

Educational Standards, Qualifications and Competency Frameworks for Councillors in South African Municipalities—A Constitutional Need

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Abstract

The Department of Cooperative Governance and Traditional Affairs (CoGTA) is currently reviewing the 1998 White Paper on Local Government, marking the beginning of a new era for a sphere whose constitutional and legislative powers have significantly contributed to the development of local communities. Despite this recognition, local government continues to face persistent challenges, including deficiencies in administrative governance, service delivery backlogs, infrastructure constraints, and both financial and structural limitations. However, the review of the White Paper fails to acknowledge that many of these challenges can be significantly attributed to the low literacy levels of councillors—the key decision-makers in municipalities—among other factors. This omission persists despite the minister's public admission that more than 300 councillors in the KwaZulu-Natal Province are unable to read or write. This article argues that the absence of minimum educational, expertise and competency requirements for councillors may undermine the effective implementation of the proposed reforms, especially given the increasing complexity of political, financial and administrative tasks and decision-making within the local government sphere. The article undertakes a critical analysis of political rights and principles enshrined in the Constitution in the context of the dysfunctional local government in South Africa, and in response, offers a carefully crafted councillor competency capacity development framework that does not encroach on the relevant constitutional guarantees.

Keywords: councillor competence; municipal council; political rights and principles; minimum competency standards; local government; South Africa



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Introduction

In April 2025, the Department of Cooperative Governance and Traditional Affairs (CoGTA) published a Discussion Document¹ (Review Paper) concerning the review of the White Paper on Local Government (1998) (White Paper). The impetus for this review stems from the recognition that although the White Paper marked a significant milestone in the establishment of a democratic local government in South Africa, weaknesses persist, and local government's performance has regressed.² This regression is attributed to a range of issues, including those related to deficiencies in administrative governance, service delivery backlogs, infrastructure constraints, and both financial and structural challenges.³ The Review Paper identifies six critical areas (pillars) for reform to be included in a proposed revised White Paper that is set to be published in 2026, namely: fiscal and financial reform, a pervasive culture of unethical behaviour and weak accountability, inadequate integration of traditional governance structures, excessive politicisation of local government, deteriorating relationships between communities and municipalities, and weaknesses in cooperative governance. Additionally, the Paper highlights the need to respond to the enduring patterns of spatial inequality and the emerging imperative of climate governance.⁴

A revision of the White Paper constitutes not merely a policy adjustment, but a recognition of an underlying governance issue: the urgent need to recalibrate institutional arrangements and normative frameworks to better respond to the multifaceted crises facing municipalities. However, such reform efforts risk not being sufficient if they fail to engage substantively with the foundational issue of human capital development, particularly the competency and educational preparedness of elected representatives.⁵ In this regard, the role of councillors, who occupy the critical office within municipalities, becomes central to the success or failure of local government reforms.

Any debate on councillor competence, particularly on whether councillors must have attained a certain level of literacy or hold a specific academic qualification, raises constitutional scrutiny. Every citizen, regardless of educational attainment, skills or

1 Discussion Document on the Review of the White Paper on Local Government (2025) (GN 6118 (10 April 2025) in GG 52496).

2 *ibid* 3.

3 *ibid*. Also see Auditor-General South Africa, *Consolidated General Report on the Local Government Audit Outcomes 2022–23* (AGSA 2024) 2 and D Erasmus, 'Only 38 Municipalities Receive Clean Audits—AGSA' *Mail & Guardian* (Johannesburg, 31 May 2023) 1.

4 Review Paper (n 1) 27.

5 See, for instance, T Goba, 'Hlabisa Says Education Levels for Public Representatives Must Be Revisited after Report Shows Hundreds of KZN Councillors Illiterate' *Eye Witness News* (28 July 2025) and N Ngcobo, 'Majority of South African Councillors Cannot Read or Write' *Mail & Guardian* (14 October 2025).

expertise, has the right to assume political office if elected to do so. This right is guaranteed in sections 1(d), 19 and 158 of the Constitution of the Republic of South Africa, 1996 (Constitution). Any attempt to impose qualification requirements would therefore undermine this guarantee by excluding citizens who otherwise enjoy the right to full political participation.

While upholding the Constitution, it remains prudent to recognise that rights may sometimes be limited, justifiably so.⁶ The pressing need to confront the dysfunction in local government⁷ and to address issues of incompetence cannot be ignored, though, particularly in light of the aspirations set out in the Review Paper. In this context, the constitutional guarantee of political rights must be balanced with the imperative of ensuring effective governance and restoring dignity to municipal institutions. And it is against this backdrop that the article contends that an absence of minimum educational, expertise and competency requirements for councillors may undermine the effective implementation of the envisioned reforms, especially given the increasing complexity of political, financial and administrative decision-making in the local government sphere.

The enquiry in this article raises a fundamental normative question: should local government councillors be required to possess a defined level of literacy, educational attainment, nuanced expertise and/or clear competencies to adequately fulfil their responsibilities? To answer the question, the remainder of this article is structured in five parts. The first part discusses the role and competencies of councillors in South African local government based on the constitutional and legal framework regulating this structure, focusing on the legal competency expectations and challenges that arise from the absence of minimum requirements in this regard (e.g., governance failures, service delivery issues). The second part critically examines the influence of political parties in municipal decision-making processes, arguing that councillors frequently prioritise party loyalty over independent judgment or substantive engagement with matters pertinent to their office. The third part critically engages debates surrounding democratic representation, participatory legitimacy, and South Africa's electoral and political party design in the context of the relevant constitutional and legislative considerations. The fourth part deliberates on and proposes a framework that could foster councillors' competencies within the broader constitutional framework, taking cognisance of the need to adhere to established governance standards, while also emphasising capacity-building that strengthens councillors' ability to discharge their responsibilities effectively. The article concludes in part five.

6 See section 36 of the Constitution; *Qwelane v South African Human Rights Commission* 2021 (2) SA 136 (CC) at paras 94–98 and *Minister of Justice and Constitutional Development v Prince* 2018 (6) SA (CC) at para 100 on the justifiable limitation of rights.

7 See, for instance, Auditor-General, *South Africa Consolidated General Report on the Local Government Audit Outcomes 2024/25* (2025) on the state of dysfunction in some municipalities in South Africa.

Local Governments' Legal and Policy Framework: The Competencies of Councillors

The White Paper echoes the transformative vision of the Constitution by reshaping the structure and function of local government in South Africa.⁸ Two significant constitutional reforms underpin this transformation. Firstly, the Constitution firmly establishes local government as a distinct and interdependent sphere vested with legislative and executive authority to govern its territories without undue interference from national or provincial governments.⁹ This represents a substantial departure from the apartheid era, during which municipalities, largely representative of the white minority, operated under the control of provincial councils and held limited legislative authority.¹⁰

Secondly, the Constitution has fundamentally altered the political dynamics of local government by institutionalising the role of political parties in determining municipal leadership.¹¹ Section 151(2) of the Constitution vests both executive and legislative authority in the municipal council. This governance model is notably distinct from that of the national and provincial spheres, where these functions are institutionally separated.¹² In the local government context, this fusion of powers implies that municipalities are not only empowered to adopt their own policies and legislation but are also responsible for implementing them. The executive function of municipalities is exercised through oversight of policy implementation and municipal administration, which is typically executed through the offices of the mayor and the municipal manager.¹³ As the highest decision-making bodies in municipalities, local councils and in particular individual councillors, hold considerable authority over key governance functions. These include the appointment of individuals to critical administrative

8 See sections B and D of the White Paper.

9 Section 151 of the Constitution.

10 cf *City of Cape Town v Robertson* 2005 (2) SA 323 (CC) para 53; *Fedsure Life Assurance Ltd v Greater Johannesburg Transitional Metropolitan Council* 1999 (1) SA 374 (CC) paras 2–4; *African National Congress v Minister of Local Government and Housing, KwaZulu-Natal* 1998 (4) BCLR 399 (CC) paras 4–12; and *Rates Action Group v City of Cape Town* 2006 (1) SA 496 (SCA) para 10. Also see NNP Ngcobo, 'South African Environmental Law and Political Accountability: Local Councils in the Spotlight' (2023) 26 *PELJ* 1, 6; ON Fuo, 'Local Government's Role in the Pursuit of the Transformative Constitutional Mandate of Social Justice in South Africa' (LLD thesis, North-West University (2014) 73; JN Cloete and C Thornhill, *South African Public Administration and Management* (10th edn, Van Schaik Publishers 2012) 27; and J de Visser, 'Developmental Local Government in South Africa: Institutional Fault Lines' (2009) 2 *Commonwealth Journal of Local Governance* 7–25.

11 NNP Ngcobo, 'The Duty of Municipal Councillors to Realise South Africa's Constitutional Environmental Right' (PhD thesis, North-West University 2023) 109–110.

12 Cloete (n 8) 27.

13 Sections 153(a), 156(1), and 156(2) of the Constitution.

positions, such as the municipal manager, who often also functions as the municipality's chief financial officer.¹⁴

The legal framework for local government sets clear competency requirements for municipal managers.¹⁵ A candidate for this role must demonstrate the requisite skills, expertise and qualifications to navigate complex legal and financial regulatory environments while also managing all administrative departments. Legally, a municipal manager must hold at least a National Qualifications Framework (NQF) Level 7 qualification, which is equivalent to a bachelor's degree in a relevant field such as public administration, law or social sciences, and possess a minimum of five years' experience in senior management.¹⁶ Despite these stringent requirements for the administrative head, no equivalent competency standards are imposed on members of municipal councils who are the political office-bearers and, effectively, the employers of municipal managers.¹⁷

The Local Government Municipal Systems Act 32 of 2000 (Systems Act) outlines a set of competencies for councillors but notably omits any reference to minimum educational qualifications. According to the Code of Conduct for Councillors (Code of Conduct),¹⁸ councillors are both representatives of political parties and statutory functionaries within local government.¹⁹ Their role is inherently political: they are elected to represent their constituencies within the municipal council. The Code of Conduct compels councillors to act in the interest of their municipality and to serve as the political link between the council and the community.²⁰ In this capacity, councillors are also responsible for performing oversight functions on behalf of their constituents.²¹ And these responsibilities include receiving community mandates, overseeing the administration's implementation of policies, and reporting back to communities on municipal performance.

14 Section 55 of the Local Government: Municipal Systems Act 32 of 2000. The municipal manager, along with departmental managers directly accountable to the municipal manager, performs critical tasks including resource mobilisation, monitoring compliance with legislation, implementing municipal policies, and overseeing performance management. See also J Beukes, 'Towards Professionalising Local Government: The Crisis of Undue Political Interference in Municipalities' (2023) 18(4) Local Government Bulletin.

15 Section 54A of the Local Government: Municipal Systems Act 32 of 2000.

16 Section 1 of Annexure B of the Regulations on Appointment and Conditions of Employment of Senior Managers (2014) (GN 21 (17 January 2014) GG 37245).

17 See section 54A of the Local Government: Municipal Systems Act 32 of 2000 on the appointment of municipal managers.

18 Schedule 7 of the Local Government: Municipal Structures Act 117 of 1998 (Code of Conduct for Councillors).

19 See Department of Cooperative Governance and Traditional Affairs, Everything You Need to Know about Being a Councillor (CoGTA 2021) 56.

20 Preamble to the Code of Conduct for Councillors.

21 See section 2(b)(i)–(ii) of the Systems Act.

Municipal councils serve as platforms where community interests intersect with party politics, and where local policies are ideally developed and implemented through such engagements. While the Code of Conduct identifies key competencies for councillors,²² reflecting an appreciation of the interconnectedness of the various structures within municipal governance, it does not specify the educational qualifications required to fulfil these complex duties effectively.

The lack of explicit educational requirements for councillors has been acknowledged, albeit inadequately, in the recent Review Paper. The Review Paper vaguely addresses the issue, as exemplified in the following statement:

Elections need to be adjusted to encourage greater stability and capability within local governance. Amendments to the [Local Government:] Municipal Structures Act [117 of 1998] could allow for more flexible executive arrangements and reconsideration of election thresholds to improve the quality of elected officials. Councillors should be required to meet certain educational qualifications to ensure competency, with pay structures adjusted accordingly.²³

While this statement recognises the importance of nominating candidates with relevant qualifications, it does not define what constitutes a minimum qualification for this purpose. Furthermore, the Review Paper fails to articulate the specific qualifications, skills and competencies required for effective political leadership within municipal councils. This is despite the minister expressly raising concerns that councillors who do not have educational qualifications, amongst other competencies, fail to perform oversight effectively because they cannot read critical documents such as policies, financial statements, and reports.²⁴

Whose Vote is it Anyway? The Politics of Voting

The Review Paper highlights how overpoliticisation²⁵ in local government has eroded public trust in municipalities, particularly where interference by national and provincial political party structures has exceeded constitutional boundaries.²⁶ A prime example is when Mmusi Maimane, while serving as the president of the Democratic Alliance (DA) back in 2018, announced that he would be taking political control of the drought-induced water shortage crisis in the City of Cape Town, colloquially known as Day-Zero.²⁷ The DA was in political control of both the municipal council in the City of

22 Key competencies for councillors include lawful decision-making, meaningful participation and engagement in council sittings, ethical conduct and accountability, amongst other things. See Code of Conduct.

23 Review Paper (n 1) 61.

24 T Goba (n 5).

25 Overpoliticisation is defined as ‘politicisation of administration and political overreach, resulting in failure to maintain professional ethics and to operate impartially.’ See Review Paper (n 1) 30.

26 *ibid.*

27 M Pieterse, ‘Cape Town Water Crisis: Crossing State and Party Lines isn’t the Answer’ *The Conversation* (31 January 2018).

Cape Town and the provincial Western Cape government at that time.²⁸ This announcement was rightly called into question by legal scholars for its problematic nature, since a national leader of a governing party should not be interfering in the functioning of a municipal council.²⁹

Political overreach undermines the principles of professional ethics and creates a toxic governance environment in which councillors often fail to act impartially and equitably.³⁰ This is especially the case when coalition partners become intolerant of one another's stalling, leading to the collapse of their coalition agreements and thereby sometimes undoing the progress that may have otherwise been made in financial, budgeting, service delivery and other matters.³¹ The opposite is also true, though, where some parties exhibit clear political will and championship in an effort to make real progress.³²

According to the Code of Conduct, elected representatives are required to perform their duties in good faith, honestly and transparently. They are expected to act at all times in the best interests of the municipality and in a manner that upholds its credibility and integrity.³³ Nevertheless, while the Code of Conduct clearly articulates the ethical and professional responsibilities of councillors, it does not account for the structural reality that councillors are typically nominated and advanced to office by political parties.³⁴ As a result, many councillors perceive their political legitimacy as being rooted in party affiliation rather than in the mandate to serve the public interest.³⁵ This dynamic gives rise to an inherent conflict of interest, or at least a tension between party loyalty and public duty. Consequently, councillors may feel compelled to align their votes with party directives or against political adversaries, even when such decisions may not reflect the needs or interests of the communities that they are elected to represent. A

28 *ibid.*

29 *ibid.*

30 *ibid.*

31 See, for instance, *Mpho Phalatse v Speaker of the City of Johannesburg* (unreported judgement in High Court of South Africa, Gauteng Division, Johannesburg, Case No. 2022/26790), where Mpho Phalatse was ousted as the executive mayor of the City of Johannesburg in an extraordinary sitting of the council. The events that preceded this seating included coalition partners betraying each other. The speaker of the council stated in this regard that the downfall of the DA-led coalition was due to 'a concerted campaign of subterfuge, which ultimately backfired.' Phalatse was later reinstated through a court order. The court declared the extraordinary sitting and motion of no confidence against the executive mayor unlawful, unconstitutional and invalid.

32 Political will can be described as: the desire and commitment, especially by elected political office bearers, to undertake political action by means of the unconditional use of their public power to achieve a set of objectives usually to the benefit of societal welfare and to budget for and sustain the cost of those actions over time. See AA du Plessis, JG Nel and H Retief, 'Key Elements for Municipal Action' in AA du Plessis (ed), *Environmental Law and Local Government in South Africa* (2nd edn, Juta 2021).

33 Item 2(a)–(b) of the Code of Conduct.

34 NNP Ngcobo (n 11).

35 *ibid.*

councillor who is aware of their constitutional and legislative duties could arguably be held to a higher standard of accountability precisely because it would be more serious and less excusable to disregard such knowledge. And when this awareness is combined with a genuine political will to perform their duties diligently and ethically, the quality of governance is likely to improve.³⁶ It follows, therefore, that there is a legitimate case to be made for South Africa to consider formalising the essential competencies of councillors by introducing minimum educational or qualification requirements, coupled with the necessary expertise and skills.

Constitutional and Legislative Considerations in South Africa

As stated previously, the policy and legal foundation concerning the competencies of municipal administrations is firmly established in the local government legislative framework, although its application remains inconsistent. For instance, in 2023, the iLembe District Municipality appointed Zwelibanzi Innocent Cele to a senior managerial post despite his failure to meet the advertised minimum qualification requirements, a decision later found to be irregular by the Public Protector.³⁷ Candidates applying for a senior management position in administration must hold a bachelor's degree in social science (or any other relevant field of study) (NQF Level 7), five years of relevant experience, a valid driver's licence, and computer literacy as required by the Systems Act. Cele held only a national diploma in language practice (NQF Level 6) at the time of application. Similarly, in the Siyathemba Local Municipality, senior officials, including the Chief Financial Officer Howard Meiring and Director of Technical Services Jakob Basson, were appointed without the requisite qualifications, with investigations confirming that due process was bypassed.³⁸ These examples illustrate how corruption and political interference continue to undermine the integrity of municipal appointments, despite the existence of clear legislative and regulatory frameworks. It therefore stands to reason that a minimum competency standard must be considered for councillors. This article does not advocate for a blanket approach, but key consideration must be given to offices where legal, financial and service delivery responsibilities are concentrated, such as the mayor's office, the whip, and members of mayoral committees (MMCs).

The article is not oblivious to the fact that the adoption of a blanket precondition of minimum qualifications and competencies could be anathema to the constitutional fundamentals. A careful balancing act will be required to achieve some manner of the former while safeguarding the latter. This tension is underscored by the constitutional

36 AA du Plessis, JG Nel and H Retief (n 33).

37 S Dlamini, 'iLembe Municipality Manager Hired Without Proper Qualifications, Says Public Protector Report' *The North Coast Courier* (Ballito, 15 October 2025).

38 A Bhana, 'Siyathemba Officials Accused of Irregular Appointments as Municipality Weighs Next Steps' *Mail & Guardian* (29 September 2025).

guarantee that ‘every citizen who is qualified to vote for a municipal council is eligible to be a member of council,’ as enshrined in section 158(1) of the Constitution.

Section 1(d) of the Constitution, which speaks to universal suffrage and an accountable, responsive, and transparent government, affirms the founding principles upon which South Africa’s democracy is built. It reflects a decisive shift from the country’s apartheid past, where voting was restricted along several lines, particularly race.³⁹ Numerous scholars have argued that, even though South Africa’s voting culture has declined owing to toxic practices such as the buying of politicians by private money, decreasing voter registration, and reduced voter turnout, among other things, competitive elections for political office bearers, including councillors, remain fundamental.⁴⁰ They are essential for sustaining multiparty democratic governance grounded in the country’s founding values. Section 1(d) finds practical operation in section 19 of the Constitution, whereby every citizen is free to make political choices, including forming a political party, participating in political activities, and campaigning for causes linked to such structures. Citizens may vote for any party of their choosing and do so in secret.⁴¹ Furthermore, every citizen may stand for the position of councillor in their municipality and, if elected, hold office as councillor.⁴² This essentially means that there is no constitutional barrier preventing any person who is a registered voter from being elected as a councillor. Political parties and individuals alike, therefore, retain the freedom to exercise this right, ensuring that democratic participation remains inclusive and accessible.

Whilst sections 1(d) and 19 of the Constitution guarantee inclusivity, it begs the question whether the pursuit of preserving constitutional rights should strike out completely the need to build the competency of councillors in an attempt to stabilise the local government sphere. This sentiment was also shared by a recent majority judgement of the Constitutional Court.⁴³ The Court’s observation stems from an application which was brought before it to confirm an order of the Labour Court, the latter which essentially set aside section 71B of the Municipal Systems Act as invalid and unconstitutional insofar as it bars municipal employees from holding office in political parties. While the Constitutional Court affirmed the Labour Court’s decision,⁴⁴ it is worth noting the fundamental debate over the ability to justifiably limit the political

39 *August v Electoral Commission* 1999 (4) BCLR 363 (1 April 1999) para 17.

40 See, for instance, J Tsheola, ‘Elections and Suffrage Power in South Africa’s Democratic Governance’ (2025) 22 *African Renaissance* 123–148; S Friedman, ‘Why New South African Law Won’t End the Toxic Mix of Money and Politics’ *The Conversation* (5 August 2019); D Steyn, ‘How to See Where and From Whom South African Political Parties Get their Money From’ *Daily Maverick* (4 August 2023).

41 Section 19(2) and (3) of the Constitution.

42 Section 19(3) of the Constitution.

43 *South African Municipal Workers Union v Minister of Cooperative Governance and Traditional Affairs* 2025 (6) BCLR 702 (CC) para 1.

44 This article does not engage with the merits of the case beyond what is strictly necessary and confines its discussion to those aspects directly relevant to the issues under consideration.

rights enshrined in section 19 of the Constitution in order to protect the integrity of local government.⁴⁵ This is particularly the case where the state of dysfunction in local government has become evident, necessitating that the dignity and effective functioning of municipalities be safeguarded.⁴⁶

In affirming the decision of the Labour Court, the Constitutional Court did agree to a justifiable limitation of section 19 of the Constitution, particularly for municipal managers and the managers directly accountable to them. The Court held that, an unfiltered right for such key individuals to hold both an office in the administration of a municipality and an office in a political party could potentially compromise the decisions taken within the municipality.⁴⁷ An illustration of the decision taken by the Court could be as follows:

Political Party A wins the municipal election, becoming the dominant party in the municipal council. The council must then appoint leaders to manage the administration—that is, the senior officials responsible for overseeing the day-to-day operations of the municipality. The regional chairperson of Political Party A (or any other senior officeholder) may be paid a higher salary as a municipal official than serving as a councillor. Through political pressure, they ensure their appointment. Alternatively, political leaders who did not secure council seats are placed in the administration as more junior officials to guarantee a source of income.⁴⁸

Although the case and illustration discussed above focus on the limitation of political rights for key administrative officials, an inference may be drawn that similar justification could apply to political actors, where such limitations would serve to legitimise the political office of a municipality. Where in this instance, the justification arises from the need to choose a council member with more competency over another for the development of local government.

Towards a Balanced Approach—Policy and Practical Recommendations

It must be reiterated that balancing the approach in this context refers to reconciling two equally important imperatives. On the one hand, there is the obligation to uphold the constitutional guarantees enshrined in sections 1(d), 19, and 158 of the Constitution, which serve to safeguard the democratic values, political rights and the principles of representative government. This speaks to the pursuit of preserving constitutional rights as the foundation of local democracy. On the other hand, there is the practical necessity

45 n 43.

46 cf *ibid* para 36.

47 See the Order of the Court in *South African Municipal Workers Union v Minister of Cooperative Governance and Traditional Affairs* 2025 (6) BCLR 702 (CC).

48 Illustration provided by Ethics Institute, ‘Does the Constitutional Court Prioritise the Rights of the Politically Connected Above the Rights of Citizens?’ (22 April 2025) <<https://www.tei.org.za/2025/04/22/does-the-constitutional-court-prioritise-the-rights-of-the-politically-connected-above-the-rights-of-citizens/>> accessed 9 June 2026.

of ensuring that local government councillors are adequately equipped with the educational competencies and skills required to discharge their responsibilities effectively (if at all). This involves structured training, capacity building and professional development to strengthen governance, oversight, ethical leadership, financial management, and policy formulation. Therefore, the discussion that follows below does not ‘argue’ in the conventional sense but instead proposes that effective councillor development requires a holistic approach. By weaving together structured training programmes, recognised qualifications, demonstrable competencies and accumulated expertise, a comprehensive framework can be established. This framework ensures that councillors are not only constitutionally mandated representatives of the people, but also capable leaders equipped with the knowledge, skills and ethical grounding necessary to manage complex municipal responsibilities. It is further not suggested that all members of a municipal council should obtain all competencies, as stated before, it may suffice (for now) that a minimum competency standard must be considered for councillors in select senior offices, with a gradual phase-in approach for other council members.

Structured Training

Every councillor assuming political office for the first time is required to complete a two-week induction programme facilitated by the South African Local Government Association (SALGA). As part of this programme, councillors receive training materials, including the Handbook for Councillors. The handbook is carefully structured to address the critical areas of responsibility that enable councillors to govern municipalities effectively. These areas include municipal governance, oversight, ethical leadership, municipal finance, policy development and performance management.⁴⁹

Given that the two-week programme might not fully capacitate councillors, SALGA does embark on various ongoing training opportunities for councillors throughout their five-year tenure in councils. These opportunities are not always compulsory, and as a result, some councillors often choose not to participate.⁵⁰

Qualifications

South Africa should consider the phased-in introduction of a formalised, credit-bearing qualification for councillors, aligned with the South African Qualifications Authority (SAQA).⁵¹ This qualification need not be a prerequisite, but an extension of the induction programme for first-time councillors currently offered by SALGA. This qualification should be context-sensitive and tailored to the governance realities of

49 The author received insights from anonymous participants in a study (surveying councillors) regarding their training and experiences in office. See NNP Ngcobo (n 11)

50 *ibid.*

51 South African Qualifications Authority, ‘National Certificate: Local Government Councillor Practices’ (SAQA, 1 July 2023) <<https://regqs.saqa.org.za/showQualification.php?id=58578>> accessed 9 June 2025.

municipalities. This is instrumental considering the ever-growing focus on technical aspects that municipalities are grappling with, including, for example, aspects relating to climate governance in the local government sphere. It must be designed to build capacity on the role of a councillor without undermining democratic accessibility. Such a qualification would contribute directly to addressing the pervasive culture of weak accountability and professional incapacity. At a minimum, foundational training in public financial management, ethical governance, intergovernmental relations, spatial planning and service delivery duties should be embedded in a qualification obtainable through a flexible, modular offering.

Competence

South Africa should adopt a competency-based framework that goes beyond formal education to include continuous learning and performance support. This framework must identify key behavioural and functional competencies, including political leadership, stakeholder engagement, negotiation, oversight, and responsiveness to community needs. These competencies are crucial for countering the excessive politicisation of local government, improving deteriorating municipal-community relations, and strengthening cooperative governance across spheres. Furthermore, competencies related to change management and organisational culture are essential to reforming the entrenched norms such as encroachment, council infighting, lack of political will and corruption that currently hinder ethical governance.

Expertise

The evolving challenges facing local government, ranging from overpoliticisation, ethical deficits, and fiscal instability, to spatial injustice and climate vulnerability, demand a more intentional, structured, and transformative approach to councillor development. A framework that distinguishes and integrates qualification, competence and expertise is not only appropriate but urgent. Such a framework, if aligned with the core pillars of the Review Paper, will support the emergence of a capable, ethical and community-responsive team of local public representatives. It will also signal a critical shift from viewing councillors merely as political actors to recognising them as pivotal agents in local development and democratic renewal.

Conclusion

The article questioned whether councillors should be required to possess a defined level of educational attainment, nuanced expertise and clear competencies to adequately fulfil their responsibilities. The enquiry follows the current proposed reforms of the White Paper on Local Government, tied to the utterances by the Minister that some councillors in South Africa cannot read and write.

The role of councillors is already complex, and a sizable number of councils could potentially fail to realise the proposals in the Review Paper from inception, simply based on their complexity as well. It is therefore prudent that a framework, as the one proposed

in this article, be adopted, whereby councillors' capacities can be developed through various means, including the attainment of educational qualifications. In the case of political parties, the framework should encourage the advancement of prospective councillors who may already possess those educational qualifications and skills that are desirable and essential for governance in a municipal setting.

A constitutional law reading is fundamental to the exercise, as the proposed framework must be subject to constitutional scrutiny. That is why this article recommends that both constitutional guarantees, particularly those in sections 1, 19 and 158 of the Constitution, as well as capacity-building prerogatives for councillors, be considered constitutionally relevant, where neither is more important than the other. This is because councillors are custodians of a constitutionally established local government sphere.

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