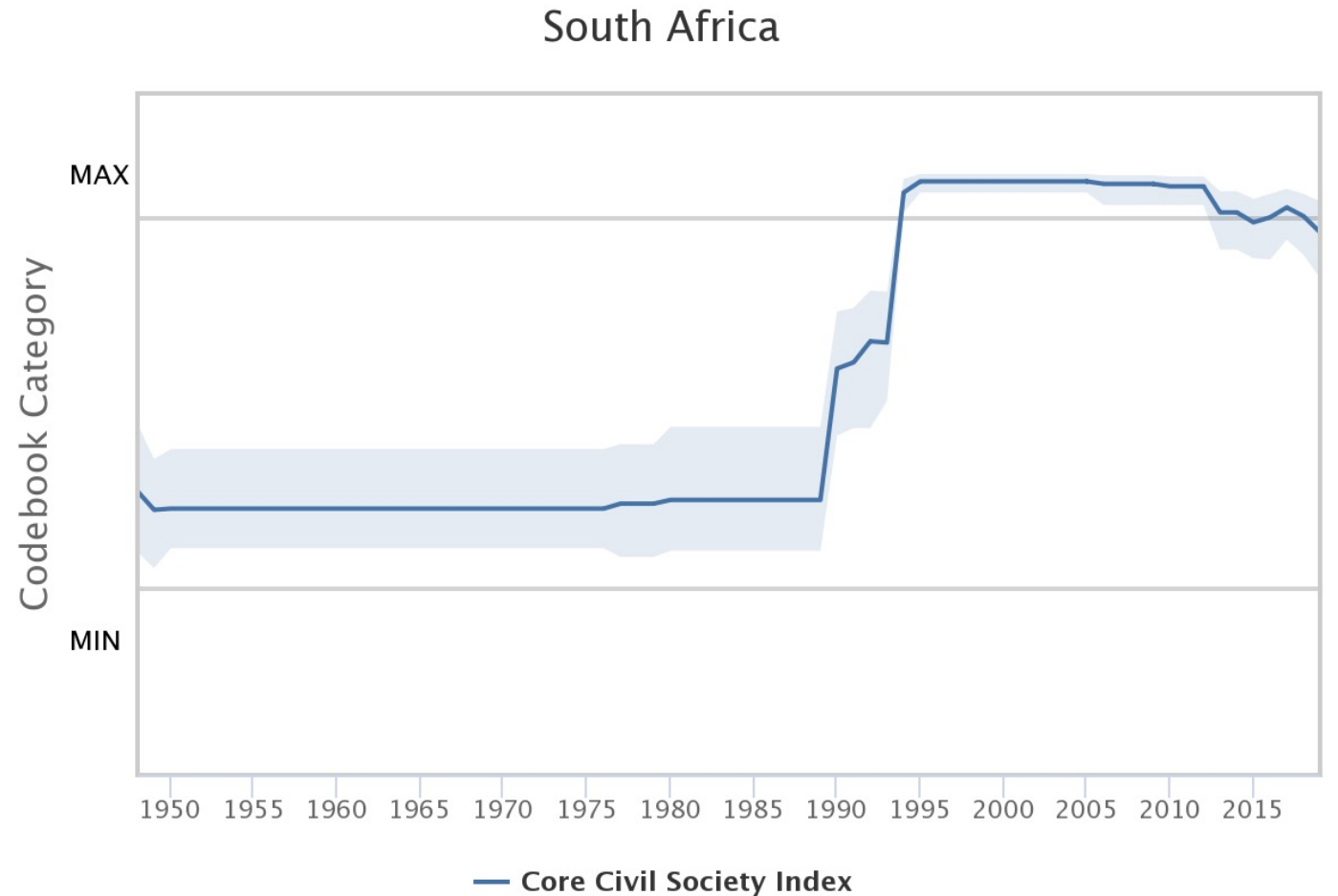
Thus, drawing on the Tocquevillian tradition of civil society.

---

This reconceptualization of civil society was in contradiction with the more Gramscian nature of civil society that characterized the apartheid years where the relationship between state and civil society was one of contestation and reshaping power dynamics.

South African  
civil society:  
The political  
context:

V-Dem Civil  
Society Core  
Index 2020



# South African civil society: The Political Context

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2013 onwards we note a constriction of South Africa's civic space.

---

This period aligns with the Zuma administration and an increasing autocratic approach towards South African civil society.

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A key example is the the infamous Protection of State Information Bill of 2011, commonly known as the Secrecy Bill

---

Also noted a decrease in media freedom and freedom of expression


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In 2011 Freedom House's Media Freedom Index downgraded South Africa from Free to Partly Free due to increased harassment of journalists

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In 2012, South Africa's score for press freedom further declined.





## South African civil society: The political context

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The general decline in press freedom

---

Increased measures to curb accountability for state capture during the Zuma administration

---

Subversion political institutions for personal protection and gain

---

Saw an increasing climate of autocratisation emerge in South Africa.

---

Also globally we note a concern with autocratisation and a decline in democracy

Expert  
Views: The  
political  
context of  
South  
African civil  
society

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Experts agree that the institutional and constitutional structure facilitates agency as part of citizens' rights

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Concern with a constricting South African civic space

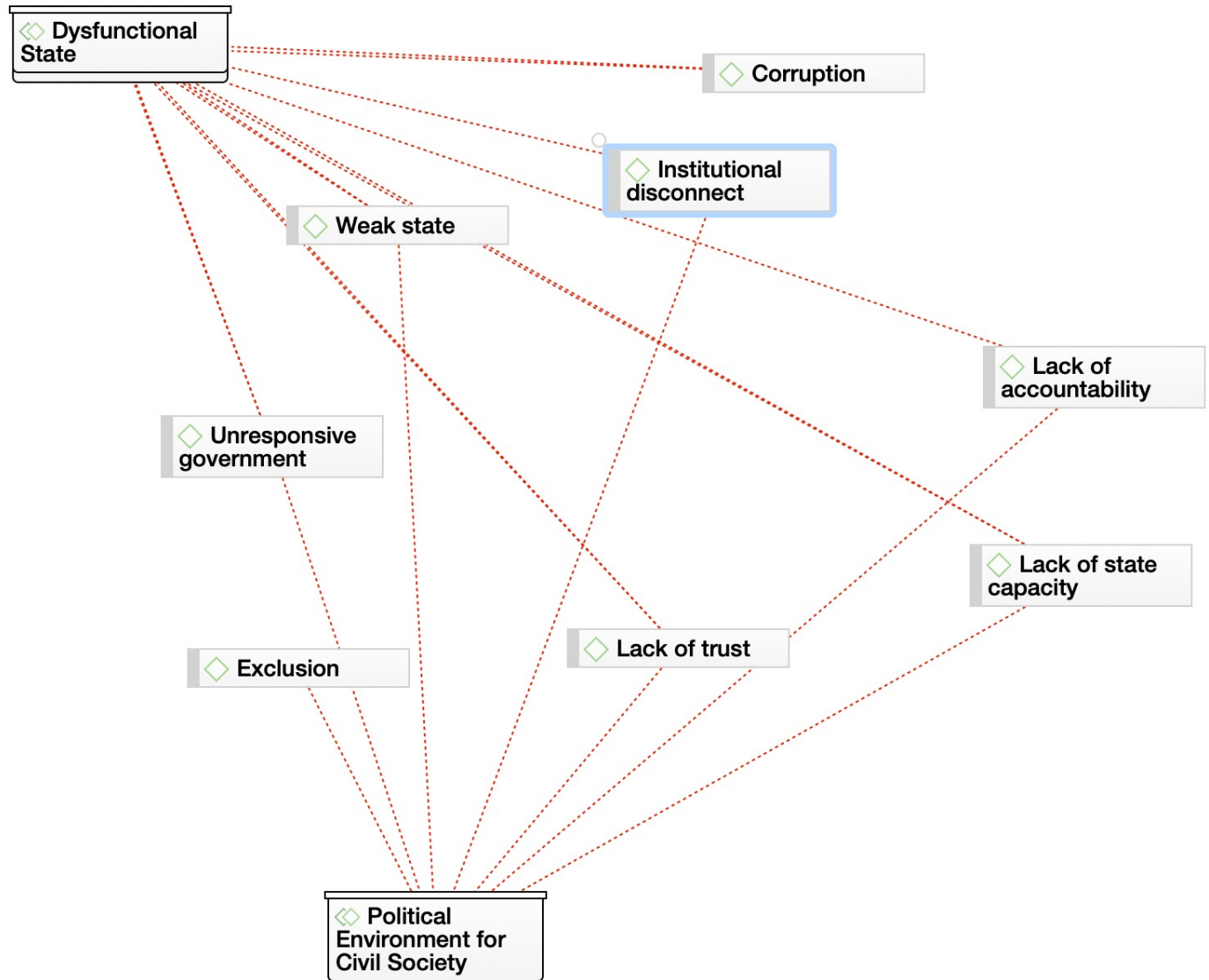
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Demonstrated with an increased strong and adversarial response from the state.

# Expert Views: Political context of South African civil society

- 
- “The civil society space is pretty open in the sense that you can say more or less anything you want, and that people are quite free to organize and mobilize and do, but the state is becoming increasingly weak. And as it weakens, particularly, the security becomes less responsive... in particular the security forces become more arbitrary and their response to things. So, if you do march, for example, if you do protest like most people do because you have no other means of accessing and getting the state to come to you, the only way to do it is through to do it is to protest...it seems to me that the state has become more and more unpredictable and arbitrary as the quality of the policing has deteriorated...So, it's the sense that it's still a lot of political freedom, but the state is becoming less and less predictable and more and more generally less responsive and more and more part of the unpredictability is that it can respond arbitrarily and violently and especially in poor areas. I think people know if you protest you take you take a chance because if the state comes it can often respond to that way (NDA-1-14-10-2020)”.

Expert views:  
The political  
context of  
South African  
civil society

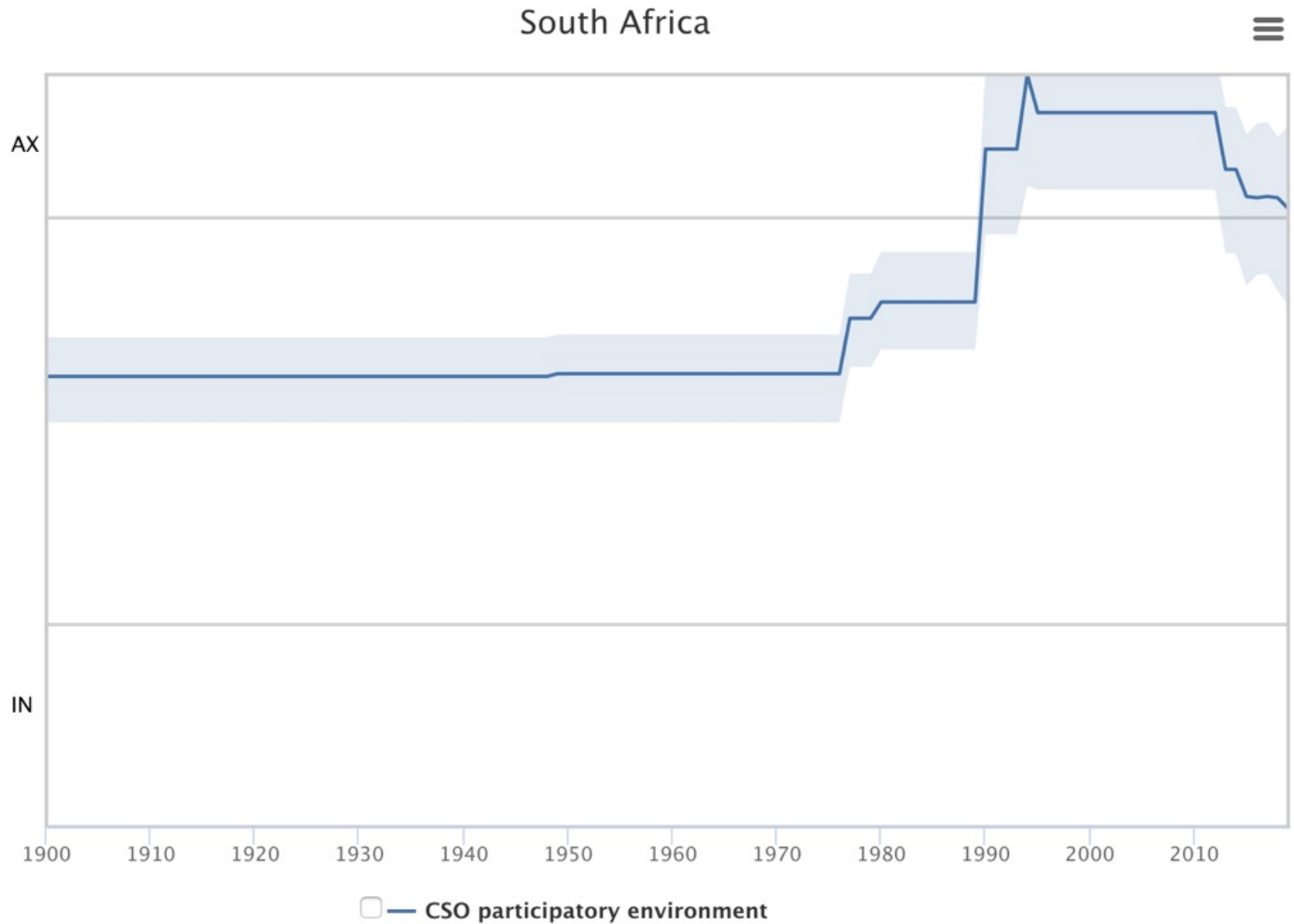


# Expert views: The political context of South African civil society

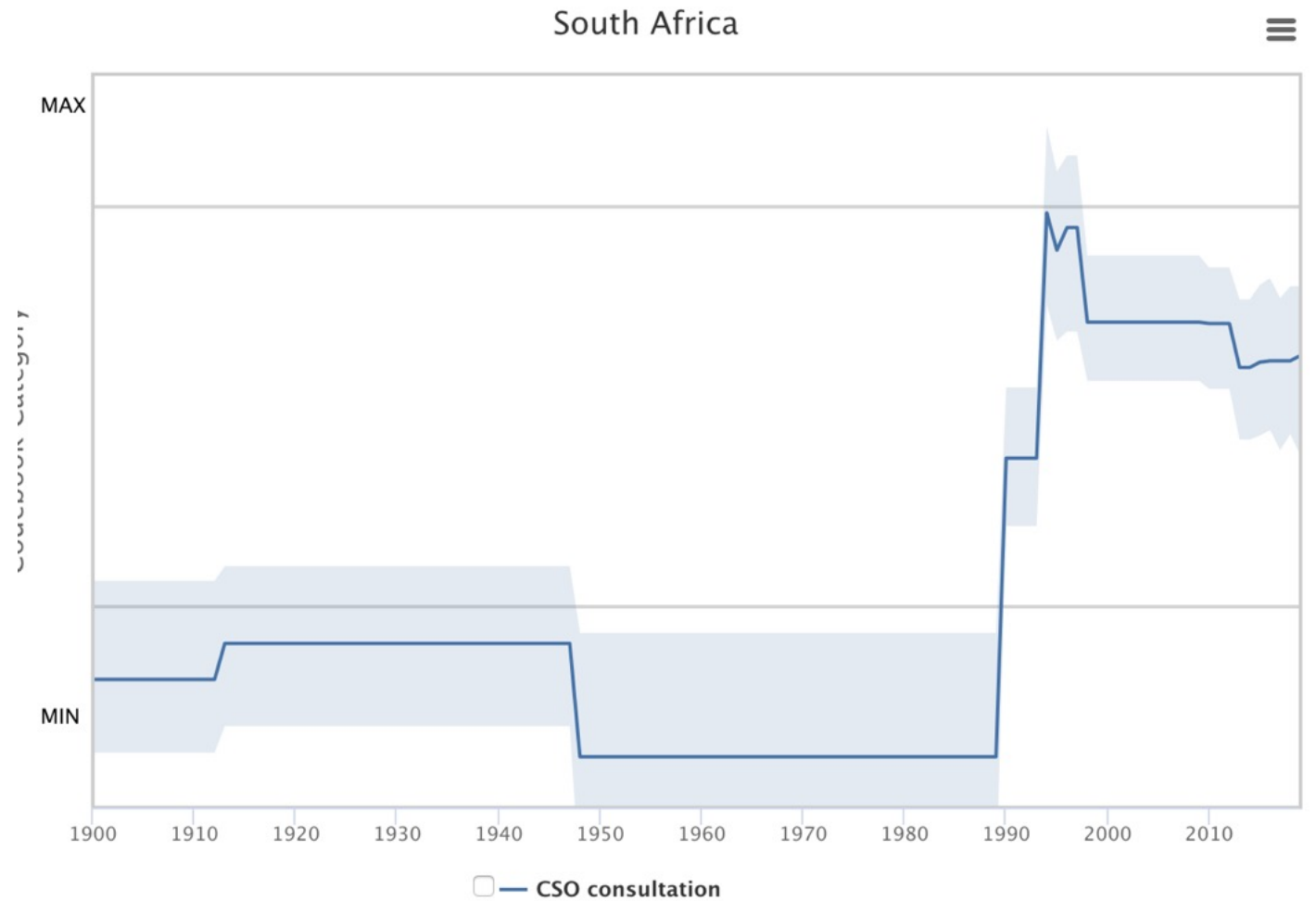
- Experts highlighted a number of factors that impact on the political environment for civil society
- State dysfunctionality is a key theme
- Corruption and state capture and lack of accountability lay the foundation for a weak state, unresponsive government and lack of state capacity
- Creates a sense of exclusion, lack of political trust and overall marginalisation for ordinary citizens and civil society organisations
- Institutional disconnect
  - Lack of consistency in how government at all levels engage with civil society
  - Varied and diverse experiences of CSOs when engaging government

# South African Civil Society: The political context:

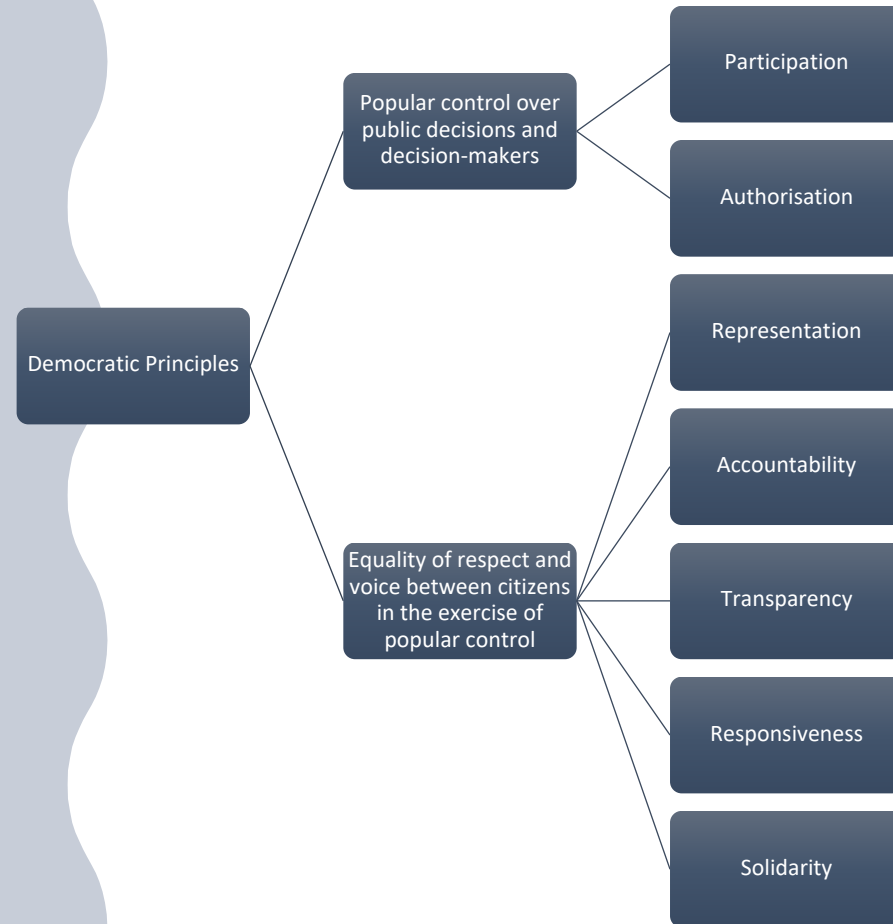
CSO Participatory Environment: South Africa (V-Dem, 2020).



South African  
civil society: The  
political context  
CSO  
Consultation V-  
DEM (2020)

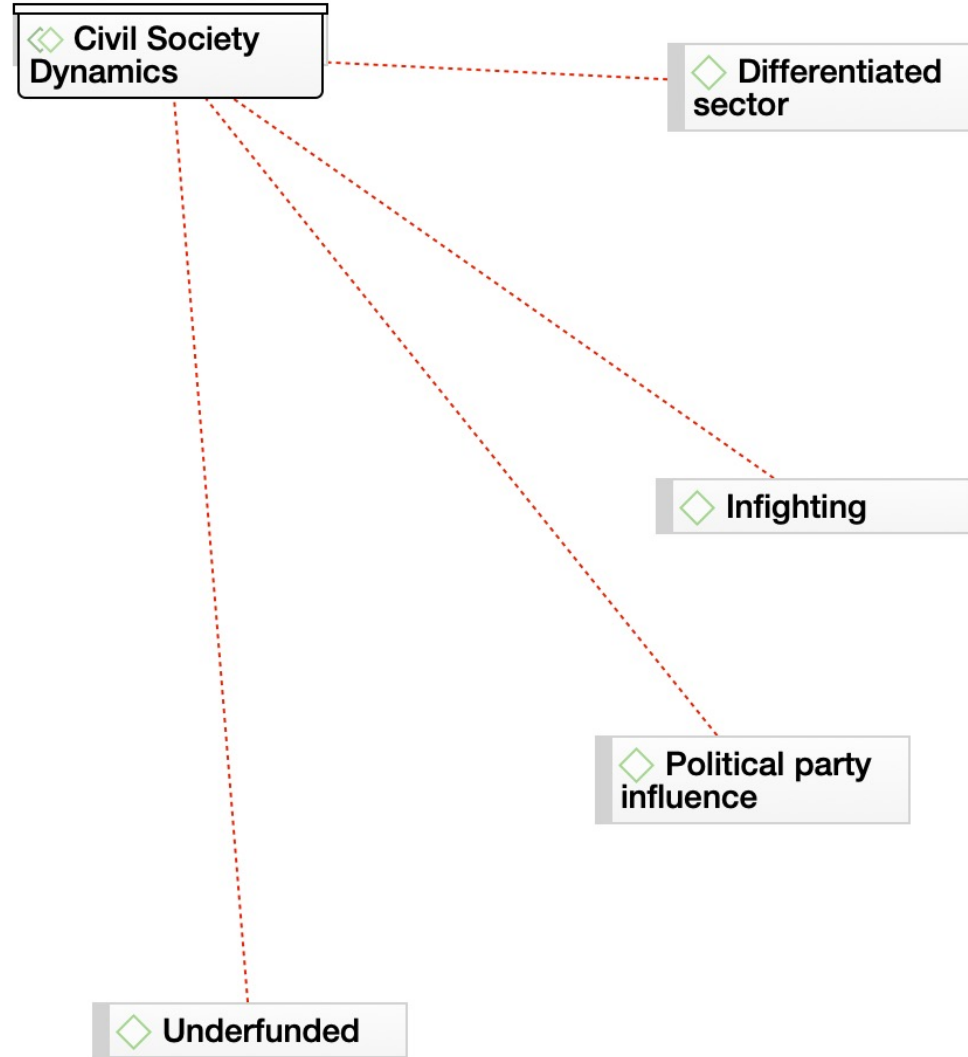


# Expert views: The political context of South African civil society





Civil Society  
dynamics: A  
 cursory  
 glance



# Civil society dynamics: A cursory glance

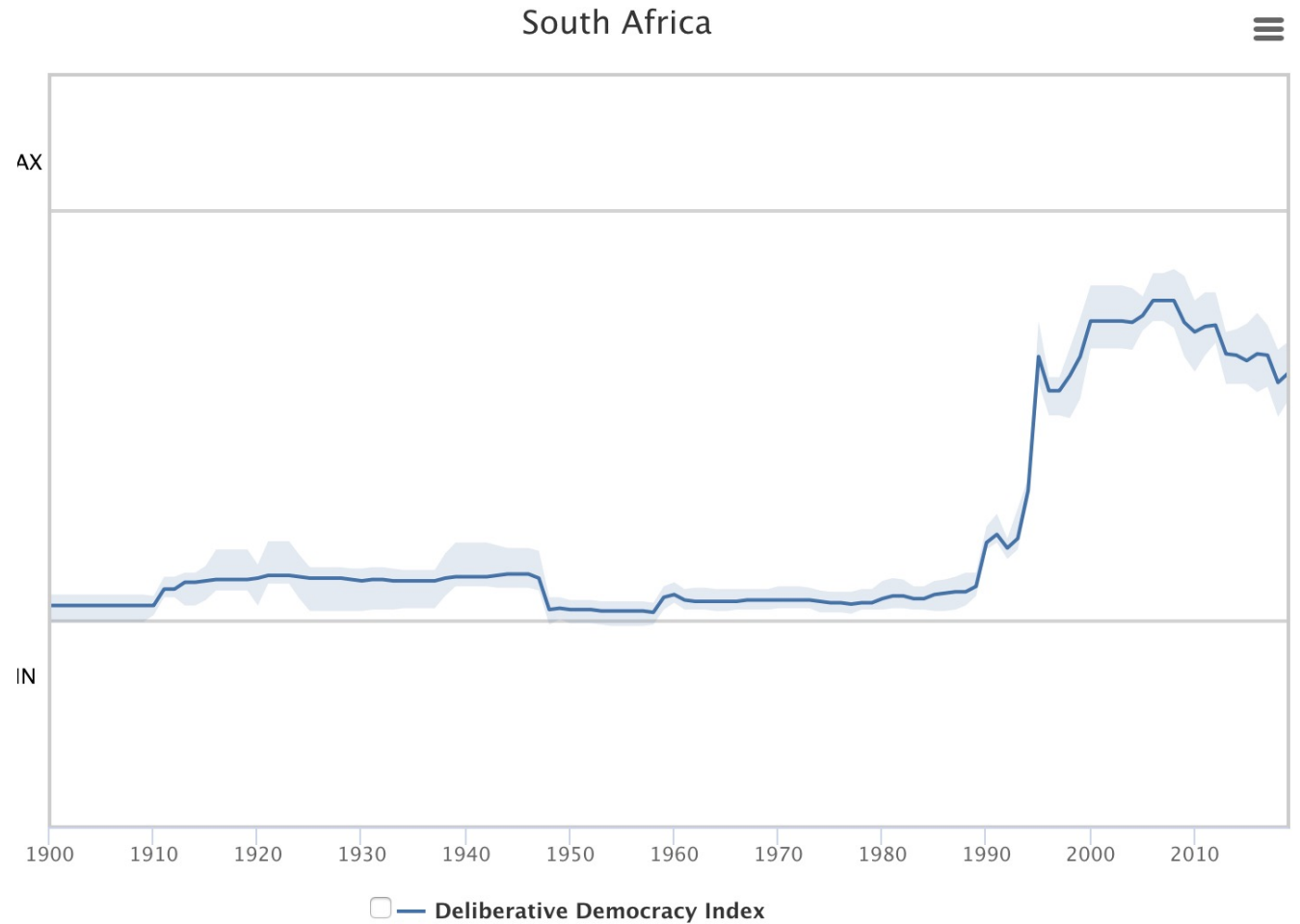
- Expert views on key factors that shape civil society dynamics flagged
- Issues of infighting
- Underfunding of CSOs
- Political party influence
- A high degree of differentiation within the civil society sector.
  - Interviewees highlighted that when looking at South Africa's civic space one needs to distinguish what is conceptualized as the professionalized NGO sector, community-based organisations, and a more localized and politicalised type of organization that compete for political influence within communities.

# Civil society dynamics: A cursory glance

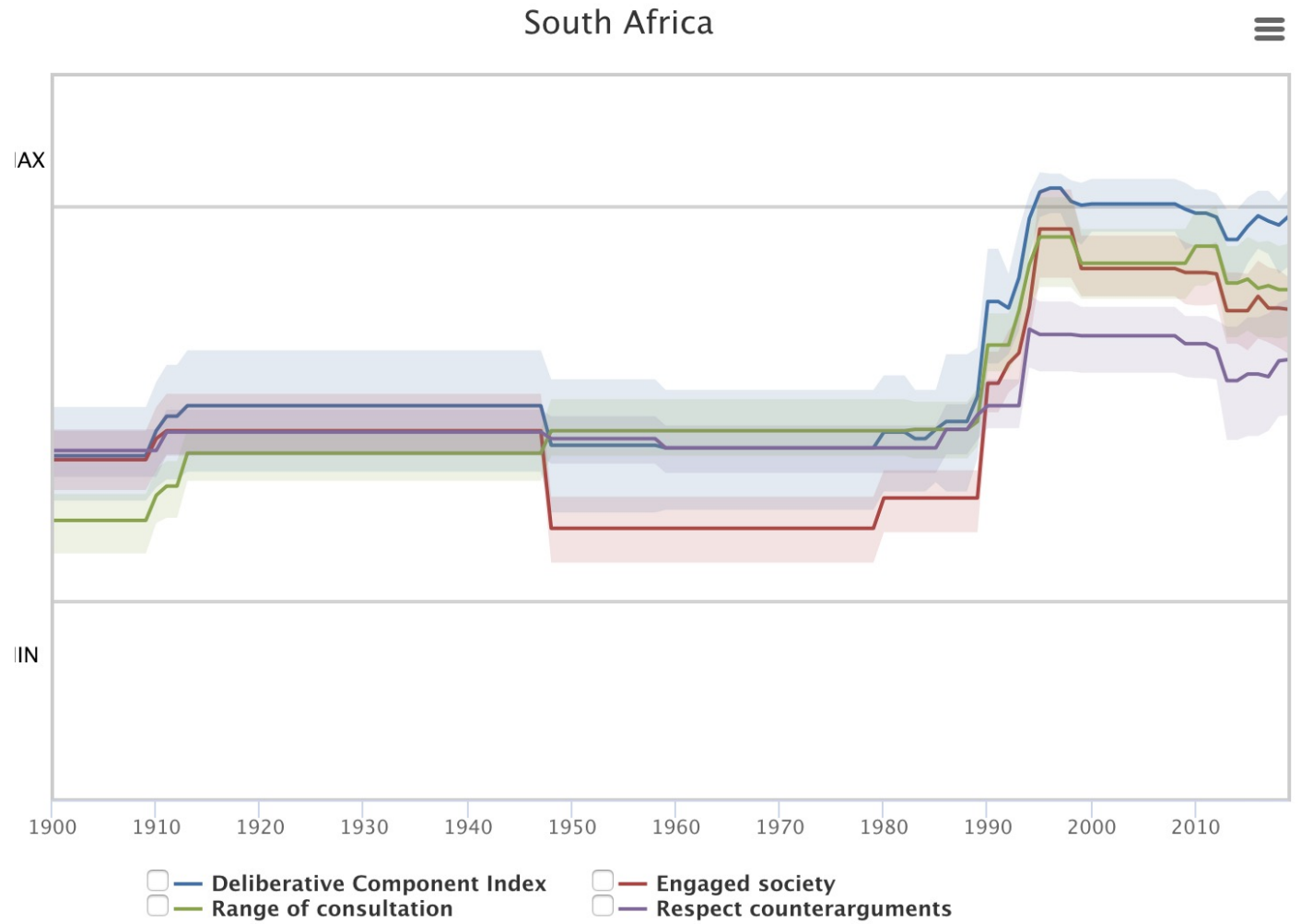
- Internal civil society dynamics are characterized by a number of caveats that may impact on civil society effectiveness.
  - Questions of representation
  - Access, ability to successfully engage the state
  - The nature of engagement (collaborative or contentious)
- Key to understanding civil society dynamics would be to distinguish between the type and level of civil society organization the state will engage.
- Highlights the need for a more consistent approach in engagements and values of engagement that shape state-civil society relationships

# Civil society dynamics: A cursory glance

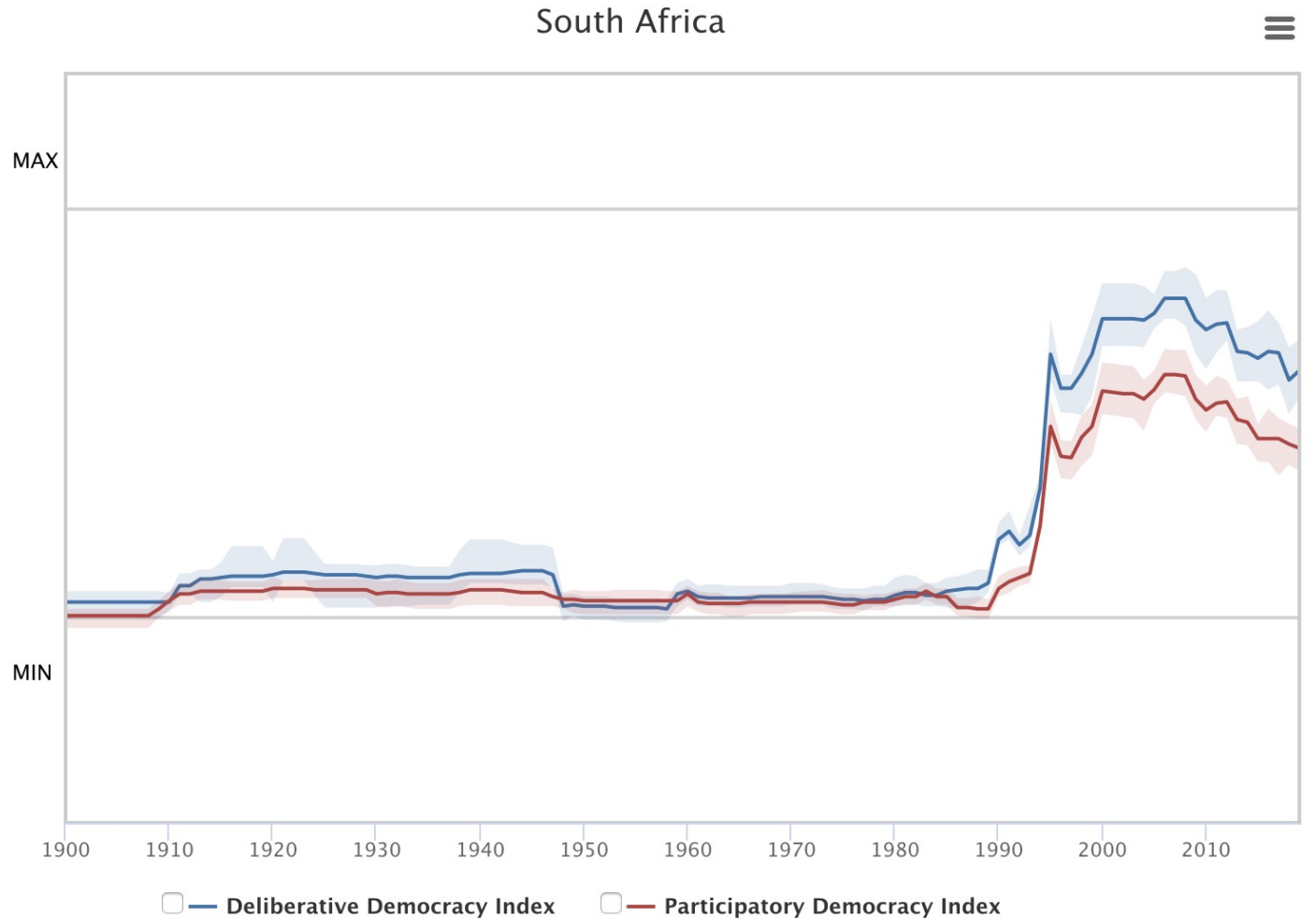
- V-Dem Deliberative Democracy Index (2020)



Civil society dynamics: A cursory glance



Civil society dynamics: A cursory glance



# Gender dynamics in South African civil society: Representation and Voice

- Civil society is a key space to facilitate and include the voices of women as critical issues that affect them have to be placed on the political agenda for transformation.

# Gender dynamics in South African civil society: Representation and Voice

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Women's political empowerment, civil liberties and freedom of expression has declined from around 2009 in South Africa.

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From 2019, we also noted the narrative of a "war on women" or "Shadow Pandemic" (UNWomen, 2020) highlighting an embedded culture of patriarchy and chauvinism that finds expression in a "structural problem of violence against women" (Moos, 2019).

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South Africa has one of the highest rates of femicide globally where one woman is murdered every three hours (Khumalo, 2019).

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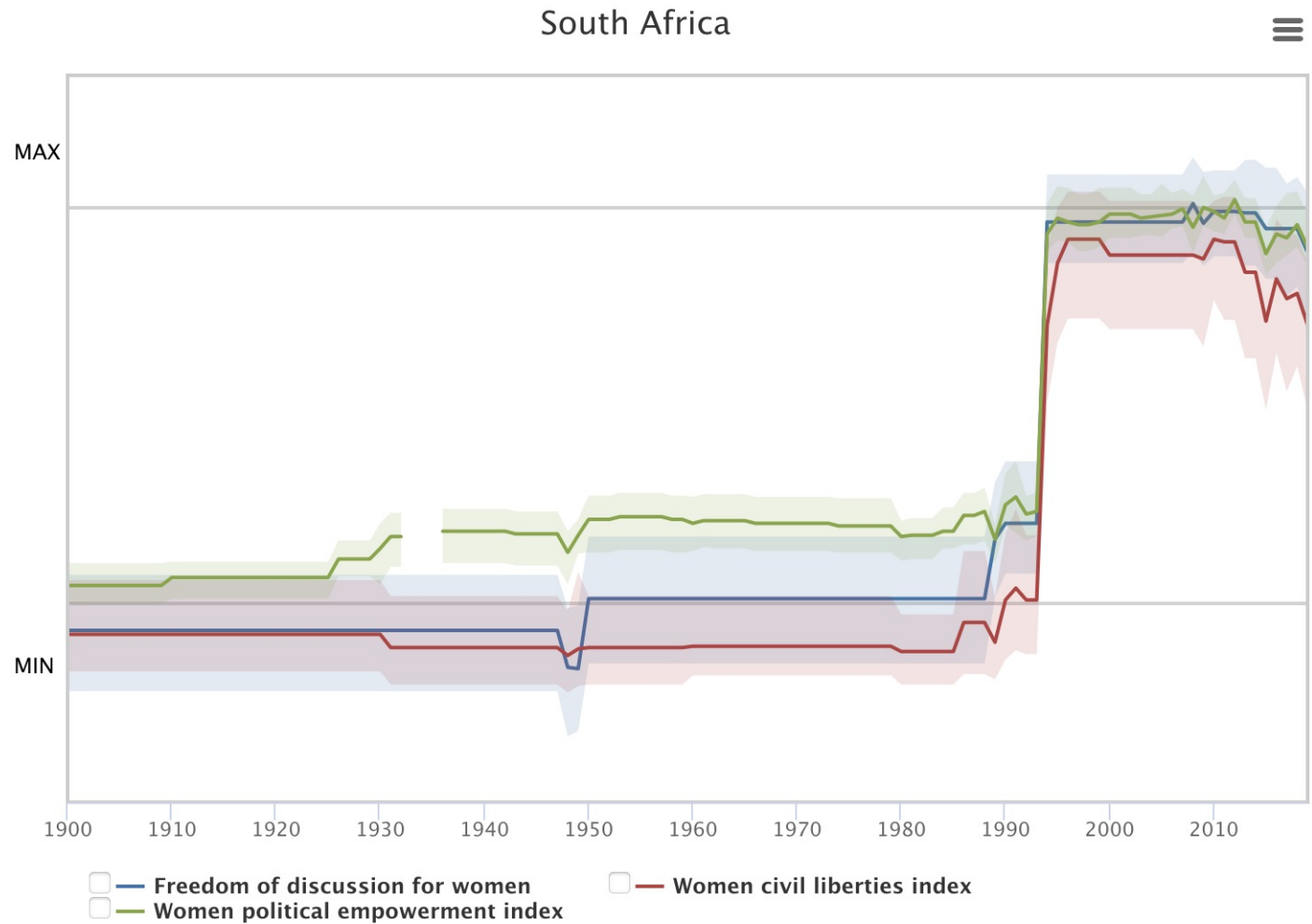
This is not surprising given that an enduring legacy of apartheid is inequality, not just racially, but based on gender as well.

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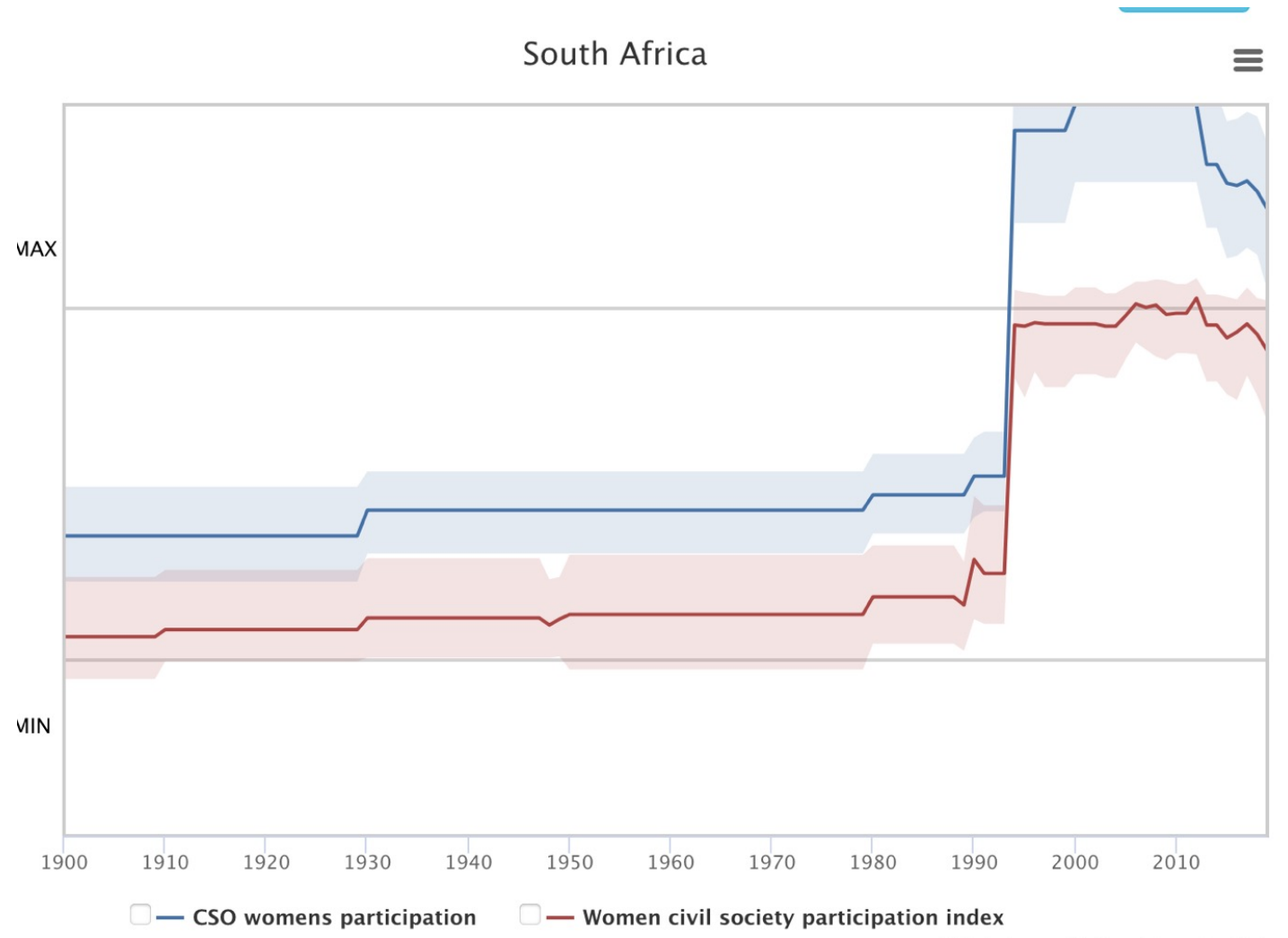
#AmINext? #MeToo? #IamHer



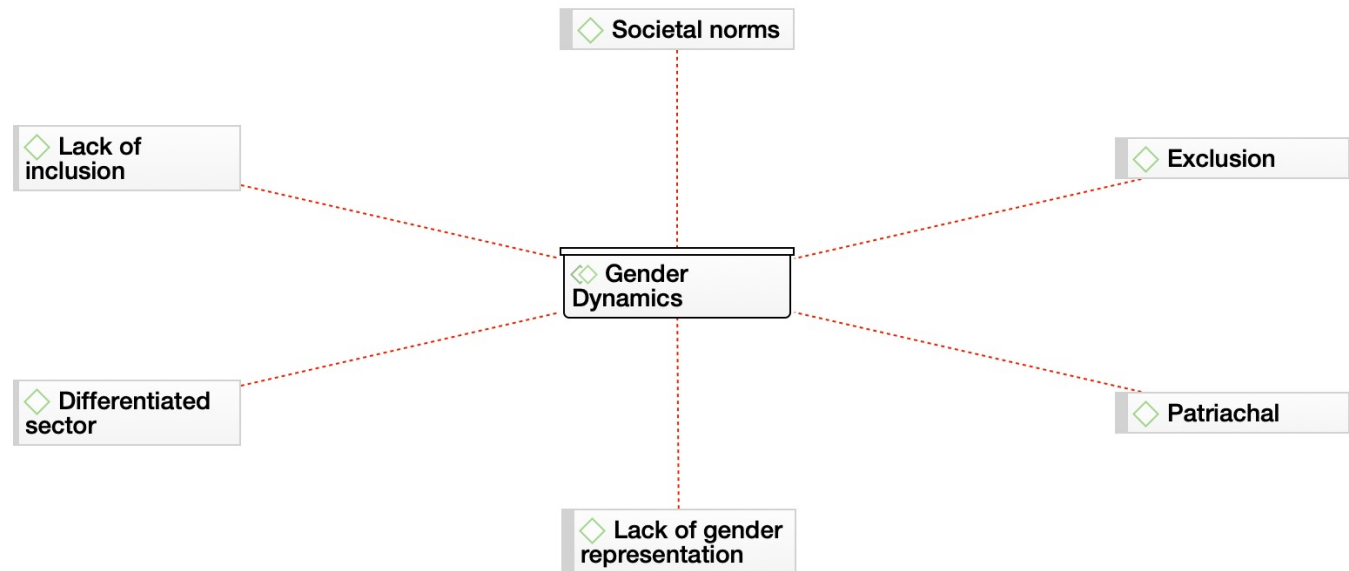
Gender dynamics in South African civil society: Representation and voice



Gender dynamics in South African civil society: Representation and Voice



# Gender dynamics in South African Civil Society: Representation and Voice



# Gender Dynamics in South African Civil Society: Representation and Voice

- Experts flagged key challenges to gender inclusivity in South African civil society
  - Patriarchal societal norms
  - General Exclusion
  - Lack of representation
  - Differences in the sector

# Gender Dynamics in South African Civil Society: Representation and Voice

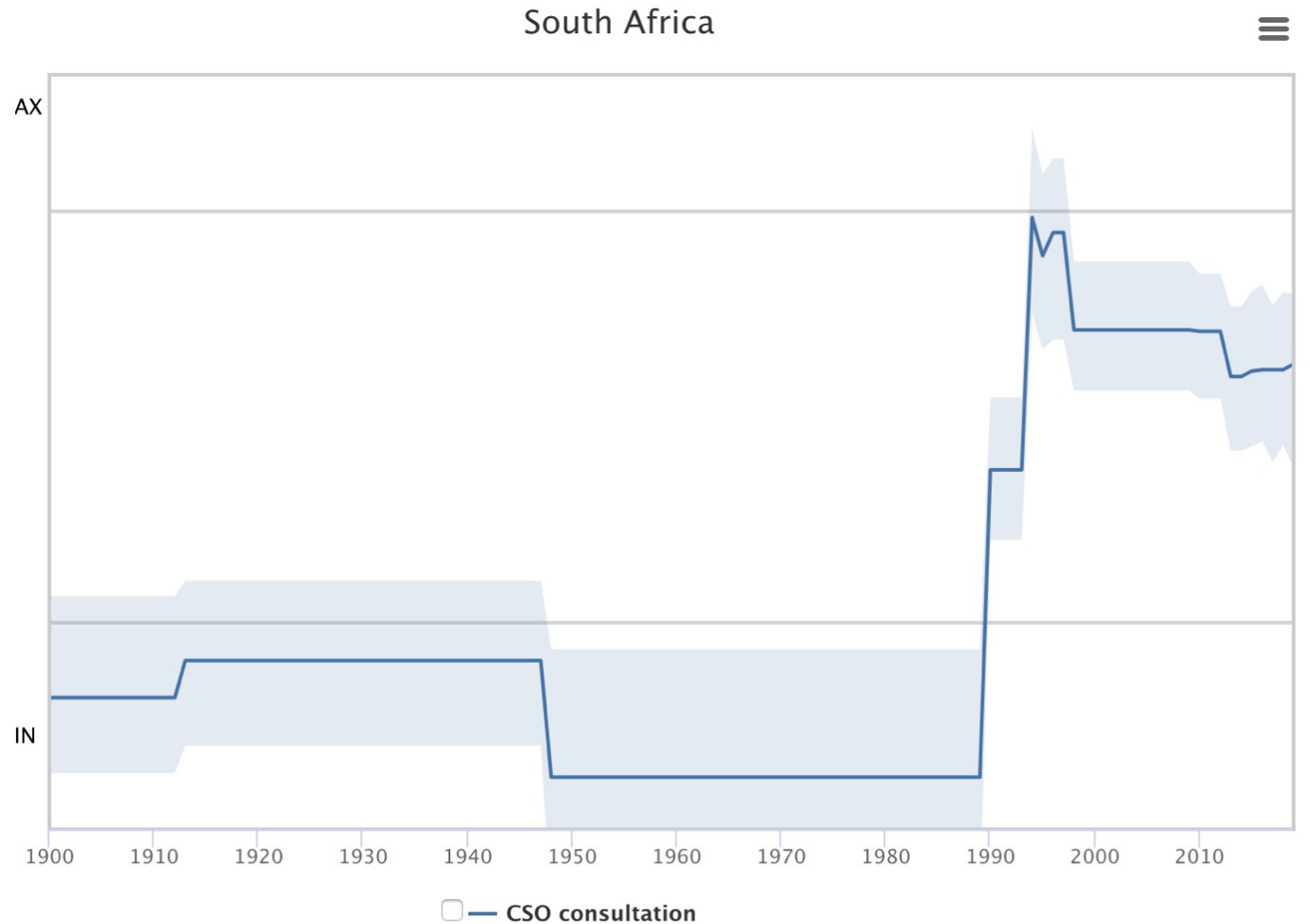
- An interesting phenomenon that emerges from the interview data related to community care workers
- As they are predominantly female, we note a continued traditional gender construct
- Women are generally constructed as caring and nurturing, as opposed to women going out and claiming land, which could be interpreted as a more masculine role.
- However, it is also important to note that within younger generations, those traditional gender roles are increasingly being questioned and challenged
  - “I think there are some aspects of those gender roles which are being questioned more in a younger generation. Not to say that it is all fixed, and much better, but there is maybe less rigid than with older adults or elders or people who are more invested in those delusions... there's definitely I think a lot of pressure coming from young people in terms of lots of areas but also gender norms. (NDA-22-09-2020-02).
- Societal norms may shift towards a more gender just society, but that may take some time.
- There is a need to engage in community awareness on gender justice in order to facilitate a transformed society underpinned by a commitment to gender justice, equality of voice, and representation, not just of traditional gender identities such as male and female, but also marginalised gender identities within the LGBTQI community.

# Conclusions and Recommendations



# CSO Consultation

- Transform how CSO consultation happens and the principles that drive CSO consultation



# Questions of Co- governance

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Determine how co-governance between state and civil society is conceptualised

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To facilitate the inclusion of marginalised groups.

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State effectiveness

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Quality of governance

---

Government Responsive



# Improved state capacity

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[Apolitical] [Arbitrary state action] [Consultative] [Corruption] **[Differentiated sector]**  
**Disconnect] [Dysfunctional]** [Exclusion] [Freedom of Association] [Freedom of Speech] [Infighting] [Institutional  
disconnect] **[Lack of accountability]** [Lack of gender representation] [Lack of inclusion] [Lack of quality  
participation] [Lack of state capacity] [Lack of trust] [Open] **[Patriachal] [Patronage]** [Political party  
influence] [Representation] [Restrictive environment] **[Societal norms] [Structural**  
**flaws]** [Tick-box exercise] [Underfunded] [Unresponsive government] **[Weak state]**

# Recommendations

- Development of a national code of conduct for government at all levels to structure their engagement with civil society to meet the requirements of participatory and deliberative democracy. This will be essential to ensure that there is consistency in how government interacts with CSOs as well as establish a code of conduct based on the constitutional principles of deliberative and participatory democracy.



# Recommendations

- Establish specific engagement offices and advisory support committees to facilitate co-governance across key social and economic departments. Critical public offices would include health, local government, the presidency, and other key departments in the administration that deal with critical issues around transformation of South African broader society. A dedicated office to engage with key CSOs could establish a structure to facilitate a more nuanced and streamlined approach to state-civil society engagement.



# Recommendations

- Develop, in consultation with CSOs across various sectors, a code of conduct to facilitate co-governance and collaboration. A possible intervention is to call for a national conference where CSOs can develop and agree to a code of conduct to ensure representivity, voice, and inclusion, especially of marginalised groups.



# Recommendations

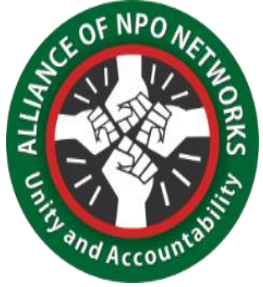
- Provide training focused on the principles of participatory and deliberative democracy in a South African context and quality deliberations for public officials in their engagement with civil society. Key personnel that engage CSOs may need to undergo training with a focus on softer skills for civil society engagement to facilitate co-governance and collaboration, as well as to build quality deliberations with civil society.



# Recommendations

- Provide training across the spectrum of civil society organisations on the participatory mechanisms for civil society engagement. Given the differentiation and diversity within the CSO sector, there may be a need to provide training for CSOs on South Africa's participatory mechanisms.





RECOGNISE, ACKNOWLEDGE AND FULL SUPPORT

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## “ NPO Perspectives on requirements for transformation of the NPO Sector”

Prepared By: Jimmy Gotyana

National Convenor

Alliance for NPO Networks

Cell: 0788131021

# Our Members



# Our Partners





# 1. INTRODUCTION

- NPOs forms part of the broader civil society which is the third pillar for a democratic governance system (other to being the state and private interest)
- NPO Sector has not exerted influence – in real terms – on the pillars – sign of weakness of the pillar in our democracy
- Poverty, unemployment and inequalities are the main struggles of the populace of South Africa – yet it seems very little change is felt in lives of ordinary citizens (All these has worsened due to covid pandemic)

## 2. LEGITIMACY OF THE NPO SECTOR

- ❑ NPO Sector is the mouthpiece of communities – the sector represents people aspirations, needs and prosperity attainments – improve their livelihoods and quality of life
- ❑ NPO Sector has responsibility to provide checks and balances on the state and private responsibility to the population
- ❑ NPO Sector provide the link between state and private sector institutions on all social, economic and development responsibilities to the public
- ❑ The constitution – chapter 2- Bill of Rights – provide a framework for the sector to operate without interference

### 3. ROLE OF THE NPO SECTOR IN DEVELOPMENT

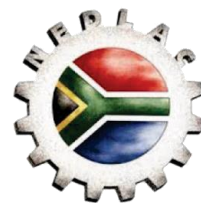
- ❑ The NPO Sector plays an important role in bringing about positive change in the lives of communities it serves
- ❑ The bulk of developmental and social interventions at community level are provided by the sector
- ❑ Both the state and private sector relies on this sector to provide basic needed services in communities especially those in poor areas
- ❑ NPO Sector also provides a space for public voice, for the practice of active citizenship and for building of social cohesion

## 4. THE CURRENT OPERATIONAL ENVIRONMENT

- ❑ NPO Sector highly fragmented – no unity of purpose amongst itself
- ❑ The sector is growing in real terms – NPOs that gets registered per year are growing year on year
- ❑ Apex Body that represents interest of NPO Sector in the country established (Alliance of NPO Networks) – lacks government support
- ❑ There is no harmonious and institutionalized relationship between state and NPO Sector –trust deficit issues
- ❑ Capacity: The sector faces constraints in human resources, infrastructure and financial resources

## 5. LEVELLING THE SECTOR AND MOVING FORWARD

- Definite need to revitalize and strengthen the NPO Sector.
- Government to create an enabling environment and space to engage the Sector (Bring back Presidential Social Sector Summit) – Outcomes should be a renewed working arrangement /Social Compact
- Build internal sector capacity and capability – not just technical skills but also strategic, management, accountability and leadership
- Build a coherent sector – structures and systems that can make the sector independent from the state and private interest
- Create platforms for robust and continuous engagements with state and private sector. Identified opportunities for supporting the sector – norms and standards for good practice in the sector, build trust between sector & state



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