



MINISTRY
COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS
REPUBLIC OF SOUTH AFRICA

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CIRCULAR NO. 6 OF 2020

**FROM: DR NKOSAZANA DLAMINI ZUMA, MP
MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL
AFFAIRS**

**TO ALL: MECs RESPONSIBLE FOR LOCAL GOVERNMENT IN THE
PROVINCES**

EXECUTIVE MAYORS / MAYORS

GUIDELINES FOR MUNICIPALITIES TO RESPOND TO THE COVID-19 PANDEMIC

1. BACKGROUND

- 1.1 The Head of the National Disaster Management Centre (NDMC), after assessing the potential magnitude and severity of the COVID-19 pandemic in the country, classified the COVID-19 pandemic as a national disaster.
- 1.2 The Minister of Cooperative Governance and Traditional Affairs (COGTA), Dr Nkosazana Dlamini Zuma, after having considered the magnitude and severity of the COVID-19 outbreak and it being classified as a national disaster by the Head of the NDMC, declared a national disaster.
- 1.3 On 15 March 2020, the President addressed the Nation and announced, amongst other matters, the following interventions that were to be put in place:

- Travel ban to high risk countries from 18 March 2020 for all South African Citizens;
- Gatherings of more than 100 people are prohibited;
- Large events and celebrations are cancelled;
- Businesses are called upon to take measures to intensify hygiene control;
- Partnering with the private sector to develop a tracing, tracking and monitoring system for all those affected by coronavirus
- Calling on everyone to take various personal measures to intensify hygiene control, such as elbow greetings, etcetera; and
- Establishment of National Command Council, chaired by the President, to coordinate responses to the pandemic.

1.4 On 18 March 2020, the Minister of COGTA issued Regulations in terms of Section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) – (hereafter referred to as the COVID-19 Regulations).

1.5 The COVID-19 Regulations (attached herewith) gives legal effect to, amongst other matters, the prohibition of gatherings of more than 100 people in order to curb the spread of COVID-19.

1.6 In respect of the implementation of the above, municipalities are expected to play a key role, both as government institutions that deliver services to the public and as employers.

2. PURPOSE OF THE CIRCULAR

2.1 With regards to the implementation of the above, municipalities are expected to play a key role, both as government institutions that deliver services to the public and as employers; provinces must support municipalities in their endeavours to respond to the COVID-19 pandemic.

2.2 ON 20 March 2020, the Local Government MinMEC resolved to issue a Circular to guide provinces and municipalities on how to respond to the COVID-19.

2.3 The purpose of this circular is to therefore provide guidance to municipalities and provinces on the following matters relating to COVID-19.

- Service provision;
- Municipal operations and governance;

- By-elections;
- Precautionary measures to mitigate employee health and safety risks; and
- Guidance on how to manage COVID-19 cases.

3. GUIDELINES FOR RESPONDING TO COVID-19

SERVICE PROVISION

3.1 Water Service

The delivery of municipal services through infrastructure programmes for water and sanitation, as well as through in-contact services rendered by municipal frontline and technical staff are considered first response areas to minimize or prevent transmission of COVID-19. Municipalities must therefore ensure that communities are provided with the necessary means to prevent transmission, whilst preventing disruptions in services that are rendered through both municipal programmes and customer interaction.

In this regard, municipalities are advised to:

- Provide potable water (water tankers, boreholes and by other means) to high population density settlements; rural communities; informal settlements and all other water constrained communities that have limited access to municipal water supply.
- Provide temporary sanitation services in areas that demand such.

3.2 Hygiene Education, Communication and Awareness

The success of the COVID-19 response efforts are contingent on uniform and non-alarmist communication and messaging, and relies extensively on the capabilities of all actors to ensure that the public have correct, relevant, and useful information about both state interventions and their own responsibility towards ensuring their health and safety.

There is a vital need for identifying and reporting new cases, and for responding to the pandemic in an organized and efficient manner. Ongoing open communication and raising of awareness across all affected parties is essential. Municipalities, through their officials and councillors should play an important role in ensuring wide-spread and constituent messaging and communication.

In this regard, municipalities are advised to:

- Prepare and disseminate communication on COVID-19, using all media available (print, radio, and social media), to the public within their areas of jurisdiction, and roll out awareness campaigns where feasible.
- Ensure that communication materials include details on prevention methods, identification, control (quarantine and isolation), local reporting channels and emergency contacts in order to raise public awareness and encourage appropriate preventative behaviors and practices.
- Conduct awareness programs on the prevention and control of COVID-19 and establish communication protocols for the reporting of cases relating to employees and councillors.
- In partnership with the Department of Health to provide:
 - Training and means of communication and reporting to councillors to promote open communication and speedy responses to cases.
 - Training to councillors and EPWP workers to enable them to play the role of health promoters in their communities and enable uniform, non-alarmist and consistent communication with their constituents.

3.3 Waste Management, Cleansing and Sanitization

The control of the transmission of the virus will require extra ordinary cleansing and sanitization of public facilities.

In this regard municipalities are advised to:

- Establish well-equipped response teams (e.g with pressure cleansers and spray equipment, anti-biochemical protective clothing) that will be deployed to provide cleansing and sanitization of places and facilities that could be hotpots for the transmission of the virus.

3.4 Crowded Areas

COVID-19 has been shown to be transmitted through person-to-person contact, and may also be contracted from contact with hard surfaces, upon which the virus may live for up to twelve hours. Globally, the appropriate measures to prevent transmission have been identified as those that limit human contact with infected persons and surfaces.

In addition, municipal public services such as public transport are considered to be high-risk areas due to the volumes of users making use of transport facilities. Vulnerability in public transport is comparatively high due to the crowding factor in public transport.

In this regard, municipalities are advised to:

- Provide soaps, sanitizers, facial masks, latex gloves and other materials or equipment necessary for prevention of person-to-person transmission in areas of high population density and congestion, such as public transport nodes and public service centers and facilities (i.e. municipal offices, clinics, etc.).
- Share information as well as put in place traffic control measures that give priority to emergency response vehicles in special circumstances and emergencies; whilst considering users as a 'captive audience' for messaging and awareness raising communications on household COVID-19 prevention measures.

3.5 Hosting of Other Events and Social Gatherings

Municipalities must identify all events and gatherings that are scheduled to take place in their respective jurisdictions over the next six months. Organisers of events and gatherings that involve more than 100 people should be notified that such events and gatherings, for as long as the prohibition on such events and gatherings remain in place, must be postponed or cancelled, notwithstanding that the organisers of such events might already have been granted the required permits to host such events.

In addition, identified events and gatherings that involve 100 people or less should not automatically continue on the basis that they do not meet the more-than-100-person threshold. Each such event or gathering must be considered on a case-by-case basis, with advice sought from the provincial health department and the provincial disaster management centre (PDMC) on the risks associated with the continuation of each such event and whether the event should be cancelled or postponed, or continued with, subject to such stringent measures of prevention and control, as the department or PDMC may consider necessary.

In this regard, municipalities are advised to:

- Pro-actively engage with and guide the organisers of such events or gatherings.
- Not issue permits for and entertain marches, protests and handover of petitions.

3.6 Municipal Public Spaces, Facilities and Offices

Control measures need to be put in place in relation to municipal public spaces, facilities and offices to ensure social distancing and prevent the risk of transmission.

In this regard, municipalities are advised to:

- Close or monitor usage of all public spaces and facilities that do not provide essential services as follows:
 - Swimming pools – all swimming pools to be immediately closed.
 - Beach bathing – bathing in all beaches be prohibited with immediate effect - law enforcement should be engaged to monitor those that do not adhere to these measures.
 - Libraries – all municipal libraries be closed.
 - Community halls – all functions be limited to groups of less than 100.
 - Cemeteries, crematoria and funerals – during funerals, affected families be encouraged to observe recommended hygiene practices and limit the number of mourners to family members only, or to restrict the mourners to not more than 100. The handling and disposal of human remains brought about as a result of the virus, must be done in terms of the guidelines and protocols that have been developed by the National Department of Health.
 - Museums and art galleries – all museums and art galleries be closed to the public.
 - Events – municipal events be indefinitely suspended.
 - Community gatherings other than funerals, such as weddings and social gatherings that will attract or have more than 100 people must be cancelled and stopped immediately.
 - Parks and Zoos – parks and zoos must be closed or access monitored to ensure social distancing and that there are no group activities.
- In partnership with the Department of Health, implement risk surveillance, case investigation and case management measures by:
 - conducting health screening of members of the public at points of contact, such as public service centers and municipal offices.
 - conducting health screening of members of municipal staff at points of contact such as public service centers and municipal offices.
 - establishing mechanisms for reporting of identified cases of transmission and infection, without raising public alarm and fear.
 - ensuring obligatory placement of hand sanitizers at the entrances of all municipal public buildings, offices and facilities.
 - enforcing obligatory washing of hands and/or use of hand sanitizer before admission of members of the public and municipal staff into public facilities and municipal buildings and offices.

- ensuring cleaning of workspaces and hard surfaces on a regular basis with sterilizing detergents.
- provide protective materials and or equipment for prevention of person-to-person transmission for general workers and operators of municipal equipment and vehicles as a precautionary measure.

3.7 Isolation and Quarantine

Confirmed and suspected cases of COVID-19 should be isolated and quarantined to minimize the risk of infection.

In this regard, municipalities are advised to:

- Identify quarantine and isolation sites (e.g. community halls, multi-purpose centers, etcetera) within their jurisdictions, and provide details and requirements to the National Department of Health for resource allocation and support.
- Implement provisions for quarantine, self-quarantine and isolation, as guided by the protocols and guidelines by the national Department of Health..

3.8 Monitoring and Enforcement

Monitoring and enforcement will be critical in ensuring that as a country we are able to combat the pandemic.

In this regard, municipalities are advised to:

- Monitor and control social contact in communities in areas of their jurisdiction.
- Working in collaboration with the South African Police Service and municipal police, enforce measures to prevent large social gatherings (over 100 people) such as weddings, cultural, and sporting events.
- In the event of unavoidable gatherings such as funerals, enforce measures that limit the number of participants to 100 or less, and ensure that transmission prevention materials and/or equipment (i.e. latex gloves, facial masks, hand sanitizers, and hand washing soaps and water) are utilized.
- Enforce cleaning of public waiting areas and ablution facilities, as well as all hard surfaces (doors, windows, handles, seats, etc.) in public access areas every hour.

Municipalities are an integral part of government's Intergovernmental Relations Framework. Their basic service delivery obligations and daily operations necessitate that municipalities convene meetings, events and engagements and have in-person contact with both the public, (i.e. their consumers/customers, businesses, contractors, municipal entities etc.) and members of other organs of state (national and provincial departmental representatives).

Municipal operations therefore place municipal staff and the public at large at great risk for transmission of COVID-19. It is therefore essential that preventative and limiting measures be put in place to limit physical contact where possible, whilst limiting disruptions to operations and meeting regulatory compliance requirements.

The COVID_19 Regulations prohibits the holding of events with 100 and more people. However, due consideration has been given to the fact that the risk of transmission is present where there are gatherings of people, regardless of the number. As such, municipalities are encouraged to consider suspension or cancellation of **non-essential** meetings and gatherings.

3.9 Travel

In this regard, municipalities are advised to:

- Suspend all **planned** international travel until the President has made pronouncements on the resolution of the disaster.
- Suspend all **non-essential** domestic travel until the President has made pronouncements on the resolution of the disaster.

3.10 Council Meetings, Operational Meetings, and Legislated Public Engagements

There are various instructions in local government legislation for the internal functioning of municipal councils, in order to guide decision-making concerning the exercise of all the powers and the performance of all the functions of the municipality. As the highest decision-making body within the municipality, a municipal council is required to:

- (i) In terms of Section 18(1) of the Municipal Structures Act, must meet at least quarterly;
- (ii) As directed by the Municipal Finance Management Act:
 - Section 16(2), consider the draft annual Budget at least 90 days before the start of the financial year (by end March); and

- Section 24(1), at least 30 days before the start of the financial year (by end June) consider the approval of the annual Budget.

Furthermore as part of consultation, there are various instructions in local government legislation for municipalities to actively seek the community's participation, input and/or comments on matters such as the Municipal Systems Act, Section 16(1) Public Participation Processes, which includes:

- (a) Preparation, implementation and review of the Integrated Development Plan (IDP);
- (b) Preparation of a budget;
- (c) Implementation and review of the performance management system; and
- (d) Monitoring and review of municipality's performance (based on the Service Delivery and Budget Implementation Plan (SDBIP)).

Having regard to the announcement by the President, all of the above legislated instructions to local government, if implemented, will directly contravene the national measures that have been put in place.

In this regard, municipalities are advised to:

- Convene meetings in accordance with the COVID-19 Regulations, which prohibits gatherings of more than 100 people.
- In instances where a council meeting requires more than 100 persons to be present, then appropriate alternative arrangements must be put in place to ensure that such meeting is convened in a manner that allows for multiple venues to be utilized, or utilize alternative solutions, such as the use of teleconferencing, skype, zoom, in order to promote social and physical distancing.

3.11 Emergency Procurement

It is anticipated that in response to the pandemic, municipalities may have to utilize goods and services that they may not have already procured.

In this regard, municipalities are advised to:

- Undertake emergency procurement within the framework of the Disaster Management Act, and the transversal contracts that have been finalized by the Municipal Infrastructure Support Agent prior to the pandemic.
- Adhere to National Treasury Regulations as well as the attached National Treasury Instruction No. 08 of 2019/2020 dated 19 March 2020, relating to "*Emergency*

Procurement in Response to National State of Disaster”.

- All procurement done must be reported to the first council meeting after the lifting of the declaration of the State of Disaster.

3.12 Institutional Arrangements

The management of the spread of COVID-19 requires systematic coordination, communication and cooperation. The NDMC and COGTA advised that national structures be replicated at the provincial and local spheres of government and be dedicated to respond to COVID-19.

In this regard, municipalities are advised to:

- Establish or participate in existing District Joint Operational Committees (and Local Joint Operational Committees) to facilitate a coordinated response and flow of information.
- Work with all organs of state, local community-based health organizations and other civil society organisations.
- Collaborate with and participate in the Provincial Joint Operational Committees for flow of information in this regard.
- Establish Metro, District, and Local municipal Joint Operating Committees to coordinate the efforts of all role players.

BY-ELECTIONS / RE-CONSTITUTING OF COUNCILS

3.13 Holding of By-elections

As already publicly communicated by the Independent Electoral Commission (IEC), elections require close physical contact between election officials and voters, including the exchange of ballot papers and the inking of thumbs. At the end of the voting process, ballot papers must also be counted. Where an infected voter has handled a ballot, indications are that active viruses will last for at least 10 hours. This will be yet another opportunity for cross-infection of officials conducting the counting process.

Given the heightened awareness and concerns over the COVID-19 pandemic, there is also a possibility that significant numbers of voters may stay away from voting stations in upcoming by-elections. This will result in low participation levels which will undermine the holding of free and fair elections.

The IEC subsequently wrote to the Minister and MEC's responsible for local government in the provinces to advise them of their application to the Electoral Court. All associated election events including voter registration weekends and code of conduct signing ceremonies were also postponed.

Affected by-elections were those scheduled for 18 March 2020, 8 April 2020, 29 April 2020, and 13 May 2020. Provinces and municipalities will be advised in due course should further by-elections be postponed, including communication on the dissolved municipal councils.

PRECAUTIONARY MEASURES TO MITIGATE EMPLOYEE HEALTH AND SAFETY RISKS

The municipal sector is a service-oriented environment where there is a lot of physical interaction between members of the public and municipal representatives, be they elected or appointed officials in the process of executing their duties. At the same time, municipalities are employers in their individual capacity, collectively employing collectively more than 240 000 people.

3.14 Municipal Staff, in Particular, Frontline Staff

Municipal staff, in particular the frontline staff, are at risk of contracting the virus as they often interact with members of the public.

In this regard, municipalities are advised to:

- Provide frontline staff with the materials or equipment necessary for prevention of person-to-person transmission, including soaps, sanitizers, facial masks, and latex gloves.
- Prioritise electronic document handling measures to minimize person-to-person transmission through document and stationary handling.
- Provide frontline and general staff with training on hygiene and sanitizing of work spaces and on COVID-19 risk identification and response protocols.
- Cleansing and sanitising of reception areas / community service centres, offices, lifts, vehicles, biometrics and ablution facilities, and all other objects that are generally touched by persons utilising the facilities, including handles and taps.
- Floor and work surfaces of municipal offices must be disinfected periodically, at least

- twice a day during working hours.
- Assignment of officials who will sanitise hands of officials (including service providers).
 - Installation of secured alcohol-based sanitizer dispensers at all points of entry, exit, work-stations and in the passages/corridors.
 - All officials at reception, admission and operational areas shall be issued with appropriate protective equipment i.e. gloves, N95 masks, etcetera (as per the Department of Health Standard Operating Procedures).
 - Gloves to be sanitised between searches.
 - Handheld infrared thermometers (scanners) to conduct the temperature screening of staff and members of the public.
 - Provision of bins for the disposal of biohazardous material.
 - Consider temporarily suspending the provision of services to the public, in instances where there is no sanitization or protective clothing equipment are not available.

GUIDANCE ON HOW TO MANAGE COVID-19 CASES

Given the ability to rapidly spread, the management of confirmed and suspected COVID-19 cases is also of paramount importance.

In this regard, municipalities are advised to:

- Observe the following guidelines as a minimum:
 - In the event that an employee tests positive for COVID-19, the Municipal Manager should grant approval for sick leave in accordance with applicable leave policy and related procedures.
 - The cleaning/disinfection of the affected workspaces must be facilitated.
 - Communication must be maintained with such employees as a means of monitoring and evaluation.

3.15 An employee exposed to a confirmed case of COVID-19

All employees who have been in contact with persons who are confirmed to be infected, are required to inform their line managers and to self-quarantine at home for a period of 14 days or for a duration as prescribed by the National Department of Health, while being monitored for symptoms.

The Municipal Manager:

- Should grant approval in accordance with set procedures for the employee to self-quarantine for a period of 14 days or as prescribed by the National Department of Health to ensure the infection does not spread. Such employees can be requested to work remotely.
- To ensure that the affected workspace/s are cleaned and disinfected.
- To ensure communication is maintained with such employee/ss as a means of monitoring and evaluation.

3.16 An Employee Exposed to an Unconfirmed Case of COVID-19

If an employee has been in contact with a person who has not yet been confirmed as infected by COVID-19 while laboratory test results for COVID-19 are awaited, until the outcome of test results is known, the Municipal Manager can decide, informed and guided by the protocols of the National Department of Health, and the municipality's Legal Services and Human Resources Departments, if restrictions or special control measures need to be applied until the results are known.

Once the results are known, the protocols by the National Department of Health must be implemented.

3.17 An Employee Appears Ill and Reports for Duty Displaying Symptoms Associated with COVID-19

If an employee/s present themselves at work with similar symptoms consistent with COVID-19, being high fever, respiratory distress, dry cough, etc. they must be advised to contact the coronavirus hotline (**0800 029 999 or 0800 111 132**), consult a medical professional and follow the protocols of the National Department of Health for COVID-19.

The employee should be temporarily isolated in a sickbay or in a room identified for temporary isolation, while arrangements are made for them to be transported to a medical facility. Employees must be encouraged to seek medical attention if they display flu like symptoms and to not report for duty. Further action should be taken once confirmation of diagnosis of a medical professional is confirmed.

3.18 Closure of a Directorate/Department/Division/Unit/Section if an Employee Tested Positive for COVID-19

In this regard, municipalities are advised to:

- Report the exposure and incident to the National Department of Health.
- An official with the requisite delegated authority must contact the relevant public health officials to discuss the case, identify people who have been exposed, and advise on any actions or precautions that should be taken.
- An assessment of the directorate/department/division/unit/section/unit will be conducted by appropriately qualified and authorized public health officials, and advise on the management of the occurrence, based on their assessment.
- The assessment decision to close a directorate/department/division/unit/section is the prerogative of the Municipal Manager and will be based on the advice of qualified and authorized public health officials, in accordance with the protocols of the National Department of Health.
- The closure of a directorate/department/division/unit/section must be considered with due regard to the extent of the exposure and its implications on health and safety, including applicable service delivery needs.

3.19 Employees Who Refuse to Report for Duty Based on the Fear of Being Infected by COVID-19

The employment relationship is the legal link between employers and employees and stipulate that a person (employee) will perform work or a service under certain conditions in return for remuneration (employer). The onus is on the employee/s to demonstrate that the workplace is a risk and unsafe in relation to the virus.

Refusal to report for duty, contrary to the instructions of the supervisor or Municipal Manager, means that such absence is unpaid and should be dealt with in terms of the applicable disciplinary procedures.

3.20 Managing Employee Absence due to Exposure to COVID-19

An employee may not unilaterally decide to work from home or remotely. Express written permission must be provided by the employer before an employee or group of employees can work remotely or from home.

Employees' sick leave in the municipal sector is regulated through both the Basic Conditions of Employment Act (BCEA) and applicable Collective Agreements that have been signed in the Divisions of the South African Local Government Bargaining Council. In this regard, the municipality has the sole discretion to decide on leave applications.

Should an employee contract COVID-19 (or even suspect that he/she may have contracted the virus), the employee must immediately inform the employer. The

municipality must then instruct the employee not to come to work or make contact with any other employees.

Given the infectious nature of the virus, infected employees must stay away from the work environment. They should self-quarantine themselves but this is subject to the employees' responsibilities as outlined in section 4.7 of this circular.

3.21 Responsibilities of Employees in the Management of COVID-19

Should an employee work from home or remotely, such an employee will still be required to carry out all the duties and responsibilities normally associated with his or her position, to the extent possible.

This will include, but not limited to the following:

- The employee must immediately contact an appropriate medical institution and request a COVID-19 virus check.
- The employee must comply with all business and work processes, reporting structures and communication protocols of the municipality. He/ she must ensure that appropriate steps are taken so that all key performance areas applicable to his/her position are met.
- The employee must be contactable via telephone/cellphone, via e-mail, or via WhatsApp during normal working hours. The employee may also be required to be contactable outside of normal working hours.
- The employee should reply promptly to all forms of communication from the municipality as the employer, the clients and service providers, and comply with all policies, rules and procedures of the municipality.
- The employee will not neglect his or her responsibilities whilst working from home and should obtain permission from his/her Line Manager/supervisor to attend to personal matters during working hours.
- The employee will only be permitted back to work if he/she has been cleared of the COVID-19 virus. He/she shall be required to provide the employer with the medical certificate clearing that employee of the COVID-19 before returning to work.
- The employee must ensure that any equipment, laptop, computer provided to him/her by the municipality is maintained and in good operational condition. He/she must contact the municipality should he/she be unable to perform his/her duties due to any technical problems.

4. PROCESSING OF THIS CIRCULAR

- 4.1 All Municipal Managers must distribute this Circular to all councilors and staff of the municipality, and ensure strict compliance with the measures that have been provided herein.
- 4.2 Further Circulars relating to COVID-19 will be issued by the Department of Cooperative Governance from time-to-time.
- 4.3 As required by the COVID-19 Regulations, other Ministers may also issue directions to address, prevent, and combat the spread of COVID-19.

5. ENQUIRIES

Further enquiries relating to these matters may be directed to the following officials:

Organisation	Name/Surname	Telephone/E-mail
DCOG: Director-General	Mr Themba Fosi	
NDMC: Head	Dr Mmaphaka Tau	
EC: COGTA: HoD		
FS: COGTA: HoD		
GP: COGTA: HoD		
KZN: COGTA: HoD		
MP: COGTA: HoD		
NC: COGTA: HoD		
LP: COGTA: HoD		
NW: COGTA		
WC: COGTA: HoD		
South African Local Government Association: CEO		

With kind regards,

DR NKOSAZANA DLAMINI ZUMA. MP
MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

DATE: