

# Partnership Framework Agreement between Civil Society Organisations (CSOs) and the National Department of Human Settlements (NDHS) around interventions in informal settlements in the context of COVID-19

## 1. PREAMBLE

There are at least 1.2 million vulnerable households, residing within more than 2,700 informal settlements and extremely dense inner city buildings in South Africa, who are acutely at risk as a result of the coronavirus disease (COVID-19) outbreak. The pandemic has starkly exposed the severity of living conditions in informal settlements, which have always threatened the health, dignity and safety of people living there. The implications of these living conditions during the COVID-19 pandemic present an imminent life and death situation.

While COVID-19 has been characterised as a short-term emergency, with long-term implications and a devastating legacy, all indications are that the pandemic will be more lasting and recurrent (at least until a vaccine has been found or population immunity has been achieved). Even if the pandemic reaches a peak in the next four or five months, there will in all likelihood be spikes and risks of the spread of infection for the next two years.

The factors that create an environment of risk and susceptibility for informal settlements in the context of COVID-19 include: lack of access to basic services, adequate shelter, economic activity, education and information sharing, and social safety nets. The protocol for slowing down the spread of the virus – hand hygiene, social distancing and behaviour change – are particularly challenging in environments which are characterised by a lack of clean water and sanitation, inadequate shelter, and overcrowding.

COVID-19 is already impacting severely on the livelihood security of the urban poor. These impacts flow not only from the anticipated effects of the disease itself, but also from the lockdown measures in place, which have largely shut down the local economy and have resulted in substantial loss of income to already-poor residents and resultant food insecurity and livelihood impacts. Most households have lost all or most of their income and have limited or no savings to fall back on. Many local spaza shops have closed down. Public transport to travel to shops has been severely disrupted. Households that do not have a SASSA number, and are therefore unable to secure social benefits through this mechanism, risk being left out of social support.

Informal settlement residents have had to rely, more than ever, on their social networks and internal social capital to survive the health, social and economic impacts of COVID-19. The COVID-19 risk mitigation strategy must therefore be linked to a long-term developmental agenda that upholds the rights of vulnerable groups and optimises scarce funding and other resources.

Civil society organisations (CSOs) recognise the effort to coordinate at national level a localised response to the crisis, through the establishment of a COVID-19 Informal Settlement Task Team and Sector Engagement Platform and through the Minister's engagements with CSOs. These efforts show that meaningful engagement can lead to mutual accountability, responsiveness and improved outcomes in local communities. There are a number of ways in which CSOs can most effectively support the NDHS in its COVID-19 response measures in the short, medium and long term:

1. Community engagement, communications, participative planning, supporting community mobilisation and community-led development that includes settlement level physical re-ordering or colloquially re-blocking to ensure that responses are appropriate and locally-responsive.
2. As the main priority and short-term emergency action, supporting the provision of water, sanitation and solid waste management, supporting the coordination of food security, responsive primary care behaviour change, and disease management efforts.
3. As medium-term actions, accelerating incremental, in-situ upgrading project pipelines - in line with the Upgrading of Informal Settlements Programme (UISP) and National Upgrading Support Programme (NUSP) principles, in supporting moving to scale
4. Learning, research, documentation, data and information dissemination of the upgrading of lives of informal settlement dwellers.

This partnership framework agreement reflects consensus about the approach and underlying principles. To that end, CSOs and the NDHS commit to the implementation of commonly agreed goals and activities. However, CSOs and the NDHS may 'agree to disagree' about implementation matters. Disagreements should be addressed at municipal and project levels. Residents and their representatives must be central in project partnership task teams.

## 2. ASSUMPTIONS AND KEY PRINCIPLES

- **Timeframes:** COVID-19 impacts and related mitigations will be necessary for at least 6 – 12 months if not more, not only for the period of the initial lockdown. A short- (0-3 months), medium- (3-24 months) and long-term (24+ months) framework is required, and is in the process of being developed in partnership with CSOs. Given the current indications the emergency response to COVID-19 is likely to last for the medium-term period.
- **Community mobilisation and organisation:** Communities need to be mobilised and organised in order to successfully mitigate the crisis. Government, CSOs and other stakeholders must work with existing community structures wherever they exist, and enable and strengthen them (e.g. with permits, protective gear, local platforms of engagement). It is accepted that many CSOs have significant experience and practical knowhow in this regard as well as existing working relationships with many communities. Success requires communities co-driving local actions in which CSOs, who have worked in such environments, can add immense value.
- **Intergovernmental relations:** The immediate response is multi sectoral in nature and will require coordination across sectors and between spheres of government in order to identify and apply resources and take the range of cross sector actions required.
- **Programmatic, scale-able response:** Responses need to be programmatic and at scale so as to reach and support all of the 2,700 informal settlements in South Africa. As per the UISP, this means that these responses need to focus primarily on incremental, in situ upgrading as outlined below.
- **Incremental in-situ upgrading:** The national upgrading programme as informed by UISP policy and NUSP and supported by CSOs which emphasises incremental in-situ upgrading, basic services provision, functional tenure and partnerships needs to be maintained and intensified during COVID-19.
- Within the context of the UISP (NUSP) city-wide approach, the process of making densely occupied settlements less dense - for immediate servicing or medium-term upgrading should be consultatively taken and with informed consent. Relocation should be voluntary. Interventions to reorganise physical space and re-blocking should happen in situ through

- participatory processes, to open up space for emergency relief and basic services with minimal disruption and relocation of household functionality..
- **Meaningful Engagement:** It is important that any process includes meaningful engagement with affected households to ensure that disruption to their lives is minimised in everyday household safety, hygiene, food security, schooling management , and their source of livelihood
  - **Temporary relocation areas (TRAS)** are part of the COVID 19 emergency response for self-isolation and an adjunct to de-densify or re-block informal settlements. Emergency relocations should wherever possible be to sites which are suitable for permanent settlement from a social locational and livelihoods points of view. A managed land settlement approach will be adopted as ia viable alternative where government provides land, planning and services and people build their own housing.
  - **Moratorium on evictions:** The Minister has issued a directive that all evictions are to be suspended during the lockdown period. All spheres of government will need to ensure compliance with the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 in this regard. Where necessary, mediation and adjudication services will be provided. Where no consensus can be obtained, a court order for eviction will be required.
  - **Funding:** Funding for the COVID-19 Plan will be based on UISP Plans, budget allocations and communities' own efforts-in-kind contributions. In situ mitigation measures are reliant on the in-built pillars of community participation and coproduction, and form the cornerstone of an optimally cost-effective response. This approach begins with the provision of basic services as the first step of incremental upgrading. Ongoing community-level monitoring and management of services that relate to water, sanitation, refuse removal, street cleaning and storm water management require community partnership with government to ensure the most effective deployment of resources. This will also ensure long-term upgrading and the inclusion of communities into the fabric of everyday life of the socio-spatial economy.
  - **Maintaining the economy and livelihoods:** We need to keep as much of the economy going as possible whilst we deal with COVID-19 and prioritise livelihood security. COVID-19 and the economy are concurrent national crises. We must deal with both these dimensions or the poor will suffer severe consequences.
  - **Partnerships:** Effective upgrading requires partnerships involving communities and their representatives, municipalities, support organisations, research institutions, donors, development consultants, private sector entities and other government departments in order to be successful. Choices and decision-making need to flow from and between these partnerships.
  - **Context specific responses:** Informal settlements share common challenges, but their ability to mitigate and adapt to risk is shaped by their context. The main principles and protocols for preventing and managing COVID-19 can help guide particular responses in each settlement, but what works will depend substantially on the local context and will need to be locally adapted.
  - **Locally responsive actions:** Many small, locally responsive actions (informed by and done with local residents and communities) will make the telling difference in managing COVID-19 and achieving effective in-situ upgrading. Bottom-up physical space management approaches are most appropriate.
  - **Long term durability.** Although an immediate crisis response is required, it must be approached with a forward looking perspective and a sustainable purpose. For example, where possible the services provided as part of the COVID-19 Plan should be usable as part of the permanent services provided through incremental upgrading.

*for*

- **Density, living space, urban land use, and regulatory frameworks:** There is a need to redefine urban land use plans to incremental service standards, and building norms to optimise physical space for household health and social needs tailored to the optimal infrastructure layout and servicing, that demarcate to allow for incremental secure of tenure that allow for residents to improve their own living conditions. Thus enable dignity to the people living in them by making them coproducers of the built environment. The density of informal settlements provides opportunities in refashioning compact, efficient neighbourhood and urban functionality through the exploration alternative, dense housing typologies, funding mechanisms, tenure forms and urban management coproduction. The physical distancing requirements - not only of COVID-19 but other communicable diseases and associated illnesses related to poor quality housing - can be achieved through community re-blocking or the physical reordering of housing, communal and other social and commercial spaces. Grassroots knowledge and innovation should be utilised in this regard.
- **Learning and adaptive practice:** The crisis context requires urgent and decisive action. Reflective practice must be built into the immediate response and the NUSP community of practice must be deepened.

### 3. PLANNING AND PRIORITISATION

All informal settlements are ultimately to be included in a hierarchy of response measures. The objective should be that settlements receive an emergency basic services response within the short term (0-3 months) and that viable incremental upgrading pipelines including all settlements should be well established over the medium term (3-24 month period) in order to enable rapid scaling up. A programmatic approach to planning and prioritisation will therefore be taken as the primary intervention mechanism, in consultation and engagement with CSOs and based on the UISP, the NUSP, and the requirements of the COVID-19 disaster. Utilising the UISP and NUSP Plans, a series of consultations will take place between the three spheres of government as well as via the exchange platform. Settlements to be prioritised for the short term COVID-19 Plan will include those that are in existing UISP/USDG project pipelines as per phase 2 and the intention will be to expand this pipeline of projects and also include settlements co-nominated by CSOs and partner municipalities. The list of selected settlements will be expanded in a consultative manner at municipal and provincial levels.

### 4. SHORT TERM RESPONSE (0-3 months)

1. **Identify specific response type in each settlement:** As far as possible, make sure this prioritisation is bottom up, based on grassroots insights. Some settlements may warrant a higher priority for water supply, toilets, hygiene and solid waste management, whereas all will require responses relating to communications, behaviour and information.
2. **Identify and mobilise partners and partnerships:** Continued support for an approach which recognises that government and communities in informal settlements - with support from others (NGOS, support organisations, private sector, research institutions, donors, sponsors, religious organisations, social networks and governance platforms) - must work together, sharing resources and responsibility for preventing and managing the impacts of COVID-19. Informal settlements are highly organised, responsive and adaptive, but are also fragile and sometimes fractured. We need to recognise, understand, draw on, strengthen and enable local community organisation structures to support government in its COVID-19 responses.
3. **Decentralise the response:** Planning and implementation should rest as much as possible at the local level, with national and provincial spheres playing a supportive role. Responses need to be

driven in a bottom up fashion, mainly by metros and local support organisations and social networks, based on wide data and information sharing with other spheres of government in order to facilitate rapid upgrading.

Decentralised responses must consider the following multi-sector interventions:

### 1. Communications, behaviour change, education and information

- **Awareness-raising campaigns** - There is an urgent need for coherent, government-led information campaigns that reach all informal settlements e.g. distribution of pamphlets in different languages.
- **Community organisation** - COVID-19 campaigns in informal settlements have been largely driven by communities so far, and this should be recognised as the starting point for continued interventions. These include monitoring, data collection, co-planning, organising for implementation, responsible utilisation and maintenance of services.
- **Permits to move** - Permits to move are urgently required by community organisers/workers and those in government and support organisations who work with them. This is important to reduce police harassment, which has unfortunately been witnessed during the lockdown.
- **Communications** - Good two-way communication with every community in order to: a) monitor key issues e.g. water, toilets, solid waste, vulnerable persons (children, aged, disabled), hunger, disease outbreaks etc.; b) disseminate information; c) enable data collection; d) support community mobilisation for COVID-19 and upgrading. WhatsApp Groups have proven to be effective.
- **Education and behaviour change** – Education and information sharing of clear, simple messages which answer the question of *why* people need to change their behaviour. Messages on *how* this can be achieved, which can be applied to each local context. Inspire and support a 'clean, safe households; clean, safe community spaces' programme. Use posters, WhatsApp groups within communities, TV and the radio. Support community leaders to be early adopters, for example by being provided with and wearing masks/PPE.
- **Data management** - Data on key local issues and needs from the community and settlement level must be collected and analysed on an ongoing basis. Community leaders and structures can provide information, collect and record data, and develop and implement responses through the co-production of knowledge for reducing exposure to and managing the impact of COVID-19. New systems for doing this will need to be developed, and merged with existing systems and data (which will also need to be updated and incorporated) e.g. the categorised list of NUSP settlements and the LAPSIS system. Data needs to move along the data information chain to inform decision making and responses. Supporting the flow of data from the community level to the correct decision makers is critical.

### 2. Food security

- **Food aid:** This may be direct in terms of the provision of food parcels and supplies, or indirect (e.g. via SASSA or vouchers). There is also the need to consider the impacts of hunger on the most-vulnerable and needy individuals (including young children, disabled and older persons) and to reach them urgently. Innovative, grassroots mechanisms and partnerships to identify and respond to the needs of the most vulnerable groups are being developed, and should be supported and strengthened moving forward.
- **Income** – Responsibly and selectively de-restricting certain economic and livelihoods activities which most impact the urban poor will enable some households to generate much-needed income again.

- **Informal food traders:** Education and support for informal food traders to increase hygiene practices in the trading of food. Food is an exposure pathway and water provision, good hygiene and behaviour change can reduce this risk significantly.
- **Micro and informal enterprises:** Many livelihoods are derived from micro and informal enterprises and responsible and appropriate de-restriction of certain local enterprises with low COVID-19 risk will greatly assist households.

### 3. Water, sanitation and hygiene

- **Hygiene** - Sufficient disinfectants for cleaning shared toilets, door handles, standpipes and taps on an ongoing basis and preferably after every use is required. Face masks and personal sanitizer for those who are working in the settlement e.g. local coordinators, communal ablution supervisors, etc.
- **Water** – Maintenance of existing standpipes and other taps. Additional pipes or temporary tanks. Water storage tanks either mains-fed or as a last resort regularly refilled by tanker. Community champions to be trained and supported to monitor supply levels and frequency.
- **Toilets** – Some informal settlements already have grassroots initiatives with volunteer cleaning teams working with donated equipment. Service providers should work with community teams and strengthen them. Extended operations and maintenance of existing communal ablution facilities is urgently required. Additional CABs where possible, or smaller kits or temporary solutions, e.g. chemical toilets. Ensure communal toilets are open for longer hours and provide additional funding for supervisors to continue to maintain them. Protect and educate communal ablution block supervisors who are the foot soldiers in this battle.
- **Solid waste removal** – Municipalities need to urgently intensify their activities in terms of solid waste removal in informal settlements. Additional bins inside settlements. Improved collection and containment point (fenced). Supply of sufficient refuse bags. Local workers to move waste from decentralised bins to collection point 2-3 times a week. Municipal collection 1-2 times a week.
- **Re-blocking** - Re-blocking means improving the spatial layout of an existing informal settlement to enable the upgrading of infrastructure and physical conditions. This improves the living arrangements by adjusting or rearranging built structures, improving walkways by creating sewer drains and creating space for temporary or permanent services. This encourages communities to improve their living structures gradually at their own pace. Re-blocking can mean moving and realigning the position of some or all structures in a settlement (partial versus full re-blocking) in order to open up access ways for the provision of services. This is often necessary in dense informal settlements. In very dense settlements it may require the relocation of some households on a voluntary basis, preferably onto adjacent or nearby land so as to prevent the disruption of livelihoods and social networks. Re-blocking is ideally undertaken in cases where communities have already negotiated their security of tenure and are geared for incremental in-situ upgrading.

### 4. Disease management

- **Early warning and hotspot ID** - Regarding suspected infections and hotspots, referral to the Department of Health.
- **Management of hotspots** – Assist the Department of Health where necessary.
- **Appropriate behaviour when sick** – Identification of individuals vulnerable to sickness and who need to be protected, and protocols for what community members need to do if someone becomes sick, including quarantine (when there is a possibility of having contracted the virus, or having mild symptoms that do not require hospitalisation) and

isolation. Steps to follow for treatment of infected individuals, data to be collected and information on who to send information to.

- **Temporary isolation and primary care facilities** – Including locally in or near to the community e.g. unutilised buildings previously used for other purposes (small 'field-hospitals'). This could include the use and re-purposing of taverns or other larger structures within settlements that do not increase contagion due to their location. Possible repurposing of unutilised government buildings in other precincts for larger temporary facilities.

#### 5. Vulnerable groups

It is likely that there will be increased risk for most vulnerable groups during the lockdown, including children, older and disabled persons and victims of gender-based violence. Monitoring and data are required. Department of Social Development (DSD) social workers need to be empowered and protected so they can continue to play their normal monitoring and support functions within communities.

- **Children** – Children are especially vulnerable during the lockdown, including in respect of hunger and exposure to diseases (not only COVID-19), psychological stress and domestic violence. It is particularly important that child nutrition is ensured.
- **Older persons, people with disabilities and gender-based violence** – Monitoring and DSD response necessary. Also the prioritisation of food support where necessary.

### 5. MEDIUM TERM RESPONSE (3-24 months)

The medium-term response is to accelerate incremental, in-situ upgrading (in line with the UISP and NUSP principles) and support moving to scale in this regard. This includes improving the way in which settlements are serviced and planned, re-blocking of settlements where this is necessary in order to open up space for services and better access, managed land settlement, and exploring alternative self-build housing typologies.

Improved institutional coordination is a critical enabling success factor and this needs to be addressed and resolved in the medium term. To this end, an intergovernmental reporting mechanism will be established by the NDHS. Similarly, greater coordination is needed between provinces, metros and local municipalities to ensure effective implementation and adequate resourcing of the programmatic response. At the metro/municipal level, there needs to be more effective coordination with communities and support organisations, via project task teams which must have direct community representation on them. These project task teams will play a vital role in coordinating the development of projects pipelines of scalable catalytic, implementation ready projects. "Social compacts" or partnership agreements should be established at both metro and provincial level. Municipalities need to set up a sector engagement platform that allows for informal settlement communities' participation on an ongoing basis beyond the crisis. Informal settlement residents themselves have proven to be the greatest source of monitoring and reporting on real time situations on the ground. This needs to be an enduring feature of monitoring and coordination for all municipalities.

Additional medium-term actions include ensuring the appropriate statutory and regulatory flexibility in respect of issues such as service standards, environmental and planning approvals, land acquisition, rezoning and building standards. This also includes designation of all settlements in Municipal Spatial Development Frameworks (MSDFs), and inclusion into housing chapters of IDPs, identification and declaration of incremental upgrading zones, social services such as early childhood

development (ECD) centres, mobile clinics, and communal spaces to work and play, managed land settlement, procurement and delivery solutions.

There also needs to be monitoring of international learning initiatives and best practice responses to managing COVID-19 in informal settlements, as well as the development of innovative responses in South Africa, as they emerge over the medium term and as the trajectory of the virus unfolds. Importantly, there needs to be serious consideration given to physical distancing practices, including the limitations of this approach or how to enable it better, and the possibility of future lockdowns (even if geographically defined, for example when there is a hotspot). For example, other countries have instituted settlement-level lockdowns for informal settlements, rather than household level lockdowns, to enable movement and livelihood activities within a defined area. Such interventions will have to be weighed up against the risks of 'ghetto-isation' of the epidemic and associated stigma.

## **6. LONG TERM RESPONSE (24+ months)**

The long-term responses build on the short- and medium-term responses and should include, amongst others:

1. Accelerating responses to informal settlement upgrading and up-scaling nationally. The systematic development of locally based housing and urban management support programme to support citizen based housing production and settlement development.
2. Regulatory reform and alignment across various fiscal and subsidy instruments, the incentivising of new funding instruments in the light of a commitment to coproducing and co-management of the built environment i.e. the urban poor bearing the cost of incremental building and infrastructure norms and standards responsive to emergent housing, human settlement policy and spatial and land use planning frameworks.
3. Strengthening overall area urban based management through fiscal redistributive mechanisms.
4. Ongoing learning, documentation, the building new technical competencies, the development of institutional capacity through the use of institutions of higher learning, new curriculum development, and the utilisation of the human settlement value chain sector training authorities to build a new cadre of empowered home and settlement builders and managers

## **7. CONCLUSION**

The lack of sufficient institutional capacity in municipalities, to pursue the UISP and undertake informal settlement upgrading partnerships, presents a particular challenge. There is an urgent need for stronger institutional capability to accelerate informal settlement upgrading. This includes drawing in EPWP workers and community development workers (CDWs), especially in short-term responses as outlined above.

It is recognised that CSOs can add particular value in terms of COVID-19 responses and informal settlement upgrading by providing scarce and complementary knowledge and skills, enabling partnerships with communities and others, and by expanding the available capacity to plan and deliver. CSOs therefore need to be more fully drawn into the national upgrading programme in various ways so their capacity can be optimised and better leveraged.



There is also a need for better coordination across different sectors and spheres and the creation of structured partnerships at various levels. Municipalities are recognised as being especially important as the sphere of government directly responsible for upgrading responses such as city-wide planning and basic services delivery. They are accordingly regarded as essential partners at the local level in terms of planning and implementing upgrading projects.

Other barriers to scaling up include the aforementioned need for greater statutory and regulatory flexibility and more rapid procurement/delivery solutions. In respect of capacity and delivery solutions, possible options which can be considered include but are not limited to PHP/Zenzeleni in incremental upgrading so as to better mobilise, empower and resource support NGOs; the creation of a drawdown facility, managed by NUSP, to assist with bringing on capacity in the short and medium term; or for the HDA to become a vehicle for further capacity enhancement, all of which would be dependent on exploring viable mechanisms for optimal implementation.

The NDHS and CSOs jointly commit themselves to progressing PHP/Zenzeleni as a priority, noting that this includes the all-important participative planning aspect of upgrading, innovation and the formation of social compact arrangements. Consideration will also be given to how the role of CSOs/support NGOs can be optimised within other upgrading programme/ funding instruments including USDG, UISP and Emergency Housing. Providing adequate resources for the roles CSOs play is critical, as current procurement models of government are not geared towards CSO partnerships.

In pursuing the above, there is a shared intention to ensure the inclusion of upgrading projects supported by CSOs/support NGOs within upgrading pipelines, subject to these meeting normal UISP and other requirements and enjoying municipal support. This will help build a platform for stronger collaboration as well as increased mutual understanding, innovation and learning. Per the capabilities approach articulated in the NDP, this is a partnership envisaged in Chapter Eight, between a developmental human settlements department, and capable citizens, capable of participating in the decisions of reproducing an equitable space economy and capable of transacting in coproducing with the state a virtuous local state and economy.

PV