



**COMMUNITY DEVELOPMENT
SERVICES DEPARTMENT**

SOCIAL DEVELOPMENT DIVISION

INDIGENT MANAGEMENT POLICY

2023-2024

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INDIGENT MANAGEMENT POLICY

For the purposes of this policy, the following definitions shall apply:

Municipality:	Mogale City Local Municipality
Approved Registration Point:	Will be the Civic Centre, c/o Commissioner & Market Streets, Krugersdorp, and any other municipal customer care point which the Mogale City Local Municipality may deem to be necessary.
Basic Municipal Services:	Means municipal services that are necessary to ensure an acceptable and reasonable quality of life and if not provided would endanger public health or safety of the environment.
Department:	Means the Department Community Development Services, of Mogale City Local Municipality.
Free Basic Services:	The quantity of services that shall be supplied free of charge to an indigent household as specified in this policy.
Household:	Household is a registered owner, occupier, vulnerable person, or tenant. Should a group of people live together, even if not related, they will be regarded as one household linked to one Municipal account.
Indigent:	Any household which is responsible for the payment of services and rates, earning a combined gross income equivalent to or less than two times government pension grants as prescribed by the National Treasury or in line with the National Indigence Framework issued by the Department of Corporative Governance and Traditional Affairs Government (COGTA), who qualify, according to the Policy, for rebates/remissions or a services subsidy. (Poor is a synonym of indigent hence a definition of poor is not repeated in this Policy). Examples hereof include pensioners, the unemployed and child-headed families who are

unable to fully meet their obligations for municipal services consumed and property taxes on their monthly accounts. Any other Government grant such as Foster Care, Care Dependency, Child Support Grant, Grant in Aid, Social Relief of Distress received by such households will not be considered as additional income.

Pensioner:	Means a person who is 60 years of age or older.
Child-Headed household:	A household in which all members are younger than 18 years. This includes a household where there are adults' who may be too sick or too old to effectively head the household and a child over 16 years bears this responsibility.
Indigent Management System:	An electronic or any other management system used by the Municipality for the management of the Indigent Register.
Poverty:	A state or condition in which a person or community lacks the financial resources and essentials to enjoy a minimum standard of life and well-being that is considered acceptable in society.
Programme Officer:	An official duly authorized by the Municipality, or an employee of a service provider appointed by the Municipality, who is responsible for assessment, screening, and site visits, and for recommending applicants for approval/disapproval of indigent support.
Tenant:	Registered occupant of a property owned by the Municipality, or an individual/family sharing the same property with the legal owner, who has the responsibility to pay for the Municipal Services consumed.
Occupier:	A person who lives on land which does not belong to him/her and who has permission from the owner to be there. This is not limited to the account holder.
Vulnerable Person:	Means a consumer occupying land with the written consent of the owner, but to which the consumer does not have title, lease or security of tenure. This is not limited to the account holder.
Stakeholders:	A committee that comprises of relevant councilors, relevant ward committee members, staff and/or service provider, whose function is to assist with collection of data, capturing of such data, assessment and making recommendations.

IPIMEC:	Refers to the Indigent Policy Implementation Management and Evaluation Committee.
Verification Officer:	An official duly authorized by the Municipality, or an employee of a Service Provider appointed by the Municipality, to assist with the verification and oversight over the Indigent management process.
Short Term Assistance:	Given to a person who is temporarily unemployed, incarcerated or hospitalized without income or receives income that defines him/her as indigent for a period to be reviewed every 12 months.
Landlord:	A person, body Corporate, company or organization that owns a building or land where people pay for use thereof plus pay for Municipal services.
Exceptions:	Accounts that cannot be subsidized on the Financial Management System of the Municipality. Such accounts are identified as closed accounts or property sale accounts. This includes accounts that have unduly benefited from the indigent program after approval by the committee.

CHAPTER I

POLICY STATEMENTS OF INTENT (ss1-4)

1. PURPOSE OF THIS POLICY

- (1) (a) The purpose of the Policy is to provide a framework and structures to support poverty alleviation within the Municipality by providing a support programme for the subsidization of basic services to indigent households.

2. THE POLICY OBJECTIVES

- (1) The objective of this Policy will be to ensure the following:
- (a) The provision of basic services to the approved indigent/vulnerable members of community in a sustainable manner within the financial and administrative capacity of the Municipality.
 - (b) Establish the framework for the identification, screening and management of indigent households including an economic rehabilitation plan where possible.
 - (c) The provision of procedures and guidelines for the subsidization of basic services.

3. LEGISLATIVE FRAMEWORK

- (1) The Policy is based on the following legislation:
- (a) South African Constitution Act no. 108 of 1996).
 - (b) Municipal Systems Act 32 of 2000 as amended.
 - (c) Municipal Property Rates Act 26 of 2004 as amended.
 - (d) Extension of Security of Tenure Act 62 of 1997.
 - (e) Children's Act 38 of 2005
 - (f) National Framework for Municipal Indigent Policies.
 - (g) Guidelines for the implementation of the National Indigent Policies by Municipalities.
 - (h) Credit Control and Debt Collection Policy.
 - (i) Policy on Subsidized Burial of Indigent People.
 - (j) Any other relevant Policy or by law as may be passed/amended by Council from time to time.

4. POLICY OUTCOMES

- (1) The following are anticipated policy outcomes on Indigent Management Policy:
- (a) Consistent practice in the implementation of the Indigent Management Policy.
 - (b) Acceptable level of compliance with the Policy provision.

- (c) Quarterly updated Indigent Register.
- (d) Quarterly reporting on the implementation of the Indigent Management Programme.

CHAPTER II

POLICY PRESCRIPTIONS (ss5-19)

5. QUALIFICATION CRITERIA

- (1) Persons who are claiming indigent status (i.e., an inability to pay assessment rates and service accounts in full) must qualify in terms of the following criteria:
 - (a) The applicant and beneficiaries must be South African citizens residing in Mogale City.
 - (b) The applicant must reside on the property for which indigent status is applied for.
 - (c) The applicant must have a valid bar coded South African Identification Document or any other acceptable proof of South African citizenship/residency.
 - (d)
 - (e) The applicant must be the owner, tenant, occupier/vulnerable person who receive Municipal services within the boundaries of MCLM.
 - (f) Information of both people appearing on the municipal account must be provided during application.
 - (g) An Indigent may only derive benefit from one property. A household jointly owning more than one property and applying for indigent support must declare all additional properties to the Municipality.
 - (h) Only residential property can qualify under this policy.
 - (i) Business, Vacant land, Agricultural land, Schools, drop-in centers, Children's home, are not catered under this policy.
 - (j) Application by people with special needs may need supporting letter from municipal appointed social worker to support such application (*on cases where applicant is unable to express his/her own views*).
 - (k) The combined gross income of (the household) must be equivalent to or less than the highest of twice the government pension grants as prescribed by the Minister of Finance.
 - (i) Eligible applicants will include pensioners (provided their combined monthly household income is within the threshold), the unemployed and child headed families who are unable to fully meet their obligations for payment of municipal services consumed and property rates on their monthly accounts. Employed people whose monthly income is below the above-mentioned threshold are also eligible to apply.
 - (ii) All South African Social Security Agency (SASSA) Grants will not be calculated as an income this include the pensioners' grants. However private pension will be calculated as an income.
2. Child-headed household
 Child-headed households will be treated as special cases subject to the following conditions:

- (a) the normal qualifying criteria for indigent support in respect of remaining members of household is complied with.
- (b) the municipal account of the deceased parents is still open.
- (c) the oldest child (*Provided that he/she is above 18 years of age*) signs the application form assisted by appointed legal guardian in possession of "Letter of authority" or "Court order" issued by magistrate court.
- (d) property is not occupied by any member other than minor dependent children of deceased owner.
- (e) A supporting letter on home circumstances from a municipal appointed social worker may be requested to support such application.

The Indigent Management Office will assess each case on merit and advise the Municipality Committee accordingly. **The Municipality reserves the right to register or not to register a household as indigent.**

6. EXTENT OF INDIGENT SUPPORT

- (1) The extent of the Indigent support granted by Council to indigent households in the Municipal area will be determined based on budgetary allocation for a particular financial year and the tariff charges for that specific financial year.
- (2) The following levels of free services are derived from the National Guidelines in determining the equitable share allocations and will be accommodated annually in the operating budget, only in so far as the Municipality is the provider of such services.
 - (a) **Free basic services**
 - (i) 100% subsidized rates – as per Municipal Property Rates Act.
 - (ii) 6 kilo liters of free basic water.
 - (iii) 50 kW/h free basic electricity.
 - (iv) 100% subsidized refuse removal.
 - (v) 100% subsidized sanitation services provided are part of the Municipality's waterborne system.
 - (b) **Arrears write-off**
 - (i) The accumulated arrears debt of indigent households' will must written off before expiry date of the indigent circle which is within 24 months.
 - (iii) All debtors who are registered as indigents may have their debt written off once a year.
 - (iv) All levies more than the subsidy discounts are payable every month and any accrued debt after this debt write-off will be subject to credit control and debt collection procedures.
 - (v) The indigent households approved under clause 8 (Short-term assistance) of this policy will not receive write-off but will benefit on free basic services for a period of six months.

(c) Installation of Pre-Paid meters

- (i) The accounts of approved applicants should be flagged, and installation of pre-paid electricity and water meters must be prioritized. (
- (ii) The National Guidelines are indicative of the fact that it is incumbent upon the Municipality to come up with measures to manage consumption, therefore the installation of the meters is to serve such a purpose.

(d) Special provision for rural areas and informal settlements

- (i) Though the above Criteria for Qualification requires that an applicant must have a Municipal account, this Policy makes special and necessary provision for indigent households in rural communities and informal settlements. These households will benefit from the Indigent Management Programme only through access to free basic water delivered in water tankers, bulk refuse removal, electricity, communal toilets, and communal taps. Introduction and sustenance of water tankers will be subject to permission granted by the landowner. Costs for the water and related tankers will be covered by the Equitable Share. If the rural and informal settlements are electrified the applicants will also be eligible to receive 50kwh.

(e) Provision for elderly who reside in council owned properties, Retirement Villages and Old Age Homes.

- (i) Elderly people who rent municipal property will be subsidized on municipal services if they qualify in terms of the indigent management qualification criteria.
- (ii) Indigent consumers living in Old Age Homes and Retirement Villages are eligible to apply for indigent support in terms of this policy.
- (iii) It is upon the individual unit owner to apply to the Municipality for indigent support. The applicant must be responsible for payment of Municipal services.
- (iv) The representative of Board of Trustees or Managing Agent of such Old Age Homes/ Retirement Villages must, in respect of monthly benefits allowed under indigent support ensure that such benefits are off set against the monthly levies of the relevant individual units. Such representatives also being required once every three months or at such intervals as may be determined by the Municipality to provide proof to the Chief Financial Officer that the monthly levies of indigent households which qualify for assistance have been adjusted.

7. RESPONSIBILITIES OF REGISTERED INDIGENT HOUSEHOLDS

- (1) To ensure the success of indigent assistance, the following should be observed by registered indigents:
 - (a) The registered indigent household must be willing to accept the installation of pre-paid electricity and water meters by the municipality.
 - (i) Refusal to accept installation of these meters will result in the debt being re-instated and the indigency status being revoked.*
 - (b) The registered indigent household must be willing to accept technical assistance offered by the municipality to make his/her current monthly consumption of services affordable through limiting services.

- (c) The registered indigent household is responsible for the payment of services should the monthly consumption exceed the allocated level of service provided by the Indigent Management Policy.
- (d) Should the economic status of the registered indigent household change, the onus is on the household to inform the indigent management office immediately.

8. SHORT TERM ASSISTANCE

- (1) An Indigent household in temporary distress may be assisted for a period not exceeding for 12 months] under the following circumstances:
 - (a) Temporary unemployment.
 - (b) Hospitalization.
 - (c) Chronic illness.
 - (d) Incarceration.
 - (e) Missing persons.
 - (f) Traditional (Go-thwasa) and Spiritual Initiation.

Indigent households falling in this category will be reassessed every twelve months. A legal declaratory document will be required from specific institution mentioned above such as medical declaration, letter from Department of Labour, letter from police, traditional healer/spiritual leader, or Correctional Services as proof of temporary distress.

9. VALIDITY PERIOD

- (1) The validity period of indigent support will be for a period of **24** months subject to re-evaluation on the expiry date.

11. UNDER-USAGE OF ALLOCATION

- (1) If the level of consumption of the Indigent household is less than the consumption level approved by the Municipality under clause 6 (2) (a) (i) (ii) of this policy, the household cannot claim or accrue the unused portion of the benefit, be it in cash or rebates.

12. EXCESS USAGE OF ALLOCATION

- (a) If the level of consumption of the Indigent household exceeds the consumption level approved by the Municipality under clause 6 (2) (a) (i) (ii) of this policy, the household will be obliged to pay for the excess consumption monthly.
- (1) Accounts of indigent beneficiaries that are not settled monthly will be subject to Credit Control measures that might affect the free basic services.

13. TERMINATION OF INDIGENT SUPPORT

- (1) Indigent support will be terminated under the following circumstances:
 - (a) Refusal by indigent households to accept installation of pre-paid meters after registration will lead to re- instatement of the debt and revoking of indigent status.
 - (b) Death of an account holder/s,
 - (c) Beneficiaries who fail to re-apply for indigent support after expiry date of 24 months will be automatically terminated from indigent support and credit control measures will apply.
 - (d) During sale of the property.
 - (i) Registered indigent households who sell their property within first 24 months' circle of receiving indigent support will be subjected to reversal of the debt previously written off with interest thereof.
 - (e) When circumstances in the Indigent household have improved and their gross income exceeds the combined income of two government pension grants as prescribed by the National Department of Social Development.

The Municipality reserves the right to reassess the circumstances of any household registered as indigent including to review and revise the entire Policy, criteria, and benefits.

14. EXIT PROGRAMME

- (1) Members of households registered as indigent should be prepared to participate in exit programmes coordinated by the Municipality in collaboration with other Government Departments and the Private Sector.
- (2) The expectation of this clause excludes pensioners and child headed households.
- (3) MCLM must prioritize indigent register when it comes to trainings, and employment opportunities as a way of exiting the indigents.

(1) 15. ACTION AGAINST MALPRACTICES TO MISREPRESENTATION OR MISUSE

Relief will be stopped with immediate effect if:

- (a) It is found that an approved indigent has supplied information known to have been untrue to obtain relief.
- (b) It will further be stopped if it is discovered that an approved indigent failed to inform Mogale City Local Municipality of changes in his/her/their financial circumstances which would disqualify them from receiving assistance in terms of this policy.
- (c) Providing misleading information constitutes fraud and Mogale City Local Municipality may claim any financial benefits that have been granted, from the indigent. In addition to having to repay the financial benefits, the indigent who has received the benefits will be guilty of committing an act of fraud which is a criminal offence and criminal charges may be brought against such person/s.
- (d) The applicant will not be eligible to apply for this assistance for a period of 5 years.

16. REPORTING AND QUALITY MANAGEMENT

The Community Development Services Department shall submit monthly reports to the relevant Portfolio Committees on the progress made regarding administration of the Indigent Management Programme.

(17) ACCESS TO INFORMATION ON THE REGISTER BY PUBLIC

- (1) A register of indigent beneficiaries must be maintained; however, the human dignity of applicants must also be protected.
- (2) An indigents register may be made available to the public, subject to the Promotion of Access to Information Act.
- (3) Written objections from the public must be referred to the Department of Community Development Services who will be responsible for forwarding the complaints to the appeal committee for consideration.

(18) BUDGETING FOR INDIGENT SUPPORT

- (1) The Municipality shall:
 - (a) Include in its annual budget the amount required for Indigent subsidies in line with the respective Policy and By-laws.
 - (b) Such an amount shall be increased annually, based on the Equitable Share plus the amended rates and tariffs for the particular financial year, and credited directly against the monthly services accounts of approved indigents.

The CFO will need to ensure that the indigent policy and its associated plans fall within the Municipality's financial capacity, and that the plans and policy are integrated within the municipality's own financial planning and processes.

(19) AUDITING

- (1) Auditing will be conducted as per the audit plan of the Internal Audit Section.

CHAPTER III

PROCEDURE GUIDELINES TO GIVE EFFECT TO THIS POLICY (ss20-28)

(20) Communication

- (1) The Marketing and Communication Section will:
 - (a) Within the framework of the Communication Strategy for the Indigent Management Programme, champion communication to inform the residents of Mogale City about the Programme.
 - (b) Mogale City Local Municipality will market the indigent subsidy by way of flyers, advertisements in the local newspaper and on Council's website but the onus is on account holders to re-apply for relief timeously, failing which the assistance will cease automatically.
 - (c) Indigent Management office to host community awareness to inform communities about Indigent Management program.

(21) Application/Registration

- (1) An applicant must:
 - (a) complete an official indigent application form supported by the following original/certified documents:
 - (i) South African valid bar-coded Identity Document
 - (ii) Current Municipal account not older than 3 months.
 - (iii) If unemployed an affidavit from the applicant declaring his/her household economic status.
 - (iv) Copy of a Bank statement where an applicant is employed or self-employed.
 - (v) A letter of authority (where applicable)
 - (vi) Executorship letter-not older than 12 months (where applicable).
 - (vii) Power of Attorney letter (where applicable).
 - (viii) Proof of receipt of Pension for pensioners.
 - (ix) Court order for foster parent/s of minor children (Where applicable)
 - (x) Divorce decree (where applicable)
 - (xi) Marriage Certificate (where applicable)
 - (xii) Social Workers investigation report and recommendation related to minor children and people living with disabilities (Where applicable).
 - (xiii) Case number (SAPS) or a newspaper advert for a missing person (where applicable)

The Municipality may require any other documents not listed above to verify the application.

(22) Assessment & Screening of Applicants

- (1) After the application registration process:
 - (a) All information must be verified by the Programme Officer, or a person approved by the Municipality as follows:
 - (b) The information on the Municipality's database must be checked to determine:
 - (i) Whether an applicant and beneficiaries are already registered.
 - (ii) The dates when these existing applicants should be reviewed.
- (2) Data Capturing
 - (a) The Indigent registration data must:
 - (i) Be captured as per the application form or as identified on the Municipality's Financial System.
 - (ii) The applicant will then be issued with an acknowledgement letter as an indication that the application is in progress.
 - (b) Verification – Site Visit
 - (i) Application must be assigned to a duly appointed Verification Officer to perform an on-site verification.
 - (ii) The Verification Officer must then verify the registration application, complete a questionnaire which contains the inventory.
 - (iii) The applicant must then sign the completed questionnaire.
 - (iv) The Verification Officer then assesses the application and makes a recommendation based on the assessment.
 - (v) Should the Verification Officers fails/be denied gaining access into the property or to find the applicant in the property will lead to the application be recommended for decline.

(23) Recommendation

- (1) Once application processes are completed the Indigent Management office Must:
 - (a) Generate a recommendation report based on the information received.
 - (b) Applications that qualify for Indigent support in accordance with the policy are then to be referred to the IPIMEC for consideration and approval.
 - (c) The approved Indigents must be flagged in the BIQ within 10 working days after report has been tabled to IPIMEC and the approved IPIMEC book be referred to Credit Control for Subsidization.
- (2) If the application is declined, it Must:
 - (a) Be captured as such and
 - (b) A letter should be sent to the applicant informing them of the disapproval.
- (3) In the event of a successful application, the Financial Billing system Must:

- (a) Update to show the approved indigent status.
- (b) The Financial Management system should be flagged to indicate that the application has been approved and a letter should be sent to the applicant informing them of approval of their application.

(24) Commencement of status as an indigent consumer

- (1) Indigent recommendations reports are tabled at IPIMEC monthly for approval of such recommendations.
- (2) The approved recommendations report is delivered to the Finance Department to load the Indigent subsidies onto the individual accounts. It is from here that Indigent Cycle commences and the status as Indigent will reflect on all communication from this point on.
- (3) The Finance Department will return the subsidized accounts to be captured into the Indigent database for relevant outcome documentation to be prepared and delivered to all applicants.

(25) Indigent Policy Implementation, Management and Evaluation Committee (IPIMEC)

- (1) IPIMEC must:
 - (a) Be established to receive data,
 - (b) Approve/disapprove and
 - (c) Ensure the implementation, management, and evaluation of the Indigent Management Process.
- (2) The committee shall:
 - (a) Comprise of officials from Social Development, Finance, Utilities Management Services, Human Settlements and Strategic Management Services as well as relevant officials as mandated by the specific departments.
 - (b) Be chaired by the Executive Manager/nominated official of Community Development Services
 - (c) 50% of the members must be available for the committee to seat, apologies must be submitted to the office the Executive Manager Community Development in Writing.
- (3) The IPIMEC shall meet at least **once a month** (subject to availability of members) to deal with - reports tabled before them.
- (4) In case where the IPIMEC doesn't meet for two (2) consecutive months, the Executive Manager/nominated official of Community Development Services Must approve the tabled report.

(26) Management Responsibilities

(1) Management shall do the following:

(a) Monitoring

- (i) Ongoing monitoring of the execution of the Policy to determine its effectiveness and efficiency.
- (ii) Inputs from various affected stakeholders inclusive of Councilors, Ward Committee Members and affected admin officials will assist in the monitoring process of the Policy implementation.

(b) Quality Management

- (i) Management of quality of the current basic services as defined in the Policy.
- (ii) Systems and processes of reporting, monitoring, and reviewing the Policy to be put in place.

(c) Reporting

- (i) All information captured during monitoring and quality assessment period of this Policy.

(d) Evaluation

- (i) Evaluate that all processes outlined in the policy were followed and completed to ensure a clean audit trail for all applications, processes, and reporting.

(e) Review

- (i) In line with the information that would have been collected during the monitoring, quality assessment, evaluating and reporting.

(27) Right of appeal

- (a) An applicant who feels aggrieved by the outcome taken in respect of his/her indigent management application may lodge an appeal in writing in terms of section 62 of the Municipal System Act 32 of 2000 within 14 days of being notified of the indigent application outcome.
- (b) The Municipal Manager shall appoint an Indigent Appeal Committee that will consider all appeals.
- (c) The Municipal Manager will appoint the chairperson of the Indigent Appeal Committee to be a person vested in Law outside of the City's employ.
- (d) The Indigent Appeal Committee will have to review, preside and or hear all lodged appeals within 30 working days, unless substantive facts have been provided contrary to this stipulation.
- (e) The Appeal's committee shall consist of the following departments Social Development, Finance and Corporate and Legal Services.
- (f) All Appeals shall be lodged in a form prescribed by the Social Development department and state the nature and reasons for appeal.

- (g) Until reviewed by Indigent Appeals Committee, indigent application will remain pending and credit control actions will be suspended until appeal has been evaluated by Indigent Appeals committee.

(28) Re – evaluation

- (1) All approved indigent households will be re-evaluated prior to the 24-month expiry period.
- (2) The recommendations report on the re-evaluation will then be submitted to IPIMEC for approval.
- (3) The indigent households who fail to apply for re-evaluation for a period of 12 months knowingly or not will be regarded as first-time applicants.

(29) CONTROL MEASURES FOR THE DISTRIBUTION OF INDIGENT SUPPORT

Any resident of the municipality who is aware of malpractice may lodge an objection for review by the Indigent Appeals Committee for granting such relief to such a person.