

**Theme: Repositioning
Local Government for a
future we desire**

**PRESENTATION TO : ILGM
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**Topic: Integrity and the
Office of the Ombudsman
role in Municipalities**

**Presented by:
Adv L Tshiwalule**



OMBUDSMAN
City of Johannesburg

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(1) VALUES (FAAIST)



FAIRNESS

ACCESSIBILITY

ACCOUNTABILITY

INTEGRITY

SERVICE ORIENTED

TRANSPARENCY

(2) History of an Ombudsman Office

- The word 'ombudsman' comes from Sweden which in 1809 established the position of *Justitieombudsman* to oversee government administration. The title loosely translates as 'citizen's defender' or 'representative of the people'.
- Since 1809, it has been adopted in many parts of the world, in both government and private industry (eg. banking and insurance) settings. However, the role has changed considerably and nowadays the Ombudsman functions in Sweden and elsewhere do not generally involve acting on behalf of complainants in the way that an advocate or lawyer would do. Nor does the Ombudsman represent the agency being complained about. Rather, an Ombudsman acts in an impartial and independent way.
- In South Africa an Ombudsman role in Municipalities is similar to the role of the Public Protector's Office. Borrowing from the Public Protector Act, some municipalities have created Ombudsman Offices (eg. City of Cape, City of Johannesburg, Ethekewini)

(3) Role of an Ombudsman Office

- To investigate all complaints relating to alleged maladministration where members of the public within municipalities are alleged to have suffered an injustice.
- To investigate contravention of rights of the public to efficient and courteous service, dignity, honesty and integrity in the public administration of municipalities.
- To investigate the adherence to principles of procedural fairness and administrative justice, human rights and seek appropriate redress.
- To develop awareness of human rights among the residents of municipalities.
- The role of the Ombudsman is to investigate and address maladministration, service delivery and human rights violations complaints. The whole purpose of the Ombudsman is to be a voice of the voiceless and to be an independent and impartial person.
- The Ombudsman's role in municipalities will be to conduct administrative Investigations

Roles Continued...

- To assist in preserving and promoting compliance with all resolutions, policies and by-laws which govern municipalities and protect the public within municipalities.
- To provide for the reporting on the possibility of amending the processes, policies, by-laws and other written instruments of Municipalities, including those of the Office.
- make recommendations to City Managers and Council's in order to enhance the promotion and implementation of human rights; undertake studies and report to the Executive Mayor's and the City Manager's on matters relating to human rights.

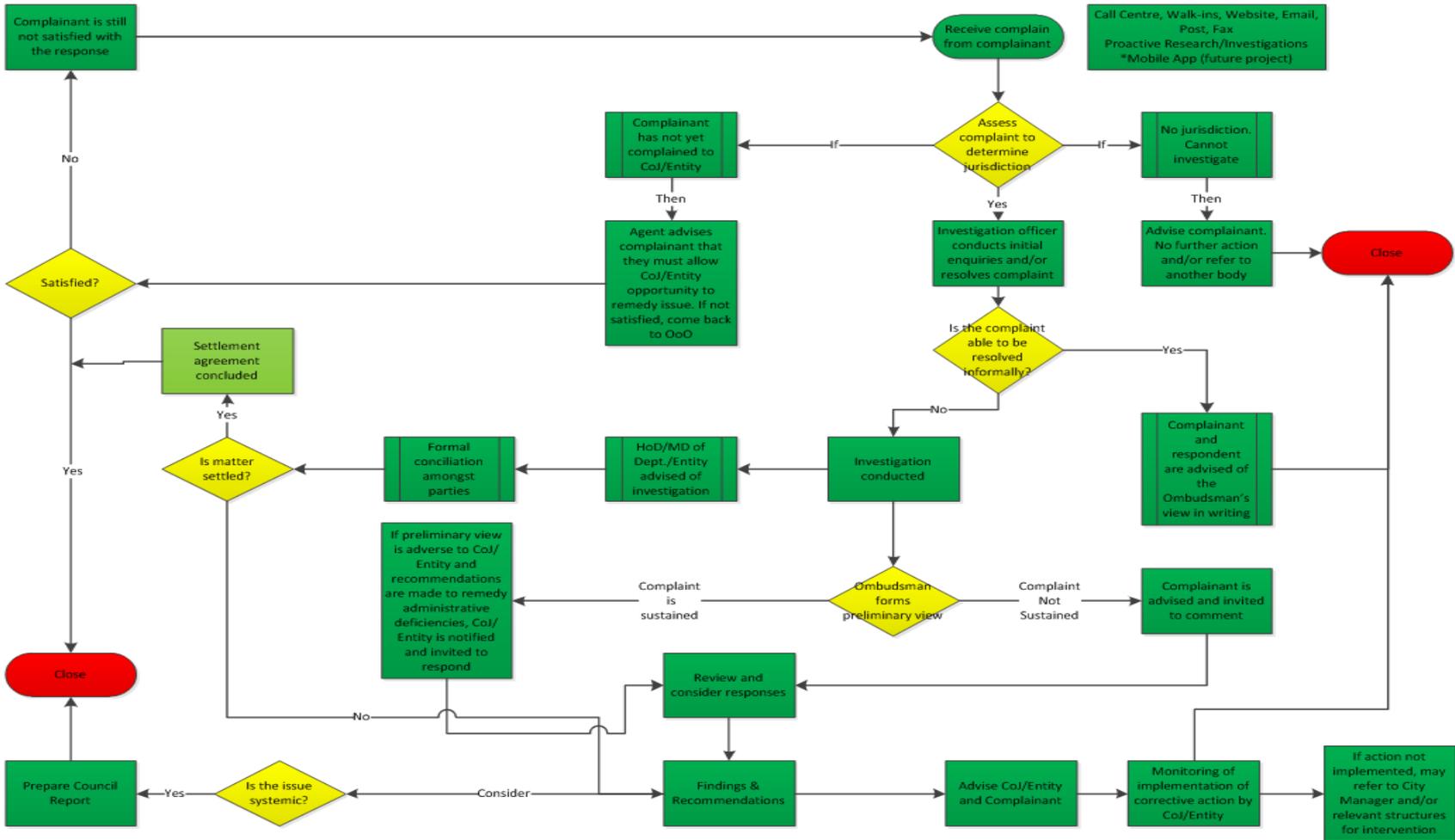
Role of an Ombudsman Office

- Strengthening municipal accountability mechanisms
- The Increased public demand for accountability
- Serve as a bridge between municipalities and its residents
- Supervise activities of municipalities and voice the concerns from the citizens
- It's a gateway for residents into municipalities
- Mediate, conciliate and arbitration conflict between municipalities and its residents
- make corrective remedial action and provide advise to the municipality
- It also help to promote and improve good governance
- Ombudsman influence policy making within municipalities
- It is an office of last instant or resort within municipalities

(4) Integrity

- Integrity is defined as a quality of being honest and having strong moral principles. This principle is an integral part of all municipalities. The role of the Ombudsman office within municipalities will be to ensure that integrity as promised is upheld.
- The Ombudsman office should also serve as a mirror that municipalities and its Officials should emulate. It must encourage good governance and proper leadership within municipalities and hold administrators accountable on their promises
- Municipalities set standards that they would like to be judged based on (eg. Bylaws, regulations, service level agreements, policies and standard operational plans). There are also municipal legislations met to direct how municipalities should conduct their businesses and provide services to residents.
- The role of an Ombudsman in Municipalities will be to ensure that the above set standards are followed.
- The Ombudsman should be able to demonstrate independence, fairness and impartiality and have credibility and trust of both municipalities and residents (all stakeholders)
- For an Ombudsman to gain credibility and trust, Its findings and recommendations must be accepted and implemented, if not, reasons must be furnished
- It must demonstrate value to both municipalities and residents

(5) End to end process of investigation



(6) What are the benefits of an Ombudsman Office in Municipalities

- Encourage accountability and good governance
- Effective and efficient response to resident's issues
- Improve service delivery
- Help the municipality better understand challenges facing residents
- Help municipality to plan properly
- Improve trust and relations between municipality and its residents
- Provides the residents and municipality with an independent and impartial voice, which fosters consistency between municipality's values and actions
- Improve trust and confidence between municipality and its residents
- Reduce litigation between residents and municipality
- The benefits are good for both residents and municipalities

Thank You

Q&A
